



Town of Webster, Massachusetts  
General By-Law: Chapter 445 – Retail Marijuana General By-Law

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**Chapter 445 — Marijuana**

**§ 445-1. Marijuana Retailers Limitation.**

The number of Marijuana Retail Licenses issued in the Town of Webster shall be limited to twenty (20%) percent of licenses issued in the Town of Webster for retail sale of alcoholic beverages not to be drunk on the premises where sold, which shall be calculated by rounding up to the next whole number.

**§ 445-2. Marijuana License Required**

A. No person shall operate as a-Craft Marijuana Cultivator Cooperatives, Marijuana Cultivators, Marijuana Product Manufacturers, *Marijuana Research Facilities*, *Marijuana Retailers*, Marijuana Testing Facilities, or other type of Marijuana Establishment as defined by Massachusetts General Laws Chapter 94G within the Town unless first duly licensed thereof by the Board of Selectmen annually.

**§ 445-3. Regulations.**

A. The Board may adopt reasonable rules and regulations related to the issuance of such licenses, including the fees to be paid therefore and the conditions to be satisfied by any applicant for such a license.

**§ 445-4. Applications.**

Applicants for a license annually shall file an application on a form by the Board of Selectmen, signed under the penalties of perjury by the applicant, containing such information as the Board of Selectmen may reasonably require from time to time. Each applicant annually shall pay an application fee as may be reasonably determined from time to time by the Board of Selectmen.

**§ 445-5. Hearing.**

A. The Board of Selectmen must act upon the application at one of their next three regularly scheduled meetings with due written notice provided to the applicant of the time, date and location where such appeal will be heard.

**§ 445-6. Decision.**

A. The Board of Selectmen may deny or approve the application with conditions. Such decision shall be based on the evidence taken at the public hearing, consistent with the protection of the health, safety and welfare of the public, and consistent with the regulations promulgated by such board. The Board of Selectmen shall determine as part of its decision, the permitted hours of operation.

**§ 445-7. Orders and Fines for Licensed Premises.**

The Board of Selectmen may issue orders as appropriate to aid **in** the enforcement of this regulation and may enforce these provisions in equity, including the request for injunctive relief, in a court of competent jurisdiction. Any failure to comply with any Order issued hereunder

shall result in the issuance of a formal warning. Any failure to comply with such a warning shall result in a fine of \$100.00. Any failure to comply after the issuance of said initial fine may be punishable by a subsequent fine of \$300.00. Each day of a continued non-compliance shall constitute a separate violation. Further, the Board of Selectmen may hold a hearing, with notice to the licensee, to determine if such license should be modified, suspended or revoked.

**§ 445 -8. Enforcement.**

This By-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to Massachusetts General Laws Chapter 40, section 21, as amended, or by noncriminal disposition pursuant to Massachusetts General Laws Chapter 40, section 21D, as amended, by the Board of Selectmen, the Town Administrator, or their duly authorized agents, or any police officer.

**§ 445-9. Authority.**

A. Home Rule Amendment [art. 89 of the Amendments to the Massachusetts Constitution];  
Massachusetts General Laws, Chapter 94G, § 3, 935 CMR 500.000.