



**ABSENTEE
OFFICIAL BALLOT
ANNUAL TOWN ELECTION
UPTON, MASSACHUSETTS
MAY 14, 2019**

Kelly C. McKeath
TOWN CLERK

INSTRUCTIONS TO VOTERS

- A. TO VOTE, completely fill in the OVAL to the RIGHT of your choice(s) like this:
- B. Follow directions as to the number of candidates to be marked for each office.
- C. To vote for a person whose name is not printed on the ballot, write the candidate's name and address on the line provided and completely fill in the OVAL.

QUESTION 1

Shall the Town of Upton adopt the following Zoning Bylaw?

Town Counsel Summary:

Massachusetts General Laws, Chapter 94G, Section 3 allows a town, through adoption of zoning bylaws, to prohibit all or certain types of adult use marijuana establishments, also known as “recreational” or “non-medical” marijuana establishments, from operating in that town. In a town such as Upton that voted “yes” on Question 4 at the November 8, 2016 State Election in favor of allowing adult use of marijuana and lawful operation of marijuana establishments, a ballot question is also required to implement such a prohibition. “Marijuana retailers,” as that term is defined in Massachusetts General Laws, Chapter 94G, Section 1, is one type of adult use marijuana establishment. The November 13, 2018 Special Town Meeting approved a Zoning Bylaw amendment to prohibit marijuana retailers in the Town, below, which amendment must also be approved at an election in order to prohibit such businesses in the Town of Upton. The prohibition would apply to “recreational” or “non-medical” marijuana retail establishments only and would have no impact on other “recreational” or “non-medical” marijuana establishments, medical marijuana uses or the lawful use of marijuana by adults.

Text of Zoning Bylaw:

6.7.3 Prohibited Use.

Consistent with G.L. c. 94G, Section 3(a)(2), the Town hereby prohibits Marijuana Retailers in the Town of Upton.

YES
NO