Ordinance Prohibiting Retail Marijuana Cultivation Facilities

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 36-A M.R.S.A. § 3001.

Section 2. Definitions.

For purposes of this ordinance, retail marijuana cultivation facilities are defined as set forth in 7 M.R.S.A. § 2442.

Section 3. Prohibition on Retail Marijuana Cultivation Facilities.

Retail marijuana cultivation facilities are expressly prohibited in the Town of Lebanon.

No person or organization shall develop or operate a business in the Town of Lebanon that engage in the cultivation of retail marijuana.

Nothing in this 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enactment by the municipal legislative body unless otherwise provided and shall remain in effect until it is amended or repealed.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 36-A M.R.S.A. § 4052.

Adopted this day 05/09/2017 by Town Meeting Vote 510-Yes 415-No

A True Copy Attest

Dale Fisk - Town Clerk