

CITY OF SALEM

FIRST PASSAGE

In the year Two Thousand and Seventeen

An Ordinance to amend an Ordinance relative to Zoning

Be it ordained by the City Council of the City of Salem, as follows:

Section 1. The following is an amendment to **Section 10.0. Definitions** by adding the following terms and definitions:

Amend Section 10.00 Definitions of the City of Salem Zoning Ordinance to add the following terms and definitions:

"Marijuana establishment", a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.

"Marijuana cultivator", an entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers.

"Marijuana product manufacturer", an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.

"Marijuana testing facility", an entity licensed to test marijuana and marijuana products, including certification for potency and the presence of contaminants.

"Marijuana retailer", an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

"Marijuana processing", to harvest, dry, cure, trim and separate parts of the marijuana plant by manual or mechanical means.

"Marijuana Manufacturing", to compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

"Marijuana" or "Marihuana", all parts of any plant of the genus Cannabis, not excepted below and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in section 1 of chapter 94C of the General Laws; provided that "Marijuana" shall not include:

the mature stalks, fiber, oil, or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination;

(2) Hemp; or

(3) The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.

"Marijuana accessories", equipment, products, devices or materials of any kind that are intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling or otherwise introducing marijuana into the human body.

"Marijuana products", products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

Section 2. This Ordinance shall take effect as provided by City Charter.

In City Council September 28, 2017

Referred to the Planning Board to schedule a joint public hearing with the City Council
Joint public hearing held on November 15, 2017 and continued November 27, 2017

Public hearing closed on November 27, 2017 and referred to the planning board for their recommendation

In City Council January 11, 2018

Received planning board recommendation and referred to the Committee on Ordinances,
Licenses and Legal Affairs co-posted with Committee of the Whole

In City Council February 8, 2018

Adopted ~~for first passage~~ by roll call vote of 9 yeas, 0 nays, 1 absent

ATTEST:

Advertised in the Salem News 2/14/2018

CHERYL A. LAPOINTE
CITY CLERK