

TOWN OF HOLDEN
ORDINANCE PROHIBITING RETAIL MARIJUANA ESTABLISHMENTS
AND RETAIL MARIJUANA SOCIAL CLUBS

ARTICLE 1. AUTHORITY

This Ordinance is enacted pursuant to the Marijuana Legalization Act, 7 M.R.S. ch. 417; Municipal Home Rule Authority, Me. Const., Art. VIII, pt. 2; and 30-A M.R.S. § 3001.

ARTICLE 2. DEFINITIONS

For purposes of this Ordinance, the terms “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 all as defined in 7 M.R.S. § 2442, as may be amended.

ARTICLE 3. PROHIBITIONS

- A. 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 Holden.
- B. No person or organization shall develop or operate a business that engages in retail or wholesale sales of a retail marijuana product, as defined in 7 M.R.S. § 2442.
- C. 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. ch. 558-C.

ARTICLE 4. EFFECTIVE DATE; DURATION

This Ordinance shall take effect immediately upon enactment by the Town Council and shall remain in effect until it is amended or repealed.

ARTICLE 5. PENALTIES

This Ordinance shall be enforced by the municipal officers or their designee. Violation of this Ordinance shall be subject to the enforcement and penalty provisions of 30-A M.R.S. § 4452, as may be amended.

Approved the 17 day of April, 2018

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