

Non-Medical Marijuana by the “Unofficial” Numbers*

- ❖ Approximately **90-100 municipalities** have adopted **moratoria** on the use of land or structures for non-medical, also known as recreational, marijuana establishments.
- ❖ Approximately **30-40 municipalities** have enacted **general or zoning bylaws or ordinances** to ban one or more types of non-medical marijuana establishments.
 - ~ In municipalities that voted “yes” on Question 4 at the November, 2016 State Election, and everywhere after December 31, 2019, two-steps are required – approval by the legislative body and a vote of the electorate. At press time, only some of the referenced zoning bans have been approved at an election.
 - ~ In municipalities that voted “no” on Question 4, prior to December 31, 2019, the local legislative body may, in the normal course, adopt zoning to ban one or more types of marijuana establishments
- ❖ Below are examples of zoning bylaws and ordinances allowing one or more types of recreational marijuana establishments:

Municipality	Nature of Zoning Bylaw/Ordinance
1. Amherst	Marijuana retailers allowed by special permit in General Business District, Village Center Business District, Limited Business District, Neighborhood Business District, Commercial District and Light Industrial District; buffer zones also established.
2. Franklin	Creation of a “Marijuana use overlay district” to allow marijuana establishments by special permit.
3. Halifax	Marijuana establishments allowed by special permit in the Industrial District.
4. Revere	Marijuana establishments allowed in Technology Enterprise District by special permit.
5. Williamstown	Marijuana retailers allowed by special permit in Planned Business District and Southern Gateway District; marijuana production facility allowed by special permit in Limited Industrial District and Rural Residence 2 and 3 Districts; marijuana testing facility allowed by special permit in the facilities in the Limited Industrial District.

Contact Attorneys Joel Bard (jbard@k-plaw.com), Katherine Laughman (klaughman@k-plaw.com), or Brian Riley (briley@k-plaw.com) with questions concerning non-medical marijuana at 617.556.0007.

***Disclaimer: This list is not meant to be comprehensive or all-inclusive.**

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