

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

*Enacted at Annual Town Meeting March 17, 2018
and as Amended at Special Town Meeting, July 25, 2024*

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 adult (recreational) 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.

Section 3A Exemption for Medical Marijuana Caregiver Retail Store

For the purposes of compliance with the Maine Medical Cannabis Program Caregiver Retail Store Local Authorization Form, a state-licensed Medical Marijuana Caregiver Retail establishment that was operating prior to the date of enactment of this section (July 25, 2024) shall be permitted to continue to operate providing it:

1. gives notice to the Planning Board of its intent to continue in business, including its anticipated days and hours of business,
2. complies with any local ordinances, including, but not limited to, the Town of Dixmont Building Code Ordinance and the Town of Dixmont Site Plan Review Ordinance, and
3. is in compliance with all state laws, rules or regulations, and
4. remains duly licensed by the state.

Additionally, 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.

A true copy, Attest:
Julie Bonin, Dixmont Town Clerk