

CITY OF FRAMINGHAM



Policy on Social Equity and Certified Economic Empowerment Applicants for Marijuana Establishments and Registered Marijuana Dispensaries

Policy Number:	001	Effective date:	
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I. Policy Description

In November 2022, An Act Relative to Equity in the Cannabis Industry, Chapter 180 of the Acts of 2022 made numerous changes to Massachusetts’ marijuana laws. The CCC was required to create and oversee a social equity program to encourage and enable full participation in the marijuana industry of people from communities that have been disproportionately harmed by marijuana prohibition and enforcement and to positively impact those communities. Host communities must adopt procedures and policies that establish minimum standards to promote social equity businesses. The intention of this policy is to outline the priority review which will be utilized by the Marijuana Advisory Team when determining which applicants to enter Host Community Agreement negotiations.

II. Authority

MGL c. 94G ss1, 3, 4, 22.
Chapter 180 of the Acts of 2022

III. Acronym and Terminology List

- BOH Regulations – Regulation of the Framingham Board of Health Regulating the Sale of Medical Marijuana (2015) and Regulation to Ensure the Sanitary and Safe Operation of Adult-use Marijuana Establishments and the Sale of Adult-use Marijuana (2018).
- CCC - Commonwealth of Massachusetts Cannabis Control Commission
- CFO – Chief Financial Officer
- COO – Chief Operating Officer
- CORI - Completed Criminal Offender Record Information
- DPH – Department of Public Health

General Ordinances - Framingham General Ordinances
HCA - Host Community Agreements
MAT – Marijuana Advisory Team
Policy - Policy on Social Equity and Certified Economic Empowerment Applicants
RMD - Registered Marijuana Dispensary
The City - City of Framingham
Zoning Ordinances - Framingham Zoning Ordinances

IV. **Definitions**

A **social equity business** is a marijuana establishment with not less than 51 percent majority ownership of individuals who are eligible for the social equity program under MGL c. 94 G §22 whose ownership qualifies it as an economic empowerment priority applicant as defined by the commission's regulations promulgated pursuant to MGL c.94G §4.

Marijuana Advisory Team (“MAT”): A formal advisory group to the Mayor consisting of the Chief Operating Officer, the Building Commissioner, the Planning Board Administrator, the Director of the Department of Public Health, the Chief of Fire, the Chief of Police, the Chief Financial Officer, and the City Solicitor, or their respective designees, that reviews HCA applications from marijuana establishments and RMDs to make recommendations to the Mayor for review of the same.

Terms not defined in this Policy but defined in M.G.L. c. 94G, the CCC Regulations, the DPH Regulations, the Zoning and General Ordinances, and/or the BOH Regulations shall have the meanings given therein to the extent the same are not inconsistent with this Policy.

V. **Policy Statement**

- A. The Marijuana Advisory Team for the City will provide priority licensing review to Social Equity business applicants who demonstrate they meet at least one of the following criteria:
1. Income that does not exceed 400% of Area Median Income and Residency in an Area of Disproportionate Impact, as defined by the Cannabis Control Commission, for at least 5 of the past 10 years;
 2. Residency in Massachusetts for at least the past 12 months and a conviction or continuance without a finding for an offense under M.G.L. c. 94C or an equivalent conviction in Other Jurisdictions;
 3. Residency in Massachusetts for at least the past 12 months and proof that the applicant was either married to or the child of an individual convicted or continuance without a finding for a M.G.L. c. 94C offense or an equivalent conviction in Other Jurisdictions;

4. Any individual listed as an owner on the original certification of an Economic Empowerment Priority Applicant who satisfies one or more the following criteria:
 - a. Lived for 5 of the preceding 10 years in an Area of Disproportionate Impact, as determined by the Commission;
 - b. Experience in one or more previous positions where the primary population served were disproportionately impacted, or where primary responsibilities included economic education, resource provision or empowerment to disproportionately impacted individuals or communities;
 - c. Black, African American, Hispanic or Latino descent; or
 - d. Other significant articulable demonstration of past experience in or business practices that promote economic empowerment in Areas of Disproportionate Impact.
- B. If an applicant meets one of the above criteria, they must provide documentation as proof of the qualification or the application will be reopened or denied. Proof for qualifications can include the following:
 1. Massachusetts driver's record or Massachusetts ID card record
 2. A signed lease agreement that includes the subject's name
 3. Residential property deed that includes the subject's name
 4. School records
 5. Housing authority records
 6. Banking records
 7. Utility bills, which identifies energy and water use
 8. Dated notices or correspondence from a local or state government entity that includes the subject's name
 9. List of all qualifying drug related offenses including type of offense, jurisdiction of offense, law enforcement authority, date of offense, court disposition, relationship to offender (if other than self), contact to verify offense, contact phone and email
 10. Other appropriate evidence
- C. The Marijuana Advisory Team for the City will provide priority licensing review to Certified Economic Empowerment applicants who demonstrate at least 3 of the following 6 criteria:
 1. Majority of ownership belongs to people who have lived in Areas of Disproportionate
 2. Impact for 5 of the last 10 years. Majority of ownership has held one or more previous positions where the primary population served were disproportionately impacted, or where primary responsibilities included economic education, resource provision or empowerment to disproportionately impacted individuals or communities.

3. At least 51% of current employees/subcontractors reside in Areas of Disproportionate Impact and will increase to 75% by first day of business.
4. At least 51% of employees or subcontractors have drug-related CORI, but are otherwise legally employable in a cannabis-related enterprise.
5. A majority of the ownership is made up of individuals from Black, African American, Hispanic, or Latino descent.
6. Owners can demonstrate significant past experience in or business practices that promote economic empowerment in Areas of Disproportionate Impact.

D. Recommendation for HCA

Although an applicant may be granted priority review, the applicant is in no way entitled to a marijuana license from the City, and priority review is not a promise or guarantee the City will enter into a Host Community Agreement with said applicant. After the MAT has completed its review and the applicant has conducted its Community Outreach Meeting, the MAT will make a recommendation to the Mayor and shall notify the applicant of its recommendation. The City is not obligated to enter into an HCA with any applicant, or to do so within set time period. No HCA shall be entered without the express authorization from the Mayor.

E. For Community HCA process refer to Policy of the Mayor 02-18 VII.