

**TOWN OF BURNHAM
ORDINANCE
PROHIBITING RETAIL MARIJUANA
ESTABLISHMENTS,
RETAIL MARIJUANA STORES AND RETAIL
MARIJUANA SOCIAL CLUBS**

**ENACTED: MARCH 17, 2017
ANNUAL TOWN MEETING REFENDUM VOTE**

CERTIFIED: 

Stacy Patterson, Town Clerk



“TOWN OF BURNHAM ORDINANCE PROHIBITING RETAIL MARIJUANA ESTABLISHMENTS, RETAIL MARIJUANA STORES AND RETAIL MARIJUANA SOCIAL CLUBS”

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upon enactment by the municipal legislative body unless otherwise provided and shall remain until it is amended or repealed.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