



## CITY OF BOSTON IN CITY COUNCIL

Offered by Councilors Tim McCarthy and Kim Janey Edwards, Flynn  
Essaibi-George O'Malley Wu Zakim Campbell and Flaherty

### ORDER FOR A HEARING TO EXAMINE AND DISCUSS BEST EQUITY PRACTICES IN THE CITY'S MARIJUANA LICENSING PROCESS & POTENTIAL FOR A SOCIAL EQUITY PROGRAM

**Whereas,** In 2016, the Citizens of the Commonwealth of Massachusetts approved ballot Question 4, a proposal to legalize and regulate adult-use marijuana, with 53.7%, according to Massachusetts Election Statistics, and the Legislature passed Chapter 55 of the Acts of 2017, *An Act to ensure safe access to marijuana*, and;

**Whereas,** This law requires the development of “procedures and policies to promote and encourage full participation in the regulated marijuana industry by people from communities that have previously been disproportionately harmed by marijuana prohibition and enforcement and to positively impact those communities,” and;

**Whereas,** A Shenandoah University study identified 29 cities and towns in Massachusetts as “Areas of Disproportionate Impact” as well as women, farmers, veterans, and people of color as groups most disproportionately impacted, and;

**Whereas,** A large portion of Boston’s communities, consisting mostly of people of color, are identified as “Areas of Disproportionate Impact,”

**Whereas,** Local control allows localities to submit initiative measures questioning the sale of marijuana on certain premises and adopt the following types of ordinances or bylaws:

- Ordinances governing the time, place, and manner of a marijuana establishment
- Ordinances limiting the number of marijuana establishments in a city or town  
(*Note: Certain ordinances in this category require a local vote in order to be adopted.*)
- Ordinances restricting the licensed cultivation, processing, and manufacturing of marijuana that could be considered a “public nuisance”
- Ordinances addressing standards for public signs related to marijuana establishments
- Ordinances detailing consequences for violating marijuana related ordinances, and;

**Whereas,** The Cities of Somerville and Cambridge have explored or employed equity programs or practices promoting equity in their selection processes; and

**Whereas,** Boston should establish and guarantee equity in its process by employing a social equity program and instituting an objective, transparent selection process intentionally focused on repairing past inequities, beginning with acknowledging and prioritizing review for state-designated economic empowerment and social equity applicants. ***Now, Therefore Be It***

**Ordered,** That the appropriate committee of the Boston City Council convene one or more public hearings to discuss the City's current marijuana licensing process and explore best equity practices, as well as, policies and programs other municipalities are considering and or have employed. Those invited to provide testimony will include the City of Boston's Office of Economic Development, ZoningBoard of Appeals, Resilience and Racial Equity Office, and all other interested parties.

Filed on: January 16, 2018