

Definitions

Medical marijuana: The medical use of marijuana, with the term “medical use” as defined in 22 M.R.S.A. § 2422(5), as may be amended.

Medical marijuana assistant: An “assistant” as that term is defined in 22 M.R.S.A. § 2422(1-D), as may be amended.

Medical marijuana caregiver: A “caregiver” as that term is defined in 22 M.R.S.A. § 2422(8-A), as may be amended.

Medical marijuana Cultivation area: “Cultivation area” means an indoor or outdoor area used for cultivation in accordance with the Maine Medical Marijuana Act 22 M.R.S.A. § 2421 et seq. that is enclosed and equipped with locks or other security devices that permit access only by a person authorized to have access to the area pursuant to Maine Medical Marijuana Act 22 M.R.S.A. § 2421 et seq. A medical marijuana cultivation facility shall not be used or occupied by a “collective” as that term is defined in 22 M.R.S.A. § 2422(1-A), as may be amended. A medical marijuana Cultivation Area is only authorized as a principal use, and not as an accessory use, and only where expressly allowed as a permitted or conditional use.

Medical Marijuana Counseling Office: A “Counseling Office” is an office for consultation with patients and operated by a single medical marijuana registered caregiver to furnish or sell medical marijuana, prepared medical marijuana, or medical marijuana products to qualifying patients, as those terms are defined in 22 M.R.S.A. § 2422 by that medical marijuana registered caregiver to medical marijuana qualifying patients for patients’ medical use. No medical marijuana or medical marijuana products as defined in 22 M.R.S.A. § 2422 will be left on site. Two or more medical marijuana registered caregivers are prohibited from forming, owning or operating a medical marijuana counseling office. A medical marijuana counseling office is only authorized as a principal use, and not as an accessory use, and only where expressly allowed as a permitted or conditional use.

Medical marijuana dispensary: A “registered dispensary” as that term is defined in 22 M.R.S.A. § 2422(6), as may be amended, means an entity registered under section 2425-A that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and educational materials to qualifying patients and the caregivers of those patients. A medical marijuana dispensary includes a location at which marijuana is cultivated by a registered dispensary pursuant to 22 M.R.S.A. § 2428, as may be amended. A medical marijuana dispensary is not a medical office or a professional office and is only authorized as a principal use, and not as an accessory use, and only where expressly allowed as a conditional use.

Medical marijuana establishment: A medical marijuana establishment is a medical marijuana dispensary, a medical marijuana cultivation facility, a medical marijuana retail store, a medical marijuana manufacturing facility, or a medical marijuana testing facility.

Medical marijuana product: “Medical Marijuana product” as that term is defined in 22 M.R.S.A. § 2442(4-L), as may be amended.

Medical marijuana manufacturing facility: A “medical manufacturing facility” as that term is defined in 22 M.R.S.A. § 2422(4-G), as may be amended, means the production, blending, infusing, compounding or other preparation of marijuana concentrate and marijuana products, including, but not limited to, marijuana extraction or preparation by means of chemical synthesis. A medical marijuana manufacturing facility is only authorized as a principal use, and not as an accessory use, and only where expressly allowed as a permitted or conditional use.

Medical Manufacturing facility: "Medical Manufacturing facility" as that term is defined in 22 M.R.S.A. § 2422(4-H), as may be amended, means a registered tier 1 or tier 2 manufacturing facility or a person authorized to engage in marijuana extraction under section 2423-F.

Medical Marijuana concentrate: "Medical Marijuana concentrate" as that term is defined in 22 M.R.S.A. § 2422(4-I), as may be amended, means the resin extracted from any part of a marijuana plant and every compound, manufacture, salt, derivative, mixture or preparation from such resin, including, but not limited to, hashish.

Medical Marijuana extraction: "Medical Marijuana extraction" as that term is defined in 22 M.R.S.A. § 2422(4-J), as may be amended, means the process of extracting marijuana concentrate from harvested marijuana using water, lipids, gases, solvents or other chemicals or chemical processes.

Medical marijuana qualifying patient: A “qualifying patient” as that term is defined in 22 M.R.S.A. § 2422(9), as may be amended.

Medical marijuana registered caregiver: A “registered caregiver” as that term is defined in 22 M.R.S.A. § 2422(11), as may be amended. Medical marijuana registered patient. A “registered patient” as that term is defined in 22 M.R.S.A. § 2422(12), as may be amended.

Medical marijuana retail store: A “medical marijuana store” is a retail establishment operated by a single medical marijuana registered caregiver to furnish or sell medical marijuana, prepared medical marijuana, or medical marijuana products to qualifying patients, as those terms are defined in 22 M.R.S.A. § 2422 by that medical marijuana registered caregiver to medical marijuana qualifying patients for patients’ medical use and may include an area for consultation with patients. Two or more medical marijuana registered caregivers are prohibited from forming, owning or operating a medical marijuana retail store as a single medical marijuana retail store. A medical marijuana retail store is only authorized as a principal use, and not as an accessory use, and only where expressly allowed as a permitted or conditional use.

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Medical Marijuana testing facility: "Medical Marijuana testing facility", as that term is defined in 22 M.R.S.A. § 2422(5-C), as may be amended, means a public or private laboratory that:

- A. Is authorized in accordance with section 2423-A, subsection 10 to analyze contaminants in and the potency and cannabinoid profile of samples; and
- B. Is accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization by a 3rd-party accrediting body or is certified, registered or accredited by an organization approved by the department.
- C. A medical marijuana testing facility is only authorized as a principal use, and not as an accessory use, and only where expressly allowed as a permitted or conditional use.

Plant canopy.: "Plant canopy" as that term is defined in 28-B M.R.S.A. § 102(4041), as may be amended.

Dispensaries – (Village Center District Zone only)

5.2.1 Medical Marijuana

A. Dispensaries– The State of Maine enacted the Maine Medical Marijuana Act, 22 M.R.S.A. § 2421, ET SEQ. ~~The Act contemplates the creation of a not for profit dispensaries for the provision of marijuana for medical use as well as the creation of cultivation facilities to provide marijuana to legally qualified individuals.~~ Marijuana has both legitimate medical uses and a history of widespread illegal use and trafficking. In order to preserve the safety, health and welfare of the citizens of North Berwick and others, the dispensing ~~and cultivation of marijuana~~ requires careful attention and control, including but not limited to reasonable security and oversight requirements.

1. Security and oversight requirements:
 - A. There shall be no outdoor cultivation of marijuana.
 - B. Alarm Systems - Registered dispensaries ~~and registered cultivation facilities~~ shall have door and window intrusion alarms with audible and police notification components.
 - C. Exterior security lighting – registered dispensaries ~~and registered cultivation facilities~~ shall have spot lights with motion sensors covering the full perimeter of the facility.
 - D. Video surveillance – registered dispensaries ~~and registered cultivation facilities~~ shall have recorded video surveillance covering all plants and the entire exterior. ~~For registered cultivation facilities,~~ the recorded video surveillance shall operate 24 hours a day, seven days a week and ~~for registered dispensaries shall, at a minimum,~~ operate at all times that the facility is not open to patients. Records of surveillance shall be kept for a minimum of 30 days.
 - E. Registered dispensaries ~~and registered cultivation facilities~~ may not continue to employ an employee who is convicted of any state or federal controlled substance law while employed at the registered dispensary ~~or registered cultivation facility~~. If a principal officer or board member of a registered dispensary ~~or registered cultivation facility~~, that registered dispensary ~~or registered cultivation facility~~ shall immediately be considered in violation of this ordinance.
 - F. A registered dispensary may not be open to the public between the hours of 8:00 pm and 7:00 am.
 - G. Sufficient measures must be in place at all times to prevent smoke or odor from exiting a registered dispensary or registered cultivation facility.
 - H. Registered dispensaries must be located in area defined as Village Center Overlay District as of July 1, 2012 with a minimum of ~~200~~ 1000 feet from any public or private school, public library, daycare, playground or public park and a minimum of ~~200~~ 500 feet from any church, chapel, parish house, other place of worship, ~~daycare~~ measured by straight line from the dispensary property line to the property line of the protected location.
 - I. No more than one registered ~~cultivation and~~ dispensing facility may exist in the Town of North Berwick and is limited to 2500 square feet.

- J. If there is both Medical Marijuana commercial cultivation and dispensation of medical marijuana occurring on the same site, the cultivation area shall not be greater than 25% of the total floor area of the portion of building used for dispensation of medical marijuana.
- K. Hours of operation shall be between 8:00 am to 5:00 pm, Monday through Saturday.
- L. On-site consumption of medical marijuana. The consumption, ingestion or inhalation of medical marijuana on or within the premises of a medical marijuana dispensary or cultivation facility is prohibited. For purposes of this subsection, the term “premises” includes the actual building, as well as any accessory structures, parking lot or parking areas, or other surroundings within 200 feet of the medical marijuana dispensary’s entrance.

Cultivation

B. Home Cultivation of Marijuana: Allowed in all Zones

1. Home cultivation standards.

A. **Single-family detached dwellings:** In single-family detached dwellings, marijuana may be grown or cultivated inside and/or outside of the home, outbuilding, and/or garage if growing is conducted in conformance with Standards contained in this ordinance and in conformance with Maine Medical Use of Marijuana Act and Rules or the Marijuana Legalization Act, as appropriate.

B. **Other residential dwellings:** In other residential dwellings, marijuana may be grown, cultivated, processed, and/or stored inside a dwelling unit if cultivation is conducted in conformance with Standards contained in this ordinance and in conformance with Maine Medical Use of Marijuana Act and Rules or the Marijuana Legalization Act, as appropriate.

C. **Gases:** The use of gas products, including but not limited to carbon dioxide, sulfur dioxide, and butane, and ozone generators is prohibited

2. General standards.

A. **Residency:** Home cultivation shall only be conducted by a resident for whom the dwelling unit is their primary residence in conformance with the Maine Medical Use of Marijuana Act and Rules or the Marijuana Legalization Act, as appropriate.

B. **Ownership:** A resident who does not own his or her primary residence and who wants to cultivate marijuana shall obtain written permission from the property owner prior to cultivating marijuana and shall make the written permission available to the Town, upon request.

C. **Enclosed, locked facility:** Home cultivation, whether inside or outside of the primary residence, shall only be conducted in an enclosed, locked facility or outdoor area which is accessible only by the individual who is authorized to cultivate the marijuana in conformance with the Maine Medical Use of Marijuana Act and Rules or the Marijuana Legalization Act, as appropriate.

D. **Limited area dedicated to cultivation:** Cultivation shall only be conducted in a contiguous area of not more than 1/4 of the total square footage of the dwelling unit or 120 square feet, whichever is less. No marijuana shall be grown, cultivated, processed, and/or stored within a common area or limited common area of the property that is devoted to residential use.

- E. Screening of outdoor cultivation:** No exterior evidence of cultivation, including signs, shall be visible from a public way or area. Plants shall be entirely screened from common visual observation from a public way or area by natural objects, plantings, or a solid fence at least six feet or taller in height, density, and depth sufficient to accomplish complete screening of plants from ordinary view. Should the plants grow higher than the screening such that they are visible from a public way or area, either the plants shall be cut to not extend higher than the screening or the individual who is authorized to cultivate the marijuana shall install additional screening sufficient to conceal the plants from public view within 10 days of notification of the violation by the Code Enforcement Department.
- F. Commercial sale:** Commercial sale of marijuana grown, cultivated, processed, and/or stored on a residential property, except for members of the household and family members who are qualifying patients that do not reside in the household or as otherwise allowed under the Maine Medical Use of Marijuana Act and Rules or the Marijuana Legalization Act, as appropriate, and the sale of marijuana paraphernalia is prohibited.
- G. Compliance with health and safety codes:** The primary residence, outbuilding, garage, or other structure where marijuana is grown, cultivated, processed, and/or stored shall meet all applicable requirements of the Town's building, electrical, fire, and other health safety and technical codes.
- H. Chemicals and Pesticides:** Cultivation that uses any chemical in the growing, cultivation, production, storage, and/or distribution of marijuana shall do so in conformance with the Maine Medical Use of Marijuana Act and Rules or the Marijuana Legalization Act, as appropriate. The only pesticides allowed to be used in marijuana cultivation facilities are non-synthetic substances, unless specifically listed as “prohibited” on the National List, and pesticides determined to be “minimum risk pesticides” pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and listed in 40 C.F.R. § 152.25(f)(1) or (2), as may be amended.
- I. Ventilation and odor management:** Any primary residence, outbuilding, garage, or other structure used for cultivation shall have proper ventilation to prevent mold damage and to prevent odors or particles from becoming a nuisance to surrounding properties or the public.
- J. Waste disposal:** All marijuana waste and/or residue from the growth, cultivation, processing, and/or storage of marijuana shall be disposed of in conformance with the Maine Medical Use of Marijuana Act and Rules or the Marijuana Legalization Act, as appropriate Solid Waste. Waste and/or residue shall not be placed in exterior refuse containers without first being made unusable and unrecognizable through grinding and incorporating it with non-consumable, solid wastes, such as paper, plastic, cardboard, food, grease, compost activators, and/or soil, such that the resulting mixture is at least 50% nonmarijuana waste. Composting and fermenting, on-site is allowed if undertaken in accordance with State and local regulations.

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DRAFT – Disclaimer - Pending Town Attorney Review and Proposed Revisions

C. **Commercial Cultivation** – (Allowed in All Zone except Res I, Res II, Village A, Village B, Village C, Shoreland Zones)

1. Commercial cultivation standards.

- A. **Commercial Cultivation:** Any medical marijuana cultivation activity in excess of 120 sq. ft.. Medical marijuana may be grown or cultivated if growing is conducted in conformance with Standards contained in this ordinance. All commercial cultivation shall be conducted indoors except in the Farm and Forest district. Outdoor cultivation is only allowed in the Farm and Forest District and the outdoor cultivation area must be setback a minimum of 100 feet from the front lot line and 75 feet from the rear and side property lines.
- B. **Size Limitation:** The plant canopy of a medical marijuana cultivation facility shall not exceed two thousand five hundred (2500) square feet in area.
- C. **Enclosed, locked facility:** Commercial cultivation, whether inside or outside of the primary residence, shall only be conducted in an enclosed, locked facility or outdoor area which is accessible only by the individual who is authorized to cultivate the marijuana in conformance with the Maine Medical Use of Marijuana Act.
- D. **Screening of outdoor cultivation:** No exterior evidence of cultivation, including signs, shall be visible from a public way or area. Plants shall be entirely screened from common visual observation from a public way or area by natural objects, plantings, or a solid fence at least six feet or taller in height, density, and depth sufficient to accomplish complete screening of plants from ordinary view. Should the plants grow higher than the screening such that they are visible from a public way or area, either the plants shall be cut to not extend higher than the screening or the individual who is authorized to cultivate the marijuana shall install additional screening sufficient to conceal the plants from public view within 10 days of notification of the violation by the Code Enforcement Department.
- E. **Colocation:** Caregivers are prohibited from collocating cultivations facilities in the same property/building to increase canopy size limitations in the Farm and Forest Zone. Collocation of caregivers are allowed in other zones where allowed as a permitted or conditional use, however, each caregiver shall have a distinct and separate space and no collective of caregivers are permitted. All new structures in which collocated cultivation facilities are located shall be required to meet the Construction Standards for Commercial Use Buildings in section 5.2.21.

- F. **Chemicals and Pesticides:** Cultivation that uses any chemical in the growing, cultivation, production, storage, and/or distribution of marijuana shall do so in conformance with the Maine Medical Use of Marijuana Act and Rules or the Marijuana Legalization Act, as appropriate. The only pesticides allowed to be used in marijuana cultivation facilities are non-synthetic substances, unless specifically listed as “prohibited” on the National List, and pesticides determined to be “minimum risk pesticides” pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and listed in 40 C.F.R. § 152.25(f)(1) or (2), as may be amended from time to time.

- G. **Gases:** The use of gas products, including but not limited to carbon dioxide, sulfur dioxide, and butane, and ozone generators is prohibited

- D. **Medical Marijuana Testing Facilities** – (Allowed in Commercial, Commercial II, Village Center and Industrial Zone)
 - 1. Medical Marijuana Testing Facilities Standards
 - A. **Colocation:** A Medical Marijuana Testing Facilities may not be located or co-located with any other medical marijuana establishment.
 - B. **Noxious gases and fumes:** Medical Marijuana testing facilities shall include appropriate ventilation systems to mitigate noxious gases or other fumes used or created as part of the production.
 - C. **Setbacks from Sensitive Uses:** No setbacks from Sensitive Uses. Utilize setbacks in Zoning District.

- E. **Medical Manufacturing Facility** – (Allowed in Commercial, Commercial II, Village Center and Industrial Zone)
 - 1. Medical Manufacturing Facility standards.
 - A. **Colocation:** A Medical Marijuana Manufacturing Facilities may not be located or co-located with any other medical marijuana establishment.
 - B. **Noxious gases and fumes:** Medical Marijuana Manufacturing Facilities shall include appropriate ventilation systems to mitigate noxious gases or other fumes used or created as part of the production.

F. **Retail Medical Marijuana Store** - Allowed in Commercial, Commercial II, Village Center

1. Medical Marijuana Store Standards

- A. **Maximum number:** No more than one Medical Marijuana Retail Store may exist in the Town of North Berwick.
- B. **Lottery:** Licenses applications for Medical Marijuana retail stores, are subject to the following additional restrictions pursuant to the North Berwick Medical Marijuana Licensing Ordinance:

1. The number of licenses issued by the municipal officers under this section shall be limited to one (1) licenses.
2. Available licenses shall be advertised by the Town and such advertisement shall include a deadline for the submission of license applications for Medical Marijuana retail stores. The municipal officers shall conduct a lottery to establish the order in which applications received will be reviewed. Prior to the lottery, the Code Enforcement Officer shall review all applications for timeliness and completeness, provided, however, that the omission by the lottery applicant of a description and sketch plan of the premises for which the license is sought shall not cause the application to be deemed incomplete for purposes of the lottery (but a description and sketch plan of the premises must be provided by the applicant prior to issuance of a license under this section). Any untimely submitted or otherwise incomplete applications shall be excluded from the lottery. Once selected, the applicant will be required to follow the Conditional Use process, to determine if the proposed application is in compliance with the Zoning Ordinance Standards. If approved by the Planning Board, the license is issued. If the Planning Board denies the applicant, another applicant is selected via the lottery process until an approval is granted.
3. If at any time a license issued under this section expires without timely renewal, is suspended or revoked by the municipal officers, or is terminated or abandoned by the license holder, the municipal officers shall make available the license to new applicants by soliciting new license applications in accordance with subsection 2, above. Any person who submitted an application in response to prior solicitations must submit a new timely and complete application to be included in the new lottery.

- C. **Drive-through and home delivery:** Medical Marijuana Retail stores are prohibited from having drive-through pick-up facilities, and from providing home delivery services.

- D. **Secured Area Sales:** All medical marijuana, prepared medical marijuana, or medical marijuana products shall be stored in a secured area accessible only to store employees for sale to qualifying patients.
- E. **Age Limitations:** The owner of a Medical Marijuana Retail Store shall include in their operations manual a process that prohibits persons under the age of 18, unless accompanied by their Parent or their Legal Guardian or have a Medical Marijuana Qualifying Patient's Card, from entering the Medical Marijuana Retail Store.
- F. **Cultivation:** There shall be no cultivation of medical marijuana within a Medical Marijuana Retail Store or collocated with a Medical Marijuana Retail Store.
- G. **Colocation:** A Medical Marijuana Retail Store may not be located or co-located with any other medical marijuana establishment.

G. **Performance Standards for all Medical Marijuana Establishments**

1. General standards for Medical Marijuana Establishments.

A. **Ownership:** An operator of a Medical Marijuana Establishment who does not own his or her property and who wants to operate a Medical Marijuana Establishment shall obtain written permission from the property owner.

B. **Enclosed, locked facility:** A Medical Marijuana Establishment shall only be conducted in an enclosed, locked facility. Not applicable to outdoor commercial cultivation.

C. **Security and oversight requirements:**

1. Alarm Systems - Medical Establishment shall have door and window intrusion alarms with audible and police notification components.

2. Exterior security lighting – Medical Marijuana Establishment shall have spot lights with motion sensors covering the full perimeter of the facility.

3. Video surveillance – Medical Marijuana Establishment shall have recorded video surveillance covering all plants and the entire exterior. The recorded video surveillance shall operate 24 hours a day, seven days a week. Records of surveillance shall be kept for a minimum of 30 days.

4. Safe – A locking safe permanently affixed to the premise that is suitable for the storage of all prepared medical marijuana and cash stored overnight.

5. Locks – Deadbolt locks on all exterior doors and locks or bars on any other access points (e.g., windows).

D. **Compliance with health and safety codes:** The structure where a Medical Marijuana Establishment is operated shall meet all applicable requirements of the Town's building, electrical, fire, and other health safety and technical codes. The structure where a Medical Marijuana Establishment is operated shall be constructed of building materials approved by the Code Enforcement Department and Fire Chief, or their designees.

E. **Waste disposal:** All marijuana waste and/or residue from Medical Establishment Store shall be disposed of in conformance with the Maine Medical Use of Marijuana Act, as appropriate Solid Waste. Medical marijuana waste and/or residue from a Medical Marijuana Establishment shall be in a secured waste receptacle in the operator's possession and control. Waste and/or residue shall not be placed in exterior refuse containers without first being made unusable and unrecognizable through grinding and incorporating it with non-consumable, solid wastes, such as paper, plastic, cardboard, food, grease, compost activators, and/or soil, such that the resulting mixture is at least 50% nonmarijuana waste. Composting and fermenting, on-site is allowed if undertaken in accordance with State and local regulations.

- F. **Setbacks from Sensitive Uses:** No Medical Marijuana Establishment shall be allowed within 1000 feet of any existing public or private school or child-care provider or 300 feet from a park, playground, and/or church, with the distance between the properties calculated by direct measurement in a straight line between the nearest property lines of the land used for public or private school, child-care provider, park, playground and/or church to the nearest property line in which the medical marijuana production facility is located. Applicants for public or private schools, child-care providers, parks, playgrounds, and/or churches which are proposed within setback of an existing medical marijuana production facility shall be required to sign a form, which may be obtained from the Code Enforcement Department, which indicates that they are aware that an existing medical marijuana cultivation site is located within the setback of their proposed site.
- G. **Annual License:** The operator of the Medical Marijuana Establishment shall obtain an annual license, in accordance with the Medical Marijuana Establishment Licensing Ordinance, from the Board of Selectmen to operate the facility in conformance with Zoning Ordinance.
- H. **Operations Manual and Safety Plan:** An operator of a Medical Marijuana Establishment shall prepare an Operations Manual and Safety Plan. The Operations Manual and Safety Plan shall describe, at a minimum, policies and procedures for employee safety, product and building security, hours of operation, provision and maintenance of ventilation and odor controls unless the operator prepares an Odor Control Plan that meets the requirements of section I of this ordinance, storage and use of hazardous materials, including but not limited to, chemicals and gases, waste management, contamination protocols, and methods of distribution to qualifying patients. The Operations Manual and Security Plan shall be maintained at the facility and made available for inspection upon request.
- I. **Odor Control Plan:** An operator of a Medical Marijuana Establishment shall prepare an Odor Control Plan specifying the engineering and administrative controls the facility will use to prevent odors from being detected offsite, unless a mechanical engineer, or other qualified professional, registered in the State of Maine, certifies the adequacy of the proposed ventilation and odor control system to prevent odors from being detected beyond the boundaries of the property.

The Odor Control Plan shall be prepared using industry-specific best control technologies and management practices for each odor source in the facility and shall include, at a minimum:

1. A facility floor plan, with locations of odor-producing activities specified. Relevant information shall include, but is not limited to, the location of doors, windows, ventilation systems, odor control systems, and odor sources.

2. Specific odor-producing activities, describing the processes that will take place at the facility and the sources of the odors associated with, but not limited to, vegetative flowering, processing, and storage.
 3. For each odor source, specify the administrative processes and technologies the facility will use, including:
 - a. Description of the proposed actions or technologies for each odor-producing activity, including the number of products proposed to be used and product names, provided by the manufacturer or supplier of the technology;
 - b. Description of the formulas, provided by the manufacturer or supplier of the technology, to size the proposed odor control technologies for the specific space and odor sources to be controlled within the facility;
 - c. Maintenance and replacement schedule for key system components, provided by the manufacturer or supplier of the technology;
 - d. Building management activities intended to isolate odor-producing activities from other areas of the buildings;
 - e. Staff training procedures, including organizational responsibilities and the roles/titles of staff members who shall be trained about odor control;
 - f. Recordkeeping systems and forms describing what records will be maintained by the facility operator;
 - g. Description of daily standard operating procedures to verify that the odor control systems are operational;
 - h. Evidence that ventilation and odor controls are operational, sufficient to effectively mitigate odors for all sources and consistent with accepted and available industry- specific best control technologies designed to effectively mitigate odors;
 - i. The Town may use contracted staff and peer review escrow fees to review an Odor Control Plan.
- J. **On-site consumption of medical marijuana:** The consumption, ingestion or inhalation of medical marijuana on or within the premises of a medical marijuana establishment is prohibited. For purposes of this subsection, the term “premises” includes the actual building, as well as any accessory structures, parking lot or

parking areas, or other surroundings within 200 feet of the medical marijuana dispensary's entrance.

- K. **Signage and advertising:** All signage and advertising for a medical marijuana establishment shall comply with all applicable provisions of the Ordinance. In addition, no signage or advertising shall use the word “marijuana” or “cannabis,” or any other word, phrase or symbol commonly understood to refer to marijuana unless such word, phrase or symbol is immediately preceded by the word “medical” in type and font that is at least as readily discernible as all other words, phrases or symbols on the sign. Such signage and advertising must clearly indicate that the products and services are offered only for medical marijuana patients and primary caregivers. All lettering for signage shall be black and white in coloring. All window signage shall comply with this section and count toward the total amount of signage allowed pursuant to section 5.2.6.b.1.

- L. **Inspections:** Nothing herein limits the ability of the Code Enforcement Officer to inspect any Medical Marijuana Establishment to ensure compliance with the standards contained within the Ordinance or any conditions applied to the land use by the Planning Board. Failure to allow the Code Enforcement Officer from inspecting the premise will be reason for revocation of license to operate the Medical Marijuana Establishment.

- M. **Other laws remain applicable:** A medical marijuana establishment shall meet all operating and other requirements of State and local law and regulation. To the extent the State of Maine has adopted or adopts in the future any stricter law or regulation governing medical marijuana and/or medical marijuana establishments, the stricter law or regulation shall control.