

TOWN OF LISBON

MORATORIUM ORDINANCE ON MEDICAL AND ADULT USE MARIJUANA RETAIL ESTABLISHMENTS

WHEREAS, as authorized by Title 22, section 2429-D of the Maine Revised Statutes, on August 17, 2021, the Town Council of the Town of Lisbon enacted Articles XI and XII of Chapter 10 of the Town Code of Ordinances, governing the operation of Registered Caregiver Retail Stores and Marijuana Stores (“Medical and Adult Use Marijuana Retail Establishments”) within the Town; and

WHEREAS, on August 17, 2021, the Town Council further voted to amend the Table of Land Uses within section 70-531 of the Town Code to permit medical and adult use marijuana establishments within certain areas of the Town; and

WHEREAS, these enactments did not include a cap on the number of medical and adult use marijuana retail establishments, or place restrictions on the proximity of such stores to one another; and

WHEREAS, since enactment of these ordinances and amendments, the number of medical and adult use marijuana retail establishments in the Town has increased substantially, with many such establishments located in close proximity to one another; and

WHEREAS, the concentration of medical and/or adult use marijuana retail establishments within the Town may dissuade other businesses from locating in these areas, and may also eliminate retail space that could otherwise be used for a range of businesses as needed for a vibrant community.

WHEREAS, the Town’s current ordinances are insufficient to prevent serious public harm that may result from the insufficiently regulated proliferation of medical and adult use marijuana retail establishments within the Town; and

WHEREAS, a moratorium is necessary to allow the Town Council, Planning Board and other Town officials to review the current Town Code to determine what modifications, if any, to the permitted locations or approval, licensing and performance standards for medical and adult use marijuana retail establishments might be appropriate to address these issues; and

WHEREAS, it is anticipated that such a review and development of recommended changes to the Town Code will take at least one hundred and eighty (180) days from the Effective Date of this Moratorium Ordinance on Medical and Adult Use Marijuana Retail Establishments;

NOW, THEREFORE, the Lisbon Town Council does hereby ordain that this Moratorium Ordinance on Medical and Adult Use Marijuana Retail Establishments (the “Moratorium Ordinance”) be, and hereby is, enacted and, in furtherance thereof, the Town Council does hereby declare a moratorium on the acceptance of, review of, or action upon any new

BE IT FURTHER ORDAINED, that, notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, this Moratorium Ordinance, when enacted, shall govern any proposed medical or adult use marijuana retail establishment for which an application for a license was not submitted to and deemed complete by the Town Clerk prior to the Effective Date; and

BE IT FURTHER ORDAINED, that any provisions of the current Town Code that are inconsistent or conflicting with the provisions of this Moratorium Ordinance are hereby repealed, to the extent that they are applicable, for the duration of the moratorium hereby ordained and as it may be extended, but not otherwise; and

EMERGENCY DECLARATION

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