

## ARTICLE 11 PROHIBITING RETAIL MARIJUANA ESTABLISHMENTS & RETAIL SOCIAL CLUBS

### Sec. 5-1101 Authority

This Ordinance is enacted pursuant to the Marijuana Legalization Act, 7 M.R.S.A. c. 417; and Municipal Home Rule Authority, Maine Constitution, Article VIII, part 2; and 30-A M.R.S.A. § 3001.

### Sec. 5-1102 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.

### Sec. 5-1103 Prohibition on Retail Marijuana Establishments and Retail Marijuana Social Clubs

1. 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 the Town of Farmingdale
2. No application for a proposed retail marijuana establishment or retail marijuana social club shall be processed.
3. 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.
4. 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.

### Sec. 5-1104 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enactment by the municipal legislative body unless otherwise provided and shall remain in effect until it is amended or repealed.

### Sec. 5-1105 Penalties

This Ordinance shall be enforced by the Town of Farmingdale Board of Selectmen or their designee. Violations of this Ordinance shall be subject to the enforcement and penalty provisions of 30-A M.R.S.A. § 4452.

Effective Date: June 13, 2017

