



City of New Bedford

IN COMMITTEE

November 09, 2017

The Honorable City Council
133 William Street
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on Licensing and Zoning For Cannabis a Meeting held on Wednesday, October 25, 2017, considered a Report, Committee on Ordinances, recommending to the City Council ADOPTION of the ORDINANCE as AMENDED, Relative to the Use of Marijuana in Public. (Ref'd 9/22/16) (3/21/17-Referred to the Committee on Licensing and Zoning for Cannabis from the Committee on Ordinances)

On motion by Councillor Lopes and seconded by Councillor Coelho, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDINANCE as AMENDED, Relative to the Use of Marijuana in Public. This motion passed on a voice vote.

IN COMMITTEE ON LICENSING AND
ZONING FOR CANNABIS

Councillor Ian Abreu, Chairman

IA: dmb



CITY OF NEW BEDFORD

In the Year Two Thousand And Sixteen

AN ORDINANCE

RELATIVE TO THE USE OF MARIJUANA IN PUBLIC

31- 509

Be it ordained by the City Council of the City of New Bedford as follows:—

SECTION 1.

Chapter 17 of the Code of Ordinances is hereby amended by inserting, after section 17-10, the following new section:-

Sec. 17-10.1 – Use of marijuana in public areas.

(a) It shall be unlawful for any person to smoke, to consume, or otherwise use marijuana or prepare marijuana for any such use on any public way or area or way to which the public has right of access, or on any sidewalk appurtenant thereto within the city.

(b) It shall be unlawful for any person to smoke, ingest, consume, or otherwise use marijuana or prepare marijuana for any such use in any motor vehicle while such vehicle is upon a public way or area or way to which the public has right of access within the city.

(c) Whoever violates the provisions of this ordinance shall be subject to a criminal arrest and/or a fine as provided in section 1-9 of this code. The provisions of this ordinance shall also be enforced by criminal indictment or criminal complaint.

(d) For the purposes of this section, the following definitions shall apply:

- (1) “*Marijuana*,” has the meaning given “*marihuana*” in Chapter 94C of the General Laws of Massachusetts. The term “*marijuana*” as used in this section shall also mean “*tetrahydrocannabinol*” as defined in Chapter 94C of the General Laws.
- (2) “*Smoke*,” the possession of a lighted or lighting of a cigarette, pipe or other product cigarette designed to be combusted and inhaled.

Section 2.

This ordinance shall take effect in accordance with the provisions of Chapter 43 of the General Laws.