

SPECIMEN BALLOT

Penalty for willfully defacing, tearing down, removing or destroying a list of candidates or specimen ballot.

FINE NOT TO EXCEED ONE HUNDRED DOLLARS.



**OFFICIAL BALLOT
SPECIAL TOWN ELECTION
BELMONT, MASSACHUSETTS
SEPTEMBER 25, 2018**

Ellen O'Brien Cashman
TOWN CLERK

INSTRUCTIONS TO VOTERS

A. TO VOTE, completely fill in the OVAL to the RIGHT of your choice like this:

QUESTION

QUESTION ONE:

Shall the Town vote to amend the Town's General Bylaw by inserting, into the title of Chapter 60, Article 1, after the word "Tobacco," a comma (",") and the word "Marijuana," and by adding a new Section 60-107 as follows:

§ 60-107 Marijuana Establishments

A. Consistent with M.G.L. c.94G, § 3(a)(2), all types of marijuana establishments, except for marijuana retailers, both as defined in M.G.L. c.94G, §1, shall be prohibited within the Town of Belmont; provided, however, that a Registered Marijuana Dispensary shall not be deemed to be a marijuana establishment.

B. Consistent with M.G.L. c.94G, § 3(a)(2), the number of Marijuana Retailers in Belmont shall not exceed a number that is equal to 20% of the number of licenses issued within the Town of Belmont for the retail sale of alcoholic beverages not to be drunk on the premises where sold under M.G.L. c. 138, § 15, as implemented in Belmont pursuant to Chapter 16 of the Acts of 2014, as amended by Chapter 147 of the Acts of 2017, and, if that number is not a whole number, it shall be rounded up to the next higher whole number.

Summary by Town Counsel

The new § 60-107 of the Town's General Bylaw, as printed above, was approved at a Special Town Meeting on May 2, 2018, but by state law it does not go into effect unless it is also approved by the voters under this ballot question. If approved by the voters, § 60-107 would prohibit the state's Cannabis Control Commission from licensing any kind of "marijuana establishment" in Belmont other than a retail store. Registered medical marijuana dispensaries would continue to be allowed under a separate statute. The types of marijuana establishments that would be prohibited (because they could not be licensed by the state) would include marijuana cultivators, marijuana product manufacturers and marijuana testing facilities.

The number of retail marijuana establishments would also be capped at 20% of the number of licenses issued for the retail sale of alcoholic beverages not to be drunk on the premises (also known as "package stores"), rounded up to the next whole number. Belmont is authorized to issue, and has issued, six such licenses, which means that the state could issue a maximum of two licenses for the retail sale of marijuana and marijuana products (6 x 20% = 1.2, which rounds up to 2). That number would remain at two unless and until the Town obtained authorization from the state to issue, and did issue, more than 10 package store licenses.

The new bylaw would not guarantee that any marijuana retail stores would be located in Belmont, nor would it determine where they could be located. Those questions would be determined through the state's licensing process, and through Zoning Bylaw provisions and other "time, place and manner" restrictions that may be adopted and amended from time to time by the Town.

YES

NO