

**TOWN OF BRIDGTON**  
**ADULT-USE MARIJUANA ORDINANCE**

**PREAMBLE**

**WHEREAS**, in 2016, voters both statewide and in the Town of Bridgton voted in favor of allowing adult-use marijuana in a regulated and taxed market;

**WHEREAS**, before a municipality may take part in the regulated and taxed market, State law requires the municipality to opt in;

**THEREFORE**, in the interest of public health and safety, allowing new businesses, and growing Bridgton's economy, the People of Bridgton find and declare that adult-use marijuana establishments shall be allowed in the Town pursuant to the provisions set forth herein.

**ARTICLE I. GENERAL PROVISIONS**

**Section 1. Title**

This Ordinance shall be known as the "Town of Bridgton Adult-Use Marijuana Ordinance."

**Section 2. Authority**

This Ordinance is adopted pursuant to the Constitution of Maine, Article VIII, Part Second; 30-A MRS § 3001; and 28-B MRS Chapter 1.

**Section 3. Adult-Use Marijuana Establishments Allowed**

Pursuant to 28-B MRS § 402, the operation of adult-use marijuana establishments within the Town is allowed, subject to Title 28-B, the Marijuana Legalization Act; the Rules for Maine's Adult-Use Marijuana Program; the provisions of this Ordinance; and other generally applicable Town ordinances.

## **ARTICLE II. DEFINITIONS**

**Adult-use cultivation facility:** "Adult-use cultivation facility" means a facility licensed by the Department of Administrative and Financial Services to purchase marijuana plants and seeds from other adult-use cultivation facilities; to cultivate, prepare and package adult-use marijuana; to sell adult-use marijuana to adult-use products manufacturing facilities, to adult-use marijuana stores and to other adult-use cultivation facilities; and to sell marijuana plants and seeds to other adult-use cultivation facilities and immature marijuana plants and seedlings to adult-use marijuana stores. An adult-use cultivation facility includes a nursery cultivation facility.

**Adult-use marijuana:** "Adult-use marijuana" means marijuana cultivated, manufactured, distributed or sold by an adult-use marijuana establishment.

**Adult-use marijuana establishment:** "Adult-use marijuana establishment" means an adult-use cultivation facility, an adult-use products manufacturing facility, an adult-use testing facility or an adult-use marijuana store licensed under 28-B MRS and State of Maine Rules.

**Adult-use marijuana products:** "Adult-use marijuana products" means products composed of marijuana or marijuana concentrate and other ingredients that are intended for use or consumption. "Adult-use marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana ointment or a marijuana tincture. "Adult-use marijuana product" does not include marijuana concentrate.

**Adult-use marijuana store:** "Adult-use marijuana store" means a facility licensed by the Department of Administrative and Financial Services to purchase adult-use marijuana, immature marijuana plants and seedlings from an adult-use cultivation facility, to purchase adult-use marijuana and adult-use marijuana products from an adult-use products manufacturing facility and to sell adult-use marijuana, adult-use marijuana products, immature marijuana plants and seedlings to consumers.

**Adult-use products manufacturing facility:** “Adult-use products manufacturing facility” means a facility licensed by the Department of Administrative and Financial Services to purchase adult-use marijuana from an adult-use cultivation facility or another adult-use products manufacturing facility; to manufacture, label and package adult-use marijuana and adult-use marijuana products; and to sell adult-use marijuana and adult-use marijuana products to adult-use marijuana stores and to other adult-use products manufacturing facilities.

**Adult-use testing facility:** “Adult-use testing facility” means a facility licensed by the Department of Administrative and Financial Services to develop, research and test marijuana, marijuana products and other substances.

**Marijuana:** “Marijuana” means the leaves, stems, flowers and seeds of a marijuana plant, whether growing or not. “Marijuana” includes marijuana concentrate but does not include hemp as defined in 7 MRS§2231(1), or an adult-use marijuana product.

**Marijuana concentrate:** “Marijuana concentrate” means the resin extracted from any part of a marijuana plant and every compound, manufacture, salt, derivative, mixture or preparation from such resin, including, but not limited to, hashish. In determining the weight of marijuana concentrate in a marijuana product, the weight of any other ingredient combined with marijuana or marijuana concentrate to prepare the marijuana product may not be included.

**Person:** “Person” means a natural person or a business entity.

### **ARTICLE III. PROHIBITIONS**

#### **Section 1. Persons Under 21 Years of Age**

No adult-use marijuana establishment shall employ any person under 21 years of age. Adult-use marijuana establishments shall ensure that persons under 21 years of age do not enter its licensed premises. No adult-use marijuana establishment shall sell any item to a person under 21 years of age.

**Section 2. Downtown and Residential Districts**

No adult-use marijuana establishment shall be located in the following districts: Downtown Village Business, Downtown Village Neighborhood, Lakeside Neighborhood, Outer Village, or Rural Neighborhood.

**Section 3. Proximity to Schools**

No adult-use marijuana establishment shall be located within 1,000 feet or less from the property line of a preexisting public or private school. For the purposes of this provision, "school" includes a public school, as defined in Title 20-A, section 1, subsection 24; a private school, as defined in Title 20-A, section 1, subsection 22; a public preschool program, as defined in Title 20-A, section 1, subsection 23-A; or any other educational facility that serves children from prekindergarten to grade 12.

**Section 4. Adult-Use Marijuana Stores**

No adult-use marijuana store shall operate in the Town of Bridgton prior to June 30, 2020.

**ARTICLE IV. MUNICIPAL AUTHORIZATION**

**Section 1. Possession or Entitled to Possession of Premises**

A person requesting authorization to operate an adult-use marijuana establishment in the Town must demonstrate possession or entitlement to possession of the proposed licensed premises of the adult-use marijuana establishment pursuant to a lease, rental agreement or other arrangement for possession of the premises or by virtue of ownership of the premises.

**Section 2. Conditional License**

A person requesting authorization to operate an adult-use marijuana establishment in the Town must have been issued by the Department of Administrative and Financial Services a conditional license to operate the adult-use marijuana establishment.

**Section 3. Mandatory Issuance**

The Town shall authorize a person who demonstrates compliance with this Ordinance to operate an adult-use marijuana establishment within the Town. Compliance with this Ordinance includes the requirement of compliance with all generally applicable Town ordinances. If the Town determines that an application for an adult-use marijuana establishment is not complete, the Town shall notify the person in writing within ten (10) business days of the Town's receipt of the application of the additional information required to process the application. If the additional information is not submitted within thirty (30) days of the provision of said written notice by the Town, then the application shall be deemed to be denied.

**Section 4. Requirement of Dual Authorization**

Notwithstanding issuance of authorization by the Town to operate an adult-use marijuana establishment within the Town, no person shall operate an adult-use marijuana establishment unless and until that person has been issued by the Department of Administrative and Financial Services an active license to operate the adult-use marijuana establishment.

**ARTICLE V. AMENDMENT OF THE TOWN OF BRIDGTON LAND USE ORDINANCE**

**Section 1. Amendment of Article III, Section 1**

The following language is hereby deleted from Article III, Section 1 of the Town of Bridgton Land Use Ordinance: "Adult Use Marijuana Establishments, as defined in 28-B M.R.S. § 102(13), as amended, or its successor provisions, including adult use cultivation facilities,

marijuana stores, products manufacturing facilities, and testing facilities as defined in 28-B M.R.S. § 102, are not an allowed use in any District.”

**Section 2. Amendment of Allowed Uses**

The Town of Bridgton Land Use Ordinance is hereby amended to add the following as allowed uses in the Inner Corridor, Outer Corridor, and Mixed Use Corridor:

Adult-use marijuana store

Adult-use cultivation facility

Adult-use products manufacturing facility

Adult-use testing facility