



CONSIDERATIONS FOR MUNICIPALITIES ON RETAIL MARIJUANA ESTABLISHMENTS

The Marijuana Legalization Act allows statewide personal recreational use of marijuana as well as the sale of marijuana in retail stores, subject to regulation.

Personal Use

- Anyone 21 or older would be able to possess and use up to 2.5 ounces of prepared marijuana, and cultivate a limited number of marijuana plants at their residence.
- Smoking marijuana would be limited to places where people can smoke tobacco products, but other consumption of marijuana products would generally be allowed.

A municipality may not ban recreational marijuana entirely, or the cultivation of marijuana on a limited scale in a personal residence.

Retail Establishments

- This initiative would allow sale of marijuana in retail stores, subject to regulation.
 - A “Retail marijuana establishment” means a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana products manufacturing facility, or a retail marijuana testing facility.
 - A “Retail marijuana social club” means an entity licensed to sell retail marijuana and retail marijuana products to consumers for consumption on the licensed premises.
- Licenses for all retail establishments are conditioned on municipal approval.

A municipality may:

- Prohibit retail marijuana establishments and social clubs;
- Limit the number of retail establishments and social clubs; and
- Regulate the location and operation of retail establishments and social clubs (including local land use ordinances, a separate local licensing requirement, and any other restrictions on time, place, manner, and the number of marijuana businesses within the municipality).

We are happy to provide more information, resources, or technical assistance:

Contact: Kate Marone, HLC Director; phone: 563-1330; kmarone@mcdph.org