§206. Denial of license

1. Denial for good cause. The office, for good cause, may deny an application for an initial license, a license renewal, a transfer of ownership interests or a relocation of licensed premises. Denial of an application by the office pursuant to this section constitutes a final agency action as defined in Title 5, section 8002, subsection 4.
[PL 2023, c. 679, Pt. B, §38 (AMD).]

2. Good cause defined. As used in this section, "good cause" means a finding by the office that:

A. An applicant or licensee has violated, does not meet or has failed to comply with any of the provisions of this chapter, the rules adopted pursuant to this chapter or any other applicable state or local law, rule or regulation; or [PL 2023, c. 679, Pt. B, §38 (AMD).]

B. An applicant or licensee has failed to comply with any special terms, consent decree or conditions placed upon the previously issued license pursuant to an order of the office; the municipality in which the licensed premises are located; the town or plantation in the unorganized and deorganized areas in which the licensed premises are located; in the case of a township in the unorganized and deorganized areas in which the licensed premises are located, the county commissioners of the county in which the township is located; or, in the case of a cannabis establishment located in the unorganized and deorganized areas, the Maine Land Use Planning Commission. [PL 2023, c. 679, Pt. B, §38 (AMD).]
[PL 2023, c. 679, Pt. B, §38 (AMD).]

3. Notification of denial and right to appeal. Upon the office's determination to deny a license application, the office shall notify the applicant in writing of the denial, the basis for the denial and the applicant's right to appeal the denial to the Superior Court in accordance with Rule 80C of the Maine Rules of Civil Procedure.
[PL 2023, c. 679, Pt. B, §38 (AMD).]

SECTION HISTORY

PL 2017, c. 409, Pt. A, §6 (NEW). PL 2021, c. 669, §5 (REV). PL 2023, c. 679, Pt. B, §38 (AMD).

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