

Malden, Massachusetts

Date: January 17, 2024

Paper #286 Series of 2022

Below is a true attest copy of same:

Order: That in the interest of promoting a fair and transparent marijuana licensing process, free from political influence and the potential for state ethics violations, that the Code of the City of Malden be amended to change the Special Permit granting authority for Marijuana Establishments from the Malden City Council to the Malden Planning Board, including amending the following Sections:

-Section 6.08.070.B. Definition of Special Permit, by deleting “as further amended by City Council Paper 283 of 2018.”;

-Section 6.08.070.D.2.b, by deleting “City Council” where mentioned and replacing with “Planning Board”;

-Section 12.12.010.A, first paragraph, first phrase, by striking "City Council" and replacing with "Planning Board", as follows: "Except for Marijuana Retailer, Marijuana Cultivator, Independent Marijuana Testing Laboratory, Marijuana Product Manufacturer, Marijuana Research Facility and Marijuana Transporter, where a special permit shall be required by the Planning Board in accordance with MCC 12.12.020;"

-Section 12.12.190, first paragraph, by striking "City Council" and replacing with "Planning Board" as follows: "A Marijuana Establishment, as defined by this Ordinance to expressly only include Marijuana Retailer, Marijuana Cultivator, Independent Marijuana Testing Laboratory, Marijuana Product Manufacturer, Marijuana Research Facility and Marijuana Transporter, may be allowed only in the Highway Business, Industrial 1 and Industrial 2 zoning districts or the Marijuana Establishment Overlay District, only by special permit granted by the Planning Board and only in conformance with the following controls and requirements:"

-Section 12.12.190.B, Section 12.12.190.G, Section 12.12.190.G.4, Section 12.12.190H, by deleting "City Council" where written and replacing with "Planning Board";

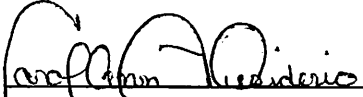
-Section 12.28.010.E, by deleting “City Council” where mentioned and replacing with “Planning Board”

Sponsored by Jadeane Sica and Craig Spadafora

Paper #286 of 2022, of which the above is a true copy

Placed on file, by the City Council, by ten (10) yea and zero (0) nay votes, the City Council consisting of eleven members at their January 9, 2024 meeting.

Attest:



City Clerk Carol Ann T. Desiderio