

TOWN OF SCITUATE
TOWN SOLICITOR'S MEMO

RE: Recommendation on Handling of Compassion Centers in Zoning Ordinance

Date: June 14, 2013

The Assistant Solicitor was asked to draft an amendment to Section X of the Scituate Zoning Ordinance, pertaining to prohibited uses.

The purpose of the amendment is to prohibit, in Scituate, any Compassion Centers or related facilities that would be engaged in the manufacture and distribution of marijuana under the Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act, R.I.G.L. § 21-28.6, as amended.

The underlying policy is that the Town of Scituate does not wish to permit any use that violates the federal controlled substances act, 21 U.S.C. § 841.

A review of the "Prohibited Uses" led to a reorganization of its text, to collect the generalized prohibition statements at the top and list the specifically prohibited uses in alphabetical order thereafter.

A copy of the proposed amendment to Section X is attached.

Respectfully submitted,

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GORHAM & GORHAM, INC.
Assistant Town Solicitor

TOWN OF SCITUATE
PART II - CODE OF ORDINANCES
APPENDIX A - ZONING
ARTICLE X. – PROHIBITED USES

Creosote manufacture or treatment
Distillation of bones, fats, chicken feathers
Explosives manufacture
Fertilizer manufacture
Gas manufacture (acetylene)
Glue manufacture
House trailer park or colony
House trailers or mobile homes so-called, whether on wheels, temporary foundations or permanent foundations (but not including so-called camping trailers)
Iron or steel foundry
Laundry
Laundromats (except where public sewage facilities are available)
Marijuana manufacture – see above, Compassion Centers

Oilcloth or linoleum manufacture
Offal or dead animal manufacture or treatment
Petroleum refining
Piggeries
Potash manufacture
Private dumps or landfills
Processing of vinegar or yeast
Racetracks of any description
Rendering or refining of fats, oils and bones
Slaughterhouse
Smelters
Tanning of hides and curing of same
Underground home heating oil tanks
Vehicle washing shop (except where public sewerage facilities are available)
Wool pulling or scouring

Codified through Ordinance of January 8, 2004.
(Supplement No. 14)