



Malden, Massachusetts

Date: May 1, 2023

His Honor the Mayor has approved Paper # 18 of 2023

Below is a true attest copy of same:

Be it hereby ordained by the City Council of the City of Malden that the Code of the City of Malden (MCC) be amended by adding Title 6, Chapter .20, Section .040 LICENSE FOR EXTERIOR VENDING MACHINES

A. Purpose: The purpose of this License is to protect, preserve and maintain the public health, safety, and welfare by regulating business activities relating to exterior vending machines, as defined herein. This article sets forth requirements for the review of exterior vending machines so that such machines may be permitted without adversely affecting the public health, safety, and welfare.

As used in this article, the following terms shall have the meanings indicated:

EXTERIOR VENDING MACHINE - Any automated machine that is placed outside of a fully enclosed building or on an open air lot and is designed to allow consumers to insert monies by way of cash, credit or debit cards to obtain goods, merchandise or products stored within or produced by the machine, including all food and beverage vending machines.

B. License required: The use and/or placement of all exterior vending machines shall require a license from the City Council. Each license shall be valid for one calendar year. Application for such licenses shall be on a form prescribed by the City Clerk, and a non-refundable fee of \$100 shall be paid for each machine to be licensed. Petitioners applying for first time licenses of an exterior vending machine shall submit application to the Police Chief, Fire Chief, Building Inspector, Wiring Inspector and the Board of Health for review and comment prior to the City Council taking final action on the application. The City Council shall then hold a public meeting of the License Committee on such license. In determining whether to issue such a license, the City Council may consider issues pertaining to hours of operation, traffic, lighting, noise, and such other issues as may affect the public health, safety, and welfare. The City Council may impose reasonable conditions upon the issuance of any such license. Each licensed machine shall display a sticker from the City evidencing that it is properly licensed.

C. Hours of operation: Exterior vending machines may operate only between the hours of 7:00 a.m. and 9:00 p.m. Each exterior vending machine must be equipped with a timed electronic device that will provide for the automatic disabling of the machine each evening at the close of approved hours of operation and remain as such until the following operation day.

D. Violations and penalties: The following penalties shall be applied in addition to any other remedies available in this article:

1. First offense: \$50.00

2. Subsequent offense: \$100.00

Each day of violation shall be an independent violation which may result in a separate citation.

E. Severability. The provisions of this article shall be severable and if any section, part, or portion hereof shall be held invalid for any purpose by any court of competent jurisdiction, the decision of such court.

Be it further ordained that MCC 6.12.010 HOURS OF OPERATION; IN GENERAL be updated to include Exterior Vending Machines 7:00 a.m. – 9:00 p.m.


Sponsored by Craig Spadafora and Paul Condon

Paper # 18 of 2023, of which the above is a true copy

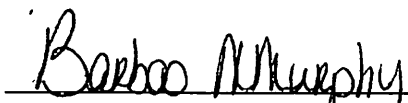
Ordained, by the City Council, by ten (10) yea and zero (0) nay, the City Council consisting of eleven members at their April 25, 2023 meeting.

Approved, May 1, 2023 by His Honor, Mayor Gary J. Christenson

Attest:



City Clerk Carol Ann T. Desiderio



Council President Barbara M. Murphy



Mayor Gary J. Christenson