

CHAPTER 509

Adult Use Marijuana Establishments Ordinance

Town of Yarmouth, Maine

Adopted 1/18/18
Amended: 5/16/19

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Table of Contents

ARTICLE I	1
Section 1. Authority.....	1
Section 2. Definitions.....	1
Section 3. Prohibition on Adult Use Marijuana Establishments.....	1
Section 4. Effective date; duration.	1
Section 5. Penalties.....	1

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ARTICLE I

Section 1. Authority.

This ordinance is enacted pursuant to the Marijuana Legalization Act, M.R.S.A. Ch. 1; 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, adult use marijuana establishments, including marijuana stores, cultivation facilities, products manufacturing facilities, and testing facilities, are defined as set forth in 28 M.R.S.A. § 102.

Section 3. Prohibition on Adult Use Marijuana Establishments.

Adult use marijuana establishments, including marijuana stores, cultivation facilities, and products manufacturing facilities, 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.

Adult use marijuana testing facilities, as defined in 28-B M.R.S.A. §102 and testing facilities for hemp, as defined in 7 M.R.S.A. Section 2231 are expressly authorized uses in the Town of Yarmouth.

No person or organization shall develop or operate a business that engages in retail or wholesale sales of an adult use marijuana product, as defined by 28-B M.R.S.A. §102

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enactment by the municipal legislative body unless otherwise provided and shall remain in effect until it is amended or repealed.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 30-A M.R.S.A. § 4452.