

# ***Ordinance Prohibiting Retail Marijuana Establishments and Retail marijuana Social Clubs in the Municipality of West Gardiner***

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## **Section 1. Authority.**

This ordinance is enacted pursuant to the Marijuana Legalization Act, 7 M.R.S.A. C.417; and Municipal Home Rule Authority, ME. Const., art. VIII, pt. 2; and 30-A M.R.S.A. § 3001.

## **Section 2. Definitions.**

For purposes of this ordinance, retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, and retail marijuana social clubs are defined as set forth in 7 M.R.S.A. § 2442.

## **Section 3. Prohibition on Retail Marijuana Establishments and Retail Marijuana Social Clubs.**

Retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, and retail marijuana testing facilities, and retail marijuana social clubs, are expressly prohibited in this municipality.

No person or organization shall develop or operate a business that engages in retail or wholesale sales of a retail marijuana product, as defined by 7 M.R.S.A. § 2442.

Nothing in the ordinance is intended to prohibit any lawful use, possession or conduct pursuant to the Maine Medical Use of Marijuana Act, 22 M.R.S.A. c. 558-C.

## **Section 4. Effective date; duration.**

This ordinance shall take effect immediately upon enactment by the municipal legislative body unless otherwise provided and shall remain in effect until it is amended or repealed.

## **Section 5. 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 30-A M.R.S.A. § 4452.

ARTICLE 63. SHALL AN ORDINANCE ENTITLED "ORDINANCE PROHIBITING RETAIL MARIJUANA ESTABLISHMENTS AND RETAIL MARIJUANA SOCIAL CLUBS IN THE MUNICIPALITY OF WEST GARDINER" BE ENACTED?

ADOPTED AS READ MARCH 18, 2017

Gregory A. Couture Merton L. Hickey

Gregory A. Couture

Merton L. Hickey

Randall W. Macomber

Randall W. Macomber

Attest:

Angela J. Phillis

Angela J. Phillis

Town Clerk