

ARTICLE 3 -24

MARIJUANA RETAILERS

(10/2018)

Section 1. Consistent with G.L. c. 94G, § 3(a)(2), “marijuana retailers” as defined in G.L. c. 94G, § 1 shall be prohibited within the Town of Hanson.

Section 2. This prohibition shall not apply to a Medical Marijuana Dispensary as defined in Section VI, L. 3. of the Town of Hanson Zoning Bylaws.

Section 3. This By-Law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to Massachusetts General Laws Chapter 40, section 21, as amended, or by noncriminal disposition pursuant to Massachusetts General Laws Chapter 40, section 21D, as amended, by the Select Board, the Town Administrator, or their duly authorized agents, or any police officer. The fine for violation of this By-Law shall be \$300.00 for each offense.

MARIJUANA

(10/2019)

Section 1.

No person shall smoke, ingest or otherwise use or consume marihuana or tetrahydrocannabinol (as defined in G.L. c. 94C as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, school house, school grounds, cemetery, parking lot or any area owned by or under the control of the Town; or in or upon any bus or other passenger conveyance operated by a common carrier, or in any place accessible to the public.

Section 2.

No person shall operate a Marijuana Establishment as defined by Massachusetts General Laws Chapter 94G within the Town unless first duly licensed thereof by the Select Board, which license is renewable annual.

Section 3.

The Board may adopt reasonable rules and regulations related to the issuance of such licenses, including the fees to be paid therefore and the conditions to be satisfied by any applicant for such a license.

05/2022

Section 4.

Applicants for a license shall file an application on a form by the Select Board, signed under the penalties of perjury by the applicant, containing such information as the Select Board may reasonably require from time to time. Each applicant shall pay an application fee as may be reasonably determined from time to time by the Select Board.

Section 5.

The Select Board must act upon the application at one of their next two regularly scheduled meetings with due written notice provided to the applicant of the time, date and location where such appeal will be heard.

Section 6.

The Select Board may approve, deny or approve the application with conditions. Such decision shall be based on the evidence taken at the public hearing, consistent with the protection of the health, safety and welfare of the public, and consistent with the regulations promulgated by such board.

Section 7.

The Select Board may issue orders as appropriate to aid in the enforcement of this regulation and may enforce these provisions in equity, including the request for injunctive relief, in a court of competent jurisdiction. Any failure to comply with any Order issued hereunder shall result in the issuance of a formal warning. Any failure to comply with such a warning shall result in a fine of \$100.00. Any failure to comply after the issuance of said initial fine may be punishable by a subsequent fine of \$300.00. Each day of a continued non-compliance shall constitute a separate violation. Further, the Select Board may hold a hearing, with notice to the licensee, to determine if such license should be modified, suspended or revoked.

Section 8.

This By-Law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to Massachusetts General Laws Chapter 40, section 21, as amended, or by noncriminal disposition pursuant to Massachusetts General Laws Chapter 40, section 21D, as amended, by the Select Board, the Town Administrator, or their duly authorized agents, or any police officer

Section 9.

A. Home Rule Amendment [art. 89 of the Amendments to the Massachusetts Constitution]; Massachusetts General Laws, Chapter 94G, § 3, 935 CMR 500.000.

05/2022