

ORDER

STANDISH TOWN COUNCIL

DATE: August 8, 2017

ORDER NUMBER: 79-17

SUBMITTED BY: Higgins

TITLE: EXTENSION OF TOWN OF STANDISH MORATORIUM ORDINANCE
ON RETAIL MARIJUANA ESTABLISHMENTS AND RETAIL MARIJUANA
SOCIAL CLUBS

WHEREAS, a ballot initiative to legalize, regulate, and tax marijuana for non-medicinal purposes – known as the “Marijuana Legalization Act” and codified in the Maine Revised Statutes as Chapter 417 of Title 7 (hereinafter “the Act”) – was the subject of a state-wide referendum election on November 8, 2016;

WHEREAS, the results of the ballot initiative were certified by the Secretary of State and subsequently proclaimed by the Governor on December 31, 2016, and the Act became law effective on January 30, 2017;

WHEREAS, applicable as of January 30, 2017, the Maine Legislature amended the Act to reflect that its operative provisions – including the provisions pertaining to State licensing and municipal regulation – do not become effective until February 1, 2018;

WHEREAS, pursuant to the Act, the State of Maine licensing authority must adopt rules for the proper regulation and control of the cultivation, manufacture, distribution, sale and testing of retail marijuana and retail marijuana products and for the enforcement of the Act on or before November 30, 2017;

WHEREAS, a moratorium on retail marijuana establishments and retail marijuana social clubs was enacted by the Town Council on November 1, 2016 for a period of one hundred and eighty (180) days from the date of applicability of the moratorium, *i.e.*, until April 30, 2017; and

WHEREAS, the moratorium on retail marijuana establishments and retail marijuana social clubs was extended by the Town Council on May 9, 2017 for an additional period of one hundred and eighty (180) days, *i.e.*, until October 27, 2017; and

WHEREAS, the Maine Legislature’s Joint Select Committee on Marijuana Legalization Implementation is still working to help guide the state agencies that will craft the rules and regulations around the recreational marijuana industry;

WHEREAS, the State of Maine licensing authority that is to draft the rules and regulations around the recreational marijuana industry has not done so yet;

WHEREAS, the Town of Standish needs to know the State of Maine regulatory framework for the recreational marijuana industry before it can determine the land use and other regulatory implications of retail marijuana establishments and social clubs and consider what locations, if any, and conditions of approval, if any, might be appropriate for such uses; and

WHEREAS, the problems giving rise to the need for the moratorium still exist and reasonable progress is being made to alleviate the problems;

NOW, THEREFORE, the Town of Standish hereby ordains that all provisions of the Town of Standish Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs, as evidenced by Order #115-16, are hereby extended for an additional one hundred and eighty (180) days from October 27, 2017 to April 25, 2018.

APPROVED _____ DISAPPROVED _____

ROLL CALL YEA NAY ABSTAIN

DELCOURT	_____
HIGGINS	_____
LIBBY	_____
NESBITT	_____
POMERLEAU	_____
SIRPIS	_____
STAROSTECKI	_____

CLERK/SECRETARY _____

Timeline: Introduction-August 8, 2017
 First Reading-September 12, 2017
 Public Hearing & Action-October 10, 2017