

**Lisa Tomyl**

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**From:** Frank Widmayer  
**Sent:** Thursday, May 29, 2014 12:02 PM  
**To:** Manager Department  
**Subject:** FW: Town Bylaw for consideration in Acton  
**Attachments:** DECRIM01 ARLINGTON TOWN BYLAW ON PUBLIC CONSUMPTION.pdf

Steve,

This potential bylaw is something that may be worth considering since I expect the use of marijuana to increase as time goes on.

Let me know if this is of interest to you and the Board of Selectmen.

An example of such a bylaw is attached to this message.

Regards,  
Frank

Frank J. Widmayer III  
Chief of Police  
978-263-2911

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**From:** Dean Keeler  
**Sent:** Tuesday, May 20, 2014 6:29 PM  
**To:** Frank Widmayer  
**Cc:** Rich Burrows; Jim Cogan; Dean Keeler  
**Subject:** Town Bylaw for consideration in Acton

Chief,

I recently had this brought to my attention and thought I'd pass it along as something that Acton may want to consider. As you know, with the decriminalizing of marijuana, we have been having more frequent contact with individuals being more carefree with their public use. This would provide another level of enforcement for the more egregious public use incidents. It's one of those odd times in Massachusetts law right now where we have the right of arrest for someone drinking a beer in public, however if they choose to smoke marijuana on the beach at NARA or in front of kids on a playground a \$100 fine is the strongest penalty we can impose.

Thought it might be worth talking about with the Town decision makers if it hasn't been already.

Thanks,  
Dean

**ARTICLE 7: PUBLIC CONSUMPTION OF MARIHUANA OR TETRAHYDROCANNABINOL**  
(ART. 16, ATM – 05/04/09)

**Section 1. No Public Consumption.**

No person shall smoke, ingest, or otherwise use or consume marihuana or tetrahydrocannabinol (as defined in General Laws Chapter 94C, Section 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under control of the Town, or in or upon any bus or other passenger conveyance operated by a common carrier within the Town, or in any place accessible to the public within the Town.

**Section 2. Violation and Penalties.**

Violation of Section 1 is punishable by a fine of up to \$300, enforceable through criminal indictment or complaint under General Laws Chapter 40, Section 21. Any penalty imposed under this Bylaw shall be in addition to any civil penalty imposed under G.L. c. 94C, § 32L.