

OFFERED BY COUNCILOR LYDIA EDWARDS, Flaherty, Campbell, Bok, Arroyo, Baker,  
Essaibi-George, Flynn, Mejia, Wu, Breadon and O'Malley

**CITY OF BOSTON  
IN CITY COUNCIL**



AN AMENDMENT TO THE ORDINANCE ENSURING EQUITABLE  
REGULATION OF THE CANNABIS INDUSTRY IN THE CITY  
OF BOSTON

**WHEREAS:** In November 2019 the Boston City Council passed An Ordinance Establishing Equitable Regulation of the Cannabis Industry in the City of Boston; *and*

**WHEREAS,** That Ordinance created the Boston Cannabis Board with the intention that the Board would have regulatory and siting authority over the marijuana industry in Boston; *and*

**WHEREAS,** Current codes and regulations require applicants seeking to open a marijuana establishment in Boston to appear before both the Boston Cannabis Board and the Zoning Board of Appeals; *and*

**WHEREAS,** Appearing before the Zoning Board of Appeals after receiving approval from the Boston Cannabis Board can take months, which is an undue burden on the applicants; *and*

**WHEREAS,** The Zoning Board of Appeals has already denied multiple applicants that have previously been approved by the Boston Cannabis Board, potentially exposing the City to legal action; *and*

**WHEREAS:** The Cannabis Control Commission has established a three year window during which licenses for delivery-only businesses will be exclusively available to Certified Economic Empowerment Applicants and Social Equity Program Participants; *and*

**WHEREAS:** The Ordinance as currently written makes no distinction between delivery companies and retail dispensaries for the purposes of the 1:1 equity ratio; *and*

**WHEREAS:** The first few years of the marijuana industry in Boston will be key to ensuring the City does not face the same inequities in this industry; *NOW THEREFORE BE IT ORDAINED:* By the Boston City Council, amended as follows:

SECTION 1.

The City of Boston Code, Ordinances, Chapter 8, Section 13, is hereby amended as follows:

**8-13.3 Boston Equity Program.** This section shall be amended by adding the following language to the end of the section as currently written:

This ratio shall only apply to retail dispensary and cultivation licensees.

**8-13.4 Boston Cannabis Board.** This section shall be amended by adding the following language to the end of the section as currently written:

No member of the Boston Cannabis Board may be a close associate, controlling person, or investor in a business that holds, is seeking, or intends to seek a license from the Board.

Board members shall receive annual ethics training and shall provide a financial disclosure statement on an annual basis to ensure compliance with the above conflict of interest provisions.

**8-13.6 Application Requirements.** This section shall be amended by adding the following language to the end of the section as currently written:

No applicants that are within a half mile of another licensed marijuana establishment shall be scheduled for a hearing before the Board until they provide the following:

1. Documentation of support which may include letters of support from community members, letters of support from community organizations, letters of support from direct or indirect abutters, and letters of support from elected officials or their respective representatives. The BCB must receive a minimum of three (3) letters of support.
2. Applicant's statement explaining in particularity why the Applicant should be granted a conditional License despite the proximity to another applicant addressing the following:
  - a. Special circumstances or conditions that apply to the proposed location;
  - b. Reasons of practical difficulty and substantial hardship explaining why the proximity to another applicant should not prevent the BCB from granting a conditional License;
  - c. How the BCB's grant of a conditional License would not negatively impact the surrounding neighborhood.

**8-13.8 Criteria.** This section shall be stricken and replaced with the following:

The City shall grant licenses with the goal of ensuring that licenses are granted with respect to equity, quality, and community safety. Licensees shall be expected to comply with the laws and regulations of the Commonwealth of Massachusetts and the City of Boston. Applications shall be evaluated based on the Applicant's score as follows:

Applications shall be evaluated based on the Applicant's:

1. Diversity and Inclusion Plan - 25%
2. Employment Plan - 20%
  - a. Plan for employment of Boston residents.
  - b. Plan for employment of minorities and women.
  - c. Plan for offering competitive wages and benefits for local residents.
  - d. Plan for employment of individuals with criminal records.
3. Community Feedback/Public Support - 20%
  - a. Letters of support from local elected officials.
  - b. Letters of support from local community organizations.
4. Location, Safety and Security - 20%
  - a. Plan for on-site security personnel.
  - b. Plan for building and product security.
  - c. Plan for protecting youth from accessing the product.
  - d. Distance from another licensed marijuana establishment.
5. Parking and Transportation Plan- 15%
  - a. Access to public transportation.
  - b. Accessibility and amount of on-,site parking.
  - c. Plan for the transportation and delivery of product.
  - d. Plan for the transportation of monies to and from the site.

**SECTION 2. Effective Date**

This ordinance shall be effective upon passage.

Filed On: