

Attached please find a template for a “placeholder” draft regulation entitled “Regulation to Ensure the Sanitary and Safe Operation of Marijuana Establishments and the Sale of Marijuana.” It was drafted at the request of many local boards of health and health departments. Applications for marijuana establishments will be accepted by the Cannabis Control Commission (CCC) on April 1, 2018. Pursuant to the proposed CCC regulation, applicants must demonstrate that a proposed marijuana establishment is in compliance with local zoning ordinances and bylaws *in effect at the time of the application*. While the proposed CCC regulations do not address compliance with board of regulations, many boards have expressed a desire to enact a “placeholder” regulation to avoid any potential challenges to local board of health regulations adopted after April 1, 2018. For example, a challenge could potentially occur if an applicant applies to the CCC on April 1, 2018 and there is no board of health regulation requiring operating permits for marijuana establishments.

Please note that this template is provided for educational purposes only and is not to be construed as legal advice. It is the collaborative work of a working group of health directors convened by Dr. Sam Wong, Health Director of Framingham. It was drafted by Cheryl Sbarra, Director of Policy and Law for the Massachusetts Association of Health Boards (MAHB) with input from the working group and a colleague attorney.

MAHB is sponsoring a forum on Tuesday, March 27, 2018 at the Newton Wellesley Hospital from 9:30 am to 12:00 pm. This forum will address the placeholder template, as well as a more comprehensive checklist of local regulatory options. The final CCC regulations will be addressed as well. Members of the working group will be present, as well as members of the Executive Board of MAHB. Attorney Cheryl Sbarra and Dr. Sam Wong will be presenting. Other presenters will be confirmed. The forum will include time for discussion, comments, questions and answers. The forum will also be available through a webinar. For more information, please go to [www.mahb.org](http://www.mahb.org).