

Weathersfield Select Board
Amendment to the Weathersfield Zoning Bylaw
Drug and Tobacco Paraphernalia Establishments
As Adopted, February 16, 2016

1. Add a new section under Section 7 Special Provisions

7.24 Drug and Tobacco Paraphernalia Establishments - Drug and tobacco paraphernalia establishments are not permitted within a ½ mile radius of schools, libraries, recreational fields and licensed childcare centers. The ½ mile radius is defined as the shortest distance from a drug and tobacco paraphernalia establishment's point of sale to the parcel boundary of the school, library, recreation field or licensed childcare center. These drug and tobacco paraphernalia establishments may also not operate within a 1,000 ft. radius of a location occupied by another drug and tobacco paraphernalia establishment. The 1,000 foot radius is defined as the shortest distance from an existing drug and tobacco paraphernalia establishment's point of sale to the proposed drug and tobacco paraphernalia establishment's point of sale.

2. Add to Section 8, Definitions:

- a. Drug and Tobacco Paraphernalia Establishment: Any premises where drug and tobacco paraphernalia is displayed for sale and/or offered for sale.
- b. Drug and Tobacco Paraphernalia: Any device designed primarily for use by individuals for the smoking or ingestion of tobacco, marijuana, hashish, hashish oil, cocaine, or any other "controlled substance", as that term is defined in the Health and Safety Code of the State of Vermont including but not limited to the following:
 1. Metal, wooden acrylic, glass, stone, plastic or ceramic pipes, with or without screens (permanent or otherwise), heads, or punctured metal bowls or otherwise ;
 2. A device constructed so as to prevent the escape of smoke into the air and to channel smoke into a chamber where it may be accumulated to permit inhalation or ingestion of larger quantities of smoke that may not otherwise be possible , where the device is known as a "bong", or otherwise;
 3. A pipe designed for smoking constructed with a receptacle or container in which water or other liquid may be placed into which smoke passes and is cooled in the process of being inhaled, ingested, or otherwise;
 4. A pipe designed for smoking which contains a heating unit , whether the device is known as an "electric pipe" or otherwise;
 5. A device constructed so as to permit the simultaneous mixing and ingestion of smoke and nitrous oxide or other compressed gas, whether the device is known as a "buzz bomb" , or otherwise;

6. A canister, container or other device with a tub, nozzle or other similar arrangement attached and constructed as to permit the forcing of accumulated smoke into the users lung under pressure.

c. Tobacco Products: Tobacco products are excluded from the definition of tobacco paraphernalia. Tobacco products are limited to those which are regulated and taxed by the State of Vermont to include cigarettes, roll your own, and little cigars.

d.

The foregoing amendments shall be effective 21 days after adoption, that is, on March 9, 2016.

Dated at Weathersfield, Windsor County, Vermont this 16th day of February, 2016.

Norman John Arrison, Chairperson

Daniel Boyer, Vice-Chairperson

C. Peter Cole, Board Clerk

Lynn Esty, Select Board Member

David Fuller, Select Board Member

ATTEST:

Received at the Town of Weathersfield
this ____ day of February, 2016.

Flora Ann Dango, Town Clerk