

SNAPSHOT: Cannabis Control Commissions

A Cannabis Control Commission (CCC) is a municipal citizen board responsible for reviewing and licensing commercial cannabis establishments of all types to make sure that they comply with local zoning, sign, and public nuisance regulations. The local CCC is appointed or designated by the legislative body of the municipality (select board or trustees) and may be the legislative body itself.



The licensing authority the CCC has for commercial cannabis is comparable to the role that local liquor boards have to review liquor license applications and take action when violations of local license conditions occur.

WHY?

A local CCC helps protect community interests by making sure cannabis establishments comply with applicable local regulations. Establishing a CCC allows a municipality an extra tool and process (a license and associated enforcement framework) to ensure local regulations are complied with before and after a cannabis business begins operations. As with any citizen board, a CCC that represents the full diversity of your community helps ensure that equitable decisions are made in the community's best interest and with public health in mind.

WHO?

A Select Board can serve as a town's CCC or an independent citizen board may be appointed. Ideally, a CCC should include a balanced cross-section of community stakeholders to represent the interests of:

- Local Government
- School District
- Law Enforcement
- Youth
- Parents
- Substance Misuse Prevention
- Recovery Programs
- Commerce
- Cannabis Industry
- Healthcare

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Good to Know

If a town **does not** form a local commission, the state Cannabis Control Board (CCB) will issue state licenses **before notifying a town**. Towns will be notified via email by the CCB after a state license has been issued.

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In towns with a CCC, the CCB will **require** that the local CCC issue its license before issuing a state cannabis license.

HOW: CCC's in Action



A local CCC reviews applications for commercial cannabis establishments and issues licenses for them to operate. These local licenses are required for CCB state license approvals.

A CCC reviews license applications for compliance with municipal regulations. CCC review is limited to consideration of zoning, sign, and public nuisance regulations. Licenses establish local license conditions. The CCC may suspend or revoke a local license for a violation of any condition placed upon the license.

- ✱ A CCC is created by municipalities through a resolution adopted by the local legislative body.
- ✱ A CCC may develop a license application process and issue local licenses for commercial cannabis establishments that include retail, cultivation, and processing operations. Any new establishment will also require a zoning permit from the municipality.
- ✱ It is important to note that a CCC's authority is limited to issuing and administering local control licenses to enforce local zoning bylaws, sign ordinances, and public nuisance regulations. If supported by the municipality's legislative body, it may be appropriate for members of the CCC to:
 - ✱ Work with the municipal planning board/commission and the legislative body to review how cannabis establishments will be treated under the municipality's existing zoning*, sign, and nuisance regulations. Revisions to existing regulations may help clarify how cannabis establishments will be regulated and ensure that potential nuisances are prevented.
 - ✱ Work with other citizen boards to consider dedicating a portion of local option sales tax (in municipalities that have this), to offset local costs resulting from issues relating to cannabis operations and retail sales (such as additional law enforcement activity), or to support prevention activities for youth and vulnerable populations.

Zoning is the local regulation of uses and structures (development) to meet community goals and mitigate negative outcomes. Most municipalities, but not all, have adopted zoning regulations. If your community is considering updating the zoning regulations* to address cannabis uses specifically, public input meetings and surveys to assess the best locations and public opinion about these uses could be helpful. The planning board/commission leads municipal efforts to revise zoning regulations. Nuisance regulations can cover impacts such as sound, smells, vibrations, dust, and lighting among other factors.

>There are still questions about municipal authority on this topic because of a contradiction between our VT state statute on municipal authority and the rules established by the Cannabis Control Board. To understand how a municipality can apply its zoning authority to cannabis establishments, refer to municipal guidance from the Cannabis Control Board (to be updated in late summer/fall 2022). Towns should contact their regional planning commission and/or municipal legal counsel for guidance pertaining to zoning and other local decision making authority.

