

CANNABIS

New State Laws

New Local Issues

A Town Wide Vote

THE CANNABIS CONTROL BOARD

- Created by the State in Act 164 in 2020 and then amended by Act 62 in 2021
- Charged with creating and regulating a legal market for cannabis
- Has authority for regulating commercial production, processing, testing, and ultimately retail sales if allowed by town wide vote
- The rule maker and enforcer for the legal market

REGULATION DOES NOT APPLY TO PERSONAL USE

- Growing at home for personal non-commercial use is not covered by the new regulations
- Individuals can possess up to two adult plus four immature plants and possess the resulting harvest
- Home grown cannabis cannot be sold but can be gifted

WHAT IS REGULATED BY THE STATE LAW?

- Outdoor and indoor commercial cultivation
- Processing and packaging for retail sale
- Product purity and potency with extensive labeling requirements
- Product tracking to prevent diversion into the black market
- Retail location and sales with security and personnel requirements

COMMERCIAL CULTIVATION

- Outdoor and indoor cultivation is heavily regulated by the state in terms of security and surveillance of plots, buildings and storage
- Indoor growing operations must be locally treated like any non-cannabis commercial activity
- Product tracking through bar coding begins at this point of production
- The Town does not have any jurisdiction over outdoor operations

PROCESSING, PACKAGING, TESTING, & LABELING

- A processing, packaging, or testing facility can only be treated under zoning like any other light industrial/manufacturing activity
- Just like cultivation, there are extensive State regulations concerning security and product tracking; products must be tested and labelled

RETAIL SALES

- Retail sales are heavily regulated by the state in terms of security, video surveillance, employee vetting and number of customers per employee
- Age-gating requirements apply to the location and any web-site
- Signage must meet state requirements not to be attractive to minors
- Must not be located within 500 feet of a public school
- Shall operate only in towns that have approved by a town-wide vote

WHAT THIS MEANS FOR FAIRLEE

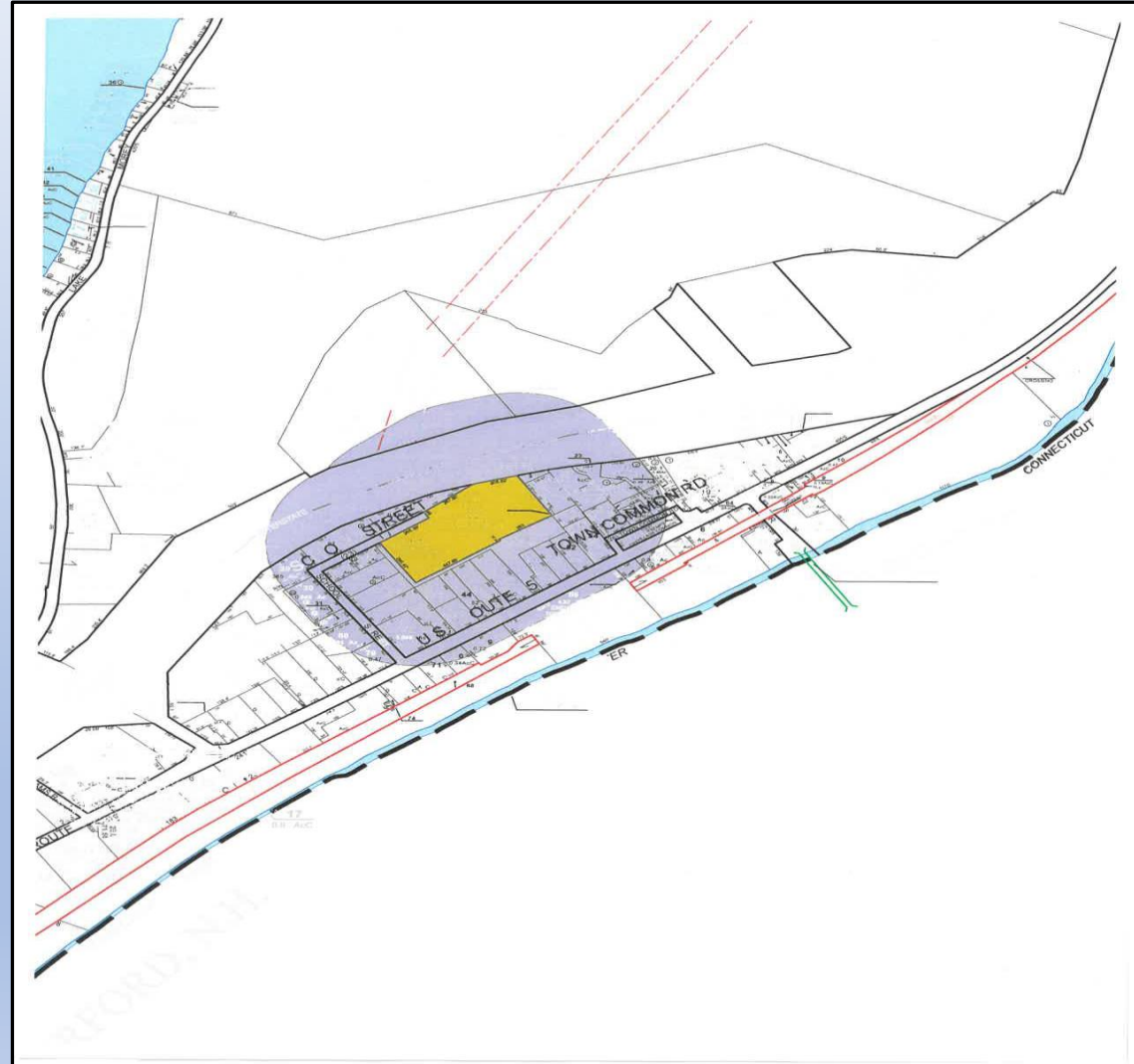
- In order for retail sales to be legally permitted, the voters must approve a warned article conducted by Australian ballot
- At that point the Town may treat the operation under zoning only as it would for any other primary retail operation
- All State regulations on signage content would take precedent

CURRENT ZONING PROVISIONS THAT WOULD APPLY

- Would be required to be located in the Village or Interchange Areas
- Square foot limitations, no more than 3500 square feet in the Village, no more than 10,000 square feet in the Interchange Area
- Limitations on signage size would apply, 32 square foot road sign, no more than 10 percent of the façade for a building sign

CANNABIS EXCLUSIONARY BUFFER ZONE

The State Statutes define the Cannabis exclusionary zone that bars retail operation within blue 500-foot zone around Samuel Morey Elementary School.



QUESTIONS?

If you wish to speak to me in private, please contact me either via email zoningadministrator@fairleevt.gov or my office phone at

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