

RECREATIONAL MARIJUANA  
ORDINANCE

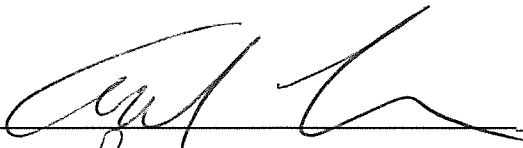
TOWN OF

ANSON

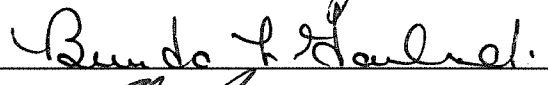
MAINE

ENACTED: MARCH 7, 2020

EFFECTIVE: MARCH 7, 2020

CERTIFIED BY: \_\_\_\_\_

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CERTIFIED BY: \_\_\_\_\_

F. Town: Means Town of ANSON

111. BUILDING PERMIT APPLICATION

A. Any marijuana facility shall petition the Board of Selectmen for site and business approval. A petition for approval shall be submitted for initial approval, annual renewal, change of use, and any change of ownership.

B. Certificate of occupancy

Each facility shall meet the minimum state standards. No Certificate of Occupancy shall be granted for any retail marijuana establishment within one thousand (1000) feet of the boundary of any public or private school.

C. Municipal and State Codes

No Certificate of Occupancy shall be granted for any retail marijuana establishment unless the premise concerned is in complete compliance with all Municipal and State Codes and Regulations.

D. Signage

All signage shall meet the requirements of the State of Maine, Sign Ordinance of the Town of Anson and shall not be excessively attractive to children. Projected signage shall be submitted with each application to the Board of Selectmen.

E. Security

1. Security requirements for retail marijuana establishments, excluding outdoor growing facilities, shall include:

a. Lockable doors and windows to include intrusion alarms with audible and police notification components sending notification directly to or through a second party to the Somerset Sherriff's Department.

b. Video surveillance capable of covering the exterior of the facility, interior and all plants cultivated within the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days a week and such records of

2. Acknowledge and consent that the Town will conduct a background investigation, including a criminal history check.
3. Furnish proof of lawful residence. Proof of lawful residence may be made by providing two of the following documents:
  - a. A valid State of Maine motor vehicle operator's license
  - b. A valid State of Maine motor vehicle registration certificate
  - c. A valid State of Maine fishing or hunting license
  - d. Voter registration
  - e. A current invoice from a utility company
4. The name and complete physical address of the proposed retail marijuana establishment.

V. LICENSE REQUIREMENT

Any person operating a retail marijuana establishment within the Town must obtain a license which shall be granted on the same criteria and regulations as set forth in Title 7 M.R.S.A., Chapter 417, including all regulations or amendments thereto.

- A. The Town license shall be granted contingent upon the applicant obtaining any required State license.
- B. License classification
  1. Growing/Cultivating
  2. Retail marijuana store
  3. Retail marijuana products manufacturing
  4. Retail marijuana testing facility
- C. Total licenses for the two Villages not to exceed: 3 Retail Stores, 5 Manufacturing facilities, 2 Test Facilities and 4 Growing/Cultivating sites.
- D. Licenses are valid for one(1) year.
- E. Licenses shall be kept current at all times.
- F. Applicant must be at least twenty-one (21) years of age.
- G. Applicant must be a resident of the State of Maine on the date of the application and for the four years immediately preceding the date of the application.
- H. License shall be posted in a conspicuous location at a retail marijuana establishment.
- I. Licenses are not transferable.
- J. Upon receipt of an application for a new license or renewal, the Town shall schedule a public hearing on the application to be held not less than forty-five (45) days after the receipt of the completed application.
- K. Incomplete, false or misleading applications will not be processed.

bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever arising out of or in any manner connected with the operation of a licensed retail marijuana establishment.

Application and Permit/License Fees:

All applications must be submitted with a \$250 fee. The following permit/license fees must be paid before the Town will issue a permit/license.

1. Marijuana Store: Permit/License Fee: \$1,250
2. Adult Marijuana Manufacturing Facility: Permit/License Fee: \$1,250
3. Marijuana Testing Facility: Permit/License Fee: \$500

Marijuana Cultivation:

Tier 1: Up to thirty (30) mature plants (and an unlimited number of immature plants and seedlings) or up to 500 SF of plants canopy:

By plant count: Permit/License Fee: \$5/mature plant for an outdoor cultivation and \$10/mature plant for an indoor or indoor/outdoor cultivation.

By canopy, 0-500 SF: Permit/Licensing Fee: \$250/indoor or indoor/outdoor, \$125/outdoor.

Tier 2: 501-2,000 SF of mature plant canopy: Permit/License Fee: \$1,500/indoor or indoor/outdoor cultivation, \$750 outdoor cultivation.

Tier 3: 2,001-7,000 SF of mature plant canopy: Permit/License Fee: \$5,000/indoor or indoor/outdoor cultivation, \$2,500/outdoor cultivation.

Tier 4: 7,001-20,000 SF of mature plant canopy: Permit/License Fee: \$15,000/indoor or indoor/outdoor, \$7,500/outdoor. For each approved increase of 7,000 SF, the additional fee is: \$2,500 for outdoor cultivation, and \$5,000 for indoor or indoor/outdoor cultivation.

## VIII. SUSPENSION OR REVOCATION

A. The Select Board may, after notice and public hearing, suspend, revoke or refuse to renew a license for a retail marijuana establishment for failing to comply with this Ordinance and Title 7, M.R.S.A. , Chapter 417.

B. In suspending, revoking or refusing to renew a license for a retail

## XI. STATE LAW

In the event the State of Maine adopts any additional or stricter law or regulation governing the sale, distribution or testing of retail marijuana or retail marijuana products, the additional or stricter regulation shall control the establishment *or* operation of any retail marijuana store, retail marijuana products manufacturing *or* retail marijuana testing facility in the Town. Compliance with any applicable State law or regulation shall be deemed an additional requirement for issuance *or* denial of any license under this Ordinance, and non-compliance with any applicable State law *or* regulation shall be grounds for revocation *or* suspension of any license issued hereunder.

## XII. RETAIL SALES TAX OPTION

All retail marijuana establishments shall be subject to the maximum sales tax authorized by the State and/or Town.

## XIII. AMENDMENTS

A. This Ordinance may be amended by the legislative body of the Town of *Anson* Amendments may be initiated as follows:

1. Recommended by a majority vote by the Board of Selectmen *or*;
2. On petition of at least 10% of the number of votes cast in the last gubernatorial election in town.

B. A public hearing shall be held by the Board of Selectmen prior to the adoption of any amendment. Notice of the hearing shall be provided as established by MRSA, Title 30-A, §4352.9.

## XIV. PENALTIES

This Ordinance shall be enforced by the municipal officers *or* their designee. Violations of this Ordinance shall be subject to the enforcement and penalty provisions of Title 30-A M.R.S.A Section 4452. Any violation shall be submitted to the Town Code Enforcement Officer for review and subsequent submission to the Town municipal board.

## XV. SEVERABILITY

If any portion of this Ordinance is determined invalid by a court of competent jurisdiction, such determination shall not render invalid the remaining portions of the Ordinance.