

# Retail cannabis sales vote: What you should know

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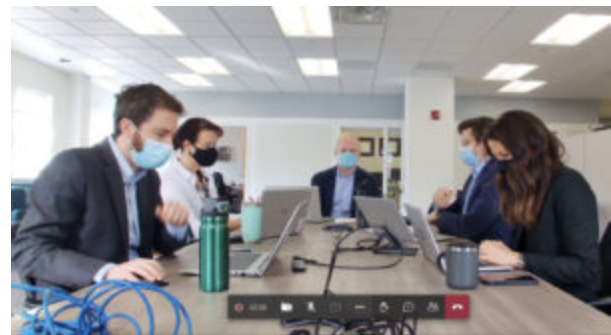
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On Town Meeting Day this year, Chester voters will go to the polls to vote on allowing the sale of recreational cannabis within the town. For those who are still on the fence, here are some resources to help with making a decision. First, cannabis was made legal by Act 164 and your vote on March 1 will not change that. But Act 164 does allow a town to “opt-in” to allowing retail sales of recreational cannabis within its jurisdiction by Australian ballot. This means that the town’s voters – not the Select Board or Planning Commission – will decide.



Vermont’s Cannabis Control Board meeting to review comments to Rule 4 on Tuesday.

If the opt-in vote fails, there can be no retail sales. But, whether the issue passes or fails, it can still be petitioned for a re-vote. If, however, a town opts in but decides to opt back out in a year or two, the licensed cannabis retailers who have established businesses in the interim cannot be shut down by the town.

The opt-in vote only applies to retail cannabis sales. The town cannot prevent licensed growers or processors from setting up shop. Growing legal cannabis is considered farming, which is protected from many zoning laws and regulated by the Agency of Agriculture.

Cannabis will be subject to both a 6 percent sales tax as well as a 14 percent excise tax but currently none of that money is earmarked for the municipalities that host retail establishments. But, the state’s Cannabis Control Board has recommended that the

legislature return 1 to 2 percent to the participating municipalities. Towns could also enact a local option tax, which would be added to the sales tax in that town.



Signage is among the items that municipalities can regulate.  
Photo by Erik Mclean for Pexels.

**Benefits of a Local Cannabis Control Commission**

1. Protect community interests when making cannabis policy decisions.
2. Ensure that local policy is thoughtful, intentional and considers the needs of all the town's residents.
3. Give towns the opportunity to shape how this new industry will affect their town for the long term.
4. Help make recommendations where local funds can be allocated.

Watch Video At: [https://youtu.be/pxbRKO6i\\_ok](https://youtu.be/pxbRKO6i_ok)

On Monday night, Green Peak Alliance held an meeting regarding the vote, including actions that municipalities can take to regulate retail sales, information on the law and the Cannabis Control Board, which is making the rules for how the law will be implemented. That presentation can be viewed **here by clicking the image to the right**.

The presenters spoke about an “adult only” ordinance or bylaw that can regulate the businesses that cannot sell products to minors but would not single out cannabis.

Such a measure could allow towns to increase the size of buffer zones and extend them to places other than schools – like playgrounds, a library, youth center etc. The presenters pointed to a **Weathersfield zoning amendment** enacted in 2016 as an example.

Several members of Green Peak Alliance seemed to indicate that towns would also have the authority to limit the number of licenses it would allow, but calls to the CCB to confirm that were not returned by the publishing deadline. And a town could also name a local cannabis control commission that would have the power to regulate based on zoning, signage and nuisance regulations.

The board has issued five rules. Click on any one to see the rule.

1. **Rule One** on Licensing of Cannabis Establishments,
2. **Rule Two** on Regulation of Cannabis Establishments,
3. **Rule Three** on Medical Cannabis,
4. **Rule Four** on Compliance and Enforcement and
5. **Rule Five** on removal of a member of the CCB.

The state Cannabis Control Board holds open meetings. Agendas, minutes and links to those meetings can **be found by clicking here**. Orca media also has **a library of CCB meeting videos** available.

## **More resources: Vermont's cannabis legislation**

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**Title 7: Alcoholic Beverages, Cannabis, and Tobacco, Chapter 31: CANNABIS**

**Title 7: Alcoholic Beverages, Cannabis, and Tobacco, Chapter 33: CANNABIS ESTABLISHMENTS**

**Title 7: Alcoholic Beverages, Cannabis, and Tobacco, Chapter 35: MEDICAL CANNABIS REGISTRY**

**Title 7: Alcoholic Beverages, Cannabis, and Tobacco, Chapter 37: MEDICAL CANNABIS DISPENSARIES**

**Title 7: Alcoholic Beverages, Cannabis, and Tobacco, Chapter 39: CANNABIS SOCIAL EQUITY PROGRAMS**

**Title 32: Taxation and Finance, Chapter 207: CANNABIS EXCISE TAX**