Ordinance Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs in the Municipality of Weld

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by the municipal legislative body unless otherwise provided and shall remain in effect until it is amended or repealed.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

Certification of an Ordinance by the Municipal Officers

This certifies to the municipal clerk of Weld that the within ordinance is a true copy of an ordinance entitled “Town of Weld Ordinance Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs” was enacted upon by the voters at Town meeting on Saturday, March 3, 2018.

Dated: March 13, 2018

Municipal Officers of Weld

Thomas H. Skolfield — signature appears on signed original

Benjamin Hout — signature line appears on signed original

Richard Doughty — signature appears on signed original

Attestation

“Attest: A true copy of an ordinance entitled ‘Town of Weld Ordinance Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs,’ as certified to me by the municipal officer of Weld on the third day March 3, 2018.”

Town Clerk of Weld — signature appears on signed original