

2.16.030 CANNABIS LICENSING AND ENFORCEMENT COMMISSION

- A. The Cannabis Licensing and Enforcement Commission (CLEC) shall serve as the local licensing authority for Marijuana Establishments within the city, and shall have the power issue, renew, rescind, revoke, or suspend the license for any Marijuana Establishment licensed to do business in the city. The Cannabis Licensing and Enforcement Commission shall enforce the provisions of Marijuana Establishment Licenses, including but not limited to those items contained in 935 CMR 500, contained within the Special Permit and the host community agreement (HCA), and any rules and regulations promulgated by the CLEC.
- B. Members of the Cannabis Licensing and Enforcement Commission shall not be employed by, be hired by, own or otherwise benefit directly or indirectly from the growing, distribution or sale of marijuana.
- C. The Cannabis Licensing and Enforcement Commission shall consist of five (5) members, as follows, provided that the two (2) community members shall be Malden residents and shall have been residents of the City for at least two years immediately preceding their appointment.
1. Police Chief
 2. Building Commissioner
 3. City Staff member with finance background as appointed by Mayor
 4. Community Member as appointed by City Council
 5. Community Member as appointed by Mayor
- D. An immediate vacancy in an appointment shall occur if any member becomes involved either directly or indirectly with the sale of marijuana or ownership in a marijuana establishment or a member fails to attend three (3) consecutive regularly scheduled meetings or hearings of the Cannabis Licensing and Enforcement Commission. Immediate vacancy shall occur if a Community Representative no longer resides in Malden.
- E. The term of members appointed from the community shall commence on their date of appointment and be arranged as to expire at the end of three and two years from the first Monday in March in the year of their appointment, the date of expiration to be specified in their respective appointments, and thereafter, members shall be appointed for a three year term, from the first Monday of March of the year in which each initial member's term expires.
- F. One member shall serve as Chair of the CLEC and preside over hearings. The Chair shall be elected annually by the Members. One member shall serve as Clerk of the CLEC. The Clerk shall be elected annually by the members. Members shall receive such stipend and/or salaries as the City Council establishes subject to the approval of the Mayor, and a budget for the reasonable and appropriate expenses of the commission shall be as established by the Mayor subject to appropriation by the City Council.
- G. No individual who has been convicted of a felony and/or who has been convicted of distribution of controlled substances to a minor in any jurisdiction shall be eligible for appointment.
- H. No individual who has been convicted of a felony or misdemeanor, or who has pled guilty, nolo contendere, or admission to sufficient facts, or has obtained a continued without a finding disposition, as to any felony or misdemeanor charge, shall be eligible for appointment.
- I. No individual who has any interest in any Marijuana Establishment in any jurisdiction shall be eligible for appointment.