

Town of Starks Ordinance Prohibiting Retail Marijuana Establishments and Retail  
Marijuana Social Clubs

To Be Voted on: March 10, 2017

Date Enacted: March 10, 2017

Date Effective: March 11, 2017

Certified By: J. Hebert

Name and Title Jennifer A Zweig Hebert, Clerk

Affix Seal

**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, Maine Constitution, Article VIII, part 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**

- 3.1 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 the Town of Starks.
- 3.2 No application for a proposed retail marijuana establishment or retail marijuana social club shall be processed.
- 3.3 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.
- 3.4 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enactment by the municipal legislative body unless otherwise provided and shall remain in effect until it is amended or repealed.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.**

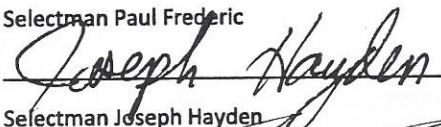
This Ordinance shall be enforced by the Town of Starks Board of Selectmen or their designee. Violations of this Ordinance shall be subject to the enforcement and penalty provisions of 30-A M.R.S.A. § 4452.

CERTIFICATION: We the Selectmen of the Town of Starks hereby Certify to the Clerk that the foregoing document is a document entitled "Town of Starks Ordinance Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs" and further certify it to be the subject of a Town Meeting referendum vote to take place on Friday, March 10, 2017 between the hours of noon and 8 p.m. at the Town of Starks Community Center, 57 Anson Road, Starks, Maine.

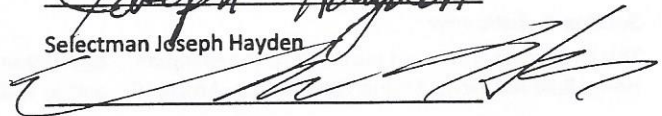
Date of Certification: 2/6/17



Selectman Paul Frederic

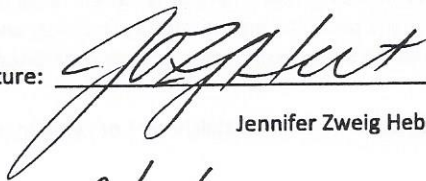


Selectman Joseph Hayden



Selectman Ernest Hilton

ATTEST: A true copy of an ordinance entitled "Town of Starks Ordinance Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs", as certified to me by the municipal officers of the Town of Starks.

Signature:   
Jennifer Zweig Hebert, Town Clerk

Date: 2/6/17

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CONSTABLE'S RETURN

By virtue of a directive from the Board of Selectmen, I have notified and warned the inhabitants of the Town of Starks to assemble at the time and place and for the purpose therein named by the posting attested copies of the "Town of Starks Ordinance Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs" and notice of the Town Meeting in three conspicuous places within the said Town.

Date: 2/8/17

Signature:   
Posting Officer