



City of Holyoke

IN CITY COUNCIL

Introduced by Councilor Terence Murphy, Daniel B. Bresnahan, Rebecca Lisi, Peter R. Tallman

Ordered, Ordered that the City of Holyoke amend Section 7.10.4 Marijuana Facilities, Permitted Districts, to reduce the distance requirement from any pre-existing public or private school providing education in pre-kindergarten, kindergarten or any grades 1 through 12; measured from the lot lines of impacted properties to 200 feet for cultivation factories only as permissible under M.G.L. 94 g, section 5 (b)3. All other marijuana functions would continue to require a 500 foot buffer."

In City Council, April 2, 2019. Received and referred to the Ordinance Committee. In City Council, on June 18, 2019, the report of Committee received and the Ordinance passed its first reading.

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

The Committee has considered the same and find that it is truly and properly enrolled.

Report of Enrollment received.

The Ordinance was passed to be Ordained and denied on a call of the roll of the yeas and nays --Yeas 7--Nays 6 (Bartley, Bresnahan, Leahy, Murphy, Tallman, Vacon)--Absent 0.

Moton was made and seconded to lay the order on the table.

In City Council, on June 25, 2019, a motion was made and seconded to remove the order from the table and the report of Committee received and the Ordinance passed its first reading.

The Ordinance passed its second reading.

The Ordinance was passed to be enrolled.

The Committee has considered the same and find that it is truly and properly enrolled.

Report of Enrollment received.

The Ordinance was passed to be Ordained and approved on a call of the roll of the yeas and nays --Yeas 11--Nays 0 --Absent 2 (Anderson-Burgos, Valentin)

Buenna M. McLee
Clerk

<p>Presented to the Mayor</p> <p>For Approval <u>July 1</u>, 20 <u>19</u></p> <p><i>Buenna M. McLee</i> City Clerk</p>	<p>Mayor's Office</p> <p>Holyoke, Mass. <u>7-1-19</u>, 20</p> <p>Approved <i>Alire Morse</i></p>
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IN THE YEAR TWO THOUSAND AND NINETEEN

ONE HUNDRED AND FORTY-NINTH AMENDMENT TO APPENDIX A OF THE
REVISED CODE OF ORDINANCES OF THE CITY OF HOLYOKE, MASSACHUSETTS
1997

AN ORDINANCE

Be it ordained by the City Council of the City of Holyoke as follows:

SECTION 1. Appendix A entitled "Zoning" of the Revised Code of Ordinances of the City of Holyoke, Massachusetts, 1997, as amended, is hereby further amended by the following:

ADDING: At the end of Section 7.10.4

Any cultivation facility shall not be located within 200 feet of any pre-existing public or private school providing education in pre-kindergarten, kindergarten or any grades 1 through 12; measured from the lot lines of impacted properties, as permissible under M.G.L. 94G, section 5(b)(3).

Any school that exists between 200 ft and 500 ft of the proposed cultivation facility's lot line shall, at the time of notice of public hearing for any special permit request of the proposed cultivation facility, also be notified of said public hearing. Notice shall be sent in writing, via certified mail, return receipt, to Superintendent, Principal or person in control of schools within the impacted area.

Any and all remaining marijuana establishments shall not be located within 500 feet of any pre-existing public or private school providing education in pre-kindergarten, kindergarten or any grades 1 through 12; measured from the lot line of impacted properties, as permissible under M.G.L. 94G, section 5(b)(3).

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on the date of passage.

APPROVED AS TO FORM:



Crystal Barnes
Assistant City Solicitor