



Legislation Details (With Text)

**File #:** Res 0734-2019    **Version:** A    **Name:** Ensure that any law passed to legalize the market for the adult use of cannabis allows the City to enact its own regulatory measures on issues unique to its location including the home delivery and cultivation of cannabis in NYC.

**Type:** Resolution    **Status:** Adopted

**In control:** Committee on Consumer Affairs and Business Licensing

**On agenda:** 2/13/2019

**Enactment date:**    **Enactment #:**

**Title:** Resolution calling on the New York State legislature to ensure that any law passed to legalize the market for the adult use of cannabis allows the City to enact its own regulatory measures on issues unique to its location including the home delivery and cultivation of cannabis in New York City.

**Sponsors:** Corey D. Johnson, Laurie A. Cumbo, Brad S. Lander, Ben Kallos, Carlina Rivera, Diana I. Ayala

**Indexes:**

**Attachments:** 1. Res. No. 734, 2. February 13, 2019 - Stated Meeting Agenda with Links to Files, 3. Hearing Transcript - Stated Meeting 2-13-19, 4. Minutes of the Stated Meeting - February 13, 2019, 5. Committee Report 2/27/19, 6. Hearing Testimony 2/27/19, 7. Hearing Transcript 2/27/19, 8. Proposed Res. No. 734-A - 3/19/19, 9. Committee Report 3/27/19, 10. Hearing Transcript 3/27/19, 11. March 28, 2019 - Stated Meeting Agenda with Links to Files, 12. Hearing Transcript - Stated Meeting 3-28-19, 13. Minutes of the Stated Meeting - March 28, 2019

Date	Ver.	Action By	Action	Result
2/13/2019	*	City Council	Introduced by Council	
2/13/2019	*	City Council	Referred to Comm by Council	
2/27/2019	*	Committee on Consumer Affairs and Business Licensing	Hearing Held by Committee	
2/27/2019	*	Committee on Consumer Affairs and Business Licensing	Laid Over by Committee	
2/27/2019	*	Committee on Public Safety	Hearing Held by Committee	
2/27/2019	*	Committee on Public Safety	Laid Over by Committee	
2/27/2019	*	Committee on Civil and Human Rights	Hearing Held by Committee	
2/27/2019	*	Committee on Civil and Human Rights	Laid Over by Committee	
2/27/2019	*	Committee on Justice System	Hearing Held by Committee	
2/27/2019	*	Committee on Justice System	Laid Over by Committee	
3/27/2019	*	Committee on Consumer Affairs and Business Licensing	Hearing Held by Committee	
3/27/2019	*	Committee on Consumer Affairs and Business Licensing	Amendment Proposed by Comm	
3/27/2019	*	Committee on Consumer Affairs and Business Licensing	Amended by Committee	
3/27/2019	A	Committee on Consumer Affairs and Business Licensing	Approved by Committee	Pass

3/28/2019

A

City Council

Approved, by Council

Pass

Res. No. 734-A

Resolution calling on the New York State legislature to ensure that any law passed to legalize the market for the adult use of cannabis allows the City to enact its own regulatory measures on issues unique to its location including the home delivery and cultivation of cannabis in New York City.

By The Speaker (Council Member Johnson) and Council Members Cumbo, Lander, Kallos, Rivera and Ayala

Whereas, The New York legislature is poised to pass landmark legislation legalizing the adult-use cannabis market across the State; and

Whereas, Although it will be vital to centralize regulatory oversight of “non-medical” cannabis across New York state to ensure uniform standards regarding health and safety, the law should also grant localities the authority to regulate policy areas that are unique to their locations; and,

Whereas, Across the State there are differing attitudes towards legalizing adult-use cannabis market; and,

Whereas, Recognizing this, in his budget address, Governor Cuomo indicated that his plan for legalization of the adult-use cannabis market would allow counties with populations over 100,000 to ban the retail sale of cannabis; and,

Whereas, As such, political leaders from Suffolk, Nassau, Chautauqua and Genesee counties have all indicated that they will consider utilizing the opt-out provision; and,

Whereas, Measures such as this will enable municipal governments to regulate aspects of adult-use cannabis market in accordance with the interests of their local jurisdiction; and,

Whereas, Given its distinctive characteristics when compared to other parts of the State, such powers are especially important to New York City; and,

Whereas, The population density of New York State is 421 people per square mile, while New York City has the highest population density of any city in the Country with more than 27,000 people per square mile; and,

Whereas, New York City also hosts a high concentration of tourists - close to 63 million in 2017, and if the adult-use cannabis market is legalized in New York State, the City has an obligation to both educate tourists on the laws and also protect their rights as consumers; and,

Whereas, As such, once the adult-use cannabis market is legalized, New York City will likely face unique regulatory issues that differ markedly from those faced by other State locations; and,

Whereas, For example, the City's density and urban environment pose serious challenges when determining appropriate spaces for cannabis cultivation; and,

Whereas, cannabis is an energy-intensive crop, often requiring constant indoor lighting and heating rigs, ventilation systems and water; and,

Whereas, In addition to creating potential fire hazards, cultivation sites could put a huge strain on the City's utilities and sanitation systems; and,

Whereas, The legalization of the adult-use cannabis market will also act as a catalyst for other regulatory issues that are distinctive to New York City; and,

Whereas, For instance, unlike other parts of the State, City residents commonly use delivery services that provide everything from groceries, alcohol and laundry to make-up services, chicken-hatching eggs, and condoms directly to their residences; and,

Whereas, Therefore, the attitudes, expectations and behavior of consumers in New York City differs widely from those in other parts of the State; and,

Whereas, New York City's urban environment, the sheer size of its population and their unique consumer behaviors means that a legal adult-use cannabis market poses specific challenges for the City; and,

Whereas, To ensure that New York City can continue to balance the competing and complex needs of its residents, business groups, and consumers, the City's agencies should be granted powers to regulate the adult-use cannabis market at the local level; now, therefore, be it

Resolved, That the New York State legislature ensure that any law passed to legalize the market for the

adult use of cannabis allows the City to enact its own regulatory measures on issues unique to its location including the home delivery and cultivation of cannabis in New York City.

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3/19/19  
LMS