§401. Municipal regulation of cannabis establishments generally

In accordance with the applicable provisions of this subchapter and pursuant to the home rule authority granted under the Constitution of Maine, Article VIII, Part Second and Title 30-A, section 3001, a municipality may regulate cannabis establishments within the municipality, including, but not limited to, adoption of the following types of regulations and restrictions. [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

1. Land use regulations. A municipality may adopt an ordinance providing land use regulations applicable to cannabis establishments within the municipality.
[PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

2. General authorization or limitation of cannabis establishments. A municipality may adopt an ordinance generally authorizing the operation of some or all types of cannabis establishments within the municipality. A municipality may adopt an ordinance limiting the number of any type of cannabis establishment that may be authorized to operate within the municipality.
[PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

3. Municipal licensing requirements. A municipality may adopt an ordinance providing licensing requirements applicable to cannabis establishments within the municipality, which may include, but are not limited to, provisions establishing a municipal licensing fee schedule pursuant to Title 30-A, section 3702.
[PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

Notwithstanding any provision of law to the contrary, a municipal ordinance regulating cannabis establishments within the municipality adopted pursuant to this subchapter is not subject to the requirements or limitations of Title 7, chapter 6 or 8-F. Nothing in this subchapter may be construed to require an applicant for a sample collector license or a sample collector licensee to seek local authorization prior to the issuance or renewal of an active license. [PL 2019, c. 676, §10 (AMD); PL 2021, c. 669, §5 (REV).]

SECTION HISTORY

PL 2017, c. 409, Pt. A, §6 (NEW). PL 2019, c. 676, §10 (AMD). PL 2021, c. 669, §5 (REV).

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