



CITY OF SOMERVILLE, MASSACHUSETTS
KATJANA BALLANTYNE
MAYOR

November 29, 2023

CITY OF SOMERVILLE MASSACHUSETTS

EXECUTIVE ORDER ESTABLISHING A MORATORIUM ON NEW RETAIL MARIJUANA
HOST COMMUNITY AGREEMENTS

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 amended the Somerville Code of Ordinances, and adopted new zoning ordinances (the “ordinances”) authorizing, among other uses, Marijuana Retail Establishments, also referred to as Marijuana Retailers or Cannabis Retail Sales; and

WHEREAS, M.G.L. c. 94G s. 4 created the Cannabis Control Commission (the “Commission”), granting the Commission all the powers necessary or convenient to carry out and effectuate its purposes including, but not limited to, the power to... “prioritize social equity program businesses and economic empowerment priority applicants” and to “promote and encourage full participation in the regulated marijuana industry... with social equity program business and economic empowerment priority applicants”; and

WHEREAS, the City of Somerville ordinances create a local priority application for applicants certified by the Commission as an economic empowerment applicant, for the purpose of operating a Marijuana Retail Establishment; and

WHEREAS, The City of Somerville, through the Office of the Mayor, has entered into 14 Host Community Agreements (“HCAs”) with prospective Marijuana Retail Establishments, all of whom are priority applicants as defined by ordinance; and

WHEREAS, It is unclear whether the Somerville market can sustain additional Marijuana Retail Establishments in a number greater than those who have already signed HCAs; and

WHEREAS, It is unclear what effect additional Marijuana Retail Establishments may have on then existing establishments, including economic empowerment applicants; and



WHEREAS, The City intends to adopt a temporary moratorium on entering new HCAs with Marijuana Retail Establishments, so as to allow the City sufficient time to study, to reflect, and to engage in a planning process for locating future Marijuana Retail Establishments; and

WHEREAS, The City also intends to study any economic effects the number of Marijuana Retail Establishments may have on commercial lease and vacancy rates, any financial impacts upon the City and the City's cannabis industry, and impacts on City neighborhoods.

THEREFORE BE IT ORDERED, by the Mayor, pursuant to her authority as Chief Executive Officer for the City of Somerville:

1. That from the date of this order, the Mayor shall not execute a Host Community Agreement for any new prospective Marijuana Retail Establishment.
2. This Order shall remain in effect for 18 months from the date of its signing, subject to further extensions as may be required to complete the goals of this Order, or until such time as it is rescinded.
3. This Order shall only apply to Marijuana Retail Establishments.
4. This Order shall not apply to Marijuana Retail Establishments that have already executed an HCA with the City of Somerville.
5. Notwithstanding the above, the Mayor may sign additional Host Community Agreements as may be required to comply with the minimum number of Marijuana Retail licenses required under Section 2-221(b)(1) of the Somerville Code of Ordinances.



Mayor Katjana Ballantyne

Date: Nov. 29, 2023