

CITY OF SOMERVILLE
ORDINANCE NO. _____
IN THE BOARD OF ALDERMEN: _____

**AN ORDINANCE AMENDING THE SOMERVILLE ZONING ORDINANCE TO ADD
SECTION 7.15 TITLED MEDICAL MARIJUANA TREATMENT FACILITIES.**

WHEREAS, by vote at the State election on November 6, 2012, the voters of the Commonwealth approved legislation regulating the cultivation, distribution, possession and use of marijuana for medical purposes; and,

WHEREAS, the legislation provides that the law is effective on January 1, 2013; and

WHEREAS, the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date; and,

WHEREAS, currently under the City of Somerville Zoning Ordinance, a medical marijuana treatment facility is not a permitted use in the City; and,

WHEREAS, any regulations promulgated by the State Department of Public Health are expected to provide guidance to the City in regulating medical marijuana, including medical marijuana treatment centers; and,

WHEREAS, the regulation of medical marijuana raises novel and complex legal and planning issues; and,

WHEREAS, the City needs time to study and consider the regulation of medical marijuana treatment centers and address such novel and complex issues; and,

WHEREAS, the City needs time to address the potential impact of the state regulations on local zoning; and,

WHEREAS, the City needs time to undertake a planning process to consider amending the zoning ordinance regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana; and,

WHEREAS, the City intends to adopt a temporary moratorium on the use of land and structures in the City for medical marijuana treatment centers so as to allow the City sufficient time to engage in a planning process to address the effects of such structures and uses in the City and to enact ordinances in a manner consistent with sound land use planning goals and objectives;

THEREFORE, be it adopted by the Board of Aldermen, in session assembled, the following temporary moratorium on the use or land or structures for medical marijuana treatment centers in the City.

1. Article 7: **Permitted Uses, Section 7.15. Medical Marijuana Treatment Facilities** is hereby added:

The City of Somerville hereby adopts a temporary moratorium on the use of land or structures for a medical marijuana treatment center. The moratorium will be in effect until June 30, 2014. During the moratorium period, the City will undertake a planning process to address the potential impacts of medical marijuana in Somerville, consider the Department of Public Health regulations regarding medical marijuana treatment facilities and related uses, and adopt new zoning regulations to address the impact and operation of medical marijuana treatment centers and related uses.