

CITY OF SOMERVILLE
ORDINANCE NO. 2022-
IN THE CITY COUNCIL: _____, 2022

WHEREAS, By vote at the State election on November 8, 2016, the voters of the Commonwealth approved legislation regulating commerce in marijuana, marijuana accessories, and marijuana products and for the taxation of proceeds from sales of such products. It also authorized cities and towns to adopt reasonable restrictions on the time, place, and manner of operating marijuana businesses; and,

WHEREAS, The City of Somerville Code of Ordinance establishes regulations for adult-use marijuana in Section 2-221; and,

WHEREAS, This Council finds that due to the continued adverse business impacts of the Covid-19 pandemic on all businesses and the economy in general, the priority applicants have not had sufficient time to grow their businesses; and

WHEREAS, This Council finds that the conditions that warranted priority status still exist and, accordingly, seeks to extend the priority period for group A and group B licensees.

Therefore, be it ordained by the City Council, in session assembled, that Chapter 2, Article V, Division 4, Section 2-221, Subparagraph 2 of Paragraph (b) is hereby amended to read as follows:

- b) *Priority applications.* The licensing commission shall consider an application for licensure from only a priority applicant within ~~four~~ five years from the initial date of passage of this ordinance, unless an applicant is seeking a non-retail license. For marijuana retailer licenses, there are two groups of priority applicants that are known as group A and group B. During the ~~four~~ five year priority period, the licensing commission shall only issue a license to an applicant in group B if, at the time of issuance, there will be an equal or greater number of issued licenses held by entities that were licensed as applicants from group A. ~~Four~~ Five years after the date of passage of this ordinance the licensing commission shall continue to prioritize priority applicants, but may consider a marijuana retailer application from a non-priority applicant. At no time shall the licensing commission issue a marijuana retailer license to a non-priority applicant if, at the time of issuance, there would not be an equal or greater number of licenses that are currently valid and issued to priority applicants. In order to be considered a priority applicant in group A, the person(s) or entity applying must meet at least one of the following criteria:

APPROVED:

President
City Council

Katjana Ballantyne
Mayor