

**SAMPLE REGULATION TO ENSURE THE SANITARY AND SAFE OPERATION OF MARIJUANA ESTABLISHMENTS AND THE SALE OF MARIJUANA**

*This is provided for educational purposes only and is not to be construed as legal advice. Please consult your city or town attorney for legal advice regarding marijuana regulations.*

**THIS MODEL REGULATION INCORPORATES THE FOLLOWING:**

1. Chapter 94G of the General Laws – An Act to Ensure Safe Access to Marijuana;
2. 935 CMR 500.000 – Cannabis Control Commission’s Adult Use of Marijuana Regulations.

**INSTRUCTIONS FOR USE:**

1. Fill in [city or town] name;
2. If measure is to be a by-law or an ordinance, (a) replace “regulation” with “bylaw” or “ordinance”; (b) remove references to “board of health”; and (c) remove “Authority” section;
3. Fill in effective date;
4. If sections are removed, re-letter/re-number accordingly.

**CHECKLIST FOR POLICY DECISIONS**

1. Require compliance with 105 CMR 500.000 for onsite preparation and consumption of edible marijuana products.
2. Require compliance with 105 CMR 590.000 for food service and retail food operations.
3. Define acceptable sources of marijuana and marijuana products for use in preparing edibles as required in the FDA Food Code which is incorporated by reference in 105 CMR 590.000.
4. Require an operating permit for all classifications of marijuana establishments in 935 CMR 500.000.
5. Add Registered Marijuana Dispensary to definition of Marijuana Establishments to regulate them.
6. Incorporate nuisance law into local regulation to address processing, packaging or repackaging odiferous marijuana products and to address outdoor smoking or vaping of residents’ decks and social consumption decks.
7. Set hours of operation.
8. Ban out-of-package sales.
9. Ban self-service displays.
10. Ban vending machine sales.
11. Ban Non-Residential Roll-Your-Own machines.
12. Require local enforcement, including compliance checks and inspections, funding from host agreement or operating funding fees.
13. Prohibit distribution of coupons for marijuana.
14. Prohibit free commercial sampling of marijuana.
15. Provide that after a hearing, suspension or revocation of an operating permit.
16. *Require a permit for marijuana establishment agents. \**
17. *Restrict marijuana accessories to marijuana establishment and adult-only retail tobacco stores. \**
18. *Increase minimum legal sales age to 25. \**
19. *Add preschool program, youth centers and playgrounds to 500-foot buffer zone. \**
20. *Prohibit Marijuana Establishments from selling alcohol or holding a tobacco sales permit. \**
21. *Permit and regulate grow-your-own” home operations, especially in multi-unit dwellings. \*\**
22. *Prohibit the sale of flavored combustible or vaped marijuana products. \*\**

*\*Either difficult to enforce or uncertain about legal authority.*

*\*\*Uncertain about legal authority.*

*Italicized sections are not in Placeholder Regulations.*