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## Programs & Services Committee Agenda

City of Newton  
In City Council

**POSTED**  
City Clerk

**Thursday, September 6, 2018**

**7:00PM**  
**Council Chamber**

### **Items Scheduled for Discussion:**

**#439-18**      **Appointment of Alice Kelly to the Biosafety Committee**  
PRESIDENT LAREDO appointing ALICE KELLY, 98 Fairway Drive, West Newton as a member of the BIOSAFETY COMMITTEE for a term to expire July 31, 2021.

**#476-18**      **Proposed ballot questions re recreational marijuana retail establishments**  
HER HONOR THE MAYOR requesting the three following questions be placed on the ballot for a special election in November:

**Question 1.**

Shall the City adopt the following general ordinance?

All recreational marijuana retail establishments shall be prohibited from operating in the City of Newton.

**Question 2.**

Shall the City adopt the following zoning ordinance?

The number of recreational marijuana retail establishments shall be not fewer than two (2) nor more than four (4) establishments set by a general ordinance adopted by the City Council notwithstanding M.G.L. Chapter 94 G, Sec 3(a)(2)(ii).

**Question 3.**

Shall the City adopt the following zoning ordinance?

The number of recreational marijuana retail establishments shall be not fewer than two (2) nor more than eight (8) establishments set by a general ordinance adopted by the City Council notwithstanding M.G.L. Chapter 94 G, Sec 3(a)(2)(ii).

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The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the City of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: [jfairley@newtonma.gov](mailto:jfairley@newtonma.gov) or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

*The subject matter of the following item was disposed of during the preceding 12-months. Council Rules, Article I, Section 3. D, requires a majority vote of the Council to be referred to Committee:*

**#469-18 Requesting the City Council place a question on the ballot prohibiting retail recreational marijuana sales in Newton**

COUNCILORS BAKER, NORTON, GENTILE, KALIS, COTE, CICCONE, LAREDO, KELLEY, SCHWARTZ AND MARKIEWICZ requesting reconsideration of item #312-18 so that the Council can place a question on the ballot that would prohibit retail recreational marijuana establishments in the City at a November 2018 Special Election.

**#470-18 Initiative Petition requesting a ballot question prohibiting recreational marijuana establishments with exceptions**

SUZANNE BENDER ET AL., submitting an Initiative petition pursuant to the City of Newton Charter and signed by 10% of the registered voters, requesting that the City Council place a question on the November 6, 2018 ballot as to whether the City of Newton will adopt the following ordinance:

*“Operation of recreational (non-medical) marijuana establishments as defined in M.G.L. Chapter 94G is prohibited in Newton, provided that a marijuana establishment that was licensed and approved to operate as a Medical Marijuana Treatment Center (Registered Marijuana Dispensary) in the City of Newton prior to July 1, 2017 may, if otherwise allowed by zoning, (a) cultivate non-medical marijuana; (b) manufacture and/or produce non-medical marijuana related products; (c) test non-medical marijuana and the products derived therefrom; (d) engage in wholesale distribution of non-medical marijuana and non-medical marijuana products, but not to include retail sales thereof in the City of Newton.”*

*The subject matter of the following item was disposed of during the preceding 12-months. Council Rules, Article I, Section 3. D, requires a majority vote of the Council to be referred to Committee:*

**#468-18 Request to remove the Question regulating the number of recreational marijuana establishments from the November ballot.**

COUNCILORS COTE, NORTON and KELLEY requesting that the City Council remove from the November 2018 special election ballot the question as to whether the City of Newton shall limit the number of retail recreational marijuana establishments operating in Newton to no fewer than two and no more than four, which was approved by the City Council on July 9, 2018.

**#471-18 Provide a means for voters to determine which marijuana question prevails if both are approved**

PRESIDENT LAREDO requesting discussion and vote on a means to enable Newton voters to determine which of two ballot questions limiting retail marijuana sales will prevail if both appear on the November ballot and both receive a majority vote of the electorate, recognizing that a subsequent implementing ordinance may still be required.

**#441-18**

**Set the date of November 6, 2018 for a Special Municipal Election**

CITY CLERK requesting the City Council set the date of November 6, 2018 as the date for a Special Municipal Election to submit to the voters question(s) related to limiting retail marijuana in Newton.

**Respectfully Submitted,**

**John B. Rice, Chair**