

Town of Hollis, Maine WARRANT FOR SPECIAL TOWN MEETING

March 29, 2023

STATE OF MAINE

COUNTY OF YORK/ss

To Any Resident of Hollis in the County of York, State of Maine.

Greetings:

In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Hollis qualified by law to vote in Town affairs that a Special Town Meeting will be held at the Hollis Community Building, 35 Town Farm Road in said Town on Wednesday, the 29th day of March 2023 A.D. (March 29, 2023) at 7:15 PM in the evening for the purpose of acting on the following Articles:

ARTICLE 1: To elect a Moderator to preside at said meeting.

ARTICLE 2: Shall the Town vote to amend the ordinance entitled "Marijuana Business Ordinance for the Town of Hollis Maine"?

Note: An attested copy of the proposed ordinance amendments have been posted together with this warrant, and copies are available from the town clerk and will be available at the town meeting.

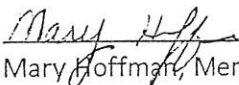
Select Board Recommends

Given under our hands this 22nd day of March, 2023.

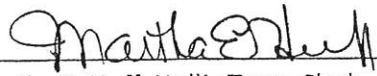
Hollis Select Board:

David McCubrey, Chair

John Rogala, Member



Mary Hoffmann, Member



Martha E. Huff, Hollis Town Clerk
Date Received by Town Clerk: 3-22-2023

RETURN OF THE WARRANT

Hollis, Maine March 22, 2023

Pursuant to the within warrant to me directed, I have noticed and warned the inhabitants of Hollis, qualified as here in expressed, to meet at said time and place and for the purposes there in name by posting an attested copy of the warrant on the bulletin board of Hollis Town Hall (upstairs and downstairs), The Hollis Community Building, Your Country Store in Hollis being in public and conspicuous places in said town, on the 22 day of March, 2023 A.D., being at least seven days before the meeting.

Bennet S Fliner

Bennet S Fliner, Resident of Hollis

Registrar of Voters Hours

Maucha S Huff Hollis Town
3/22/23 True Attested copy clerk

The Registrar of Voters will be open to register voters prior to the election on Tuesday, Thursday and Friday from 9 a.m. to 4 p.m. and Wednesday from 11 a.m. to 7 p.m. The Registrar of Voters will be available at the polls to correct any errors, correct a name or address on the voting list and to accept registrations of eligible persons and accept new enrollment.

A person who is not registered to vote may not vote in any election. A voter who is not enrolled in a political party may not vote in a primary election.

To the Town Clerk of Hollis, Maine:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of ordinance changes to an ordinance entitled, "Marijuana Business Ordinance for the Town of Hollis, Maine", which is to be presented to the voters for their consideration on March 29, 2023 at the Hollis Annual Town Meeting in Article #2.

Pursuant to 30-A M.R.S.A. § 3002 (2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the votes, and you will ensure that copies are available at the town meeting /polling places on the day of the vote.

Dated: March 22, 2023

Town of Hollis Select Board

David McCubrey, Chair

John Rogala, Member

Mary Hoffman

Mary Hoffman, Member

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PROPOSED AMENDED (Amendments are highlighted, deletions are ~~crossed out~~)
Cannabis Business Ordinance for the Town of Hollis, Maine

This Ordinance shall be known and cited as the "Cannabis Business Ordinance for the Town of Hollis, Maine" and will be referred to hereinafter as the "Ordinance". The Ordinance establishes the regulatory framework and permitting requirements for Cannabis Businesses.

Purpose

The purpose of this Ordinance is to provide for and regulate the issuance of Cannabis Business Licenses in order to promote the health, safety, and general welfare of the citizens of Hollis, and to establish reasonable and uniform regulations for Cannabis Businesses in Hollis. All Cannabis Business activities and operations shall be subject to the provisions of this Ordinance, the Conditional Use Permit, and Cannabis Business License.

To establish a Cannabis Business within the Town of Hollis, a Person or Business Entity shall, in this order:

1. Obtain a Conditional State License from the State of Maine (only required for Adult Use Cannabis Businesses); then
2. Obtain a Conditional Use Permit from the Hollis Planning Board; then
3. Obtain a Certificate of Occupancy from the Code Enforcement Officer
4. Obtain a Business License from the Hollis Select Board; then
5. Obtain an Active State License from the State of Maine; then
6. Provide the Select Board a copy of your Active State License

Conflict with Other Laws

Except as otherwise specifically provided herein, this Ordinance incorporates the requirements and resulting Rules set forth in the Maine Cannabis Legalization Act, 28-B M.R.S.A. Chapter 1, as may be amended and the Maine Medical Use of Cannabis Act, 22 M.R.S.A. Chapter 558-C, as may be amended, collectively, the "State Cannabis Laws". In the event of a conflict between the provisions of this Ordinance and the provisions of Maine Cannabis Laws, the more restrictive provision shall control.

Amendments

The Select Board shall inform the voters by reviewing proposed amendments at a Select Board meeting and place the proposed changes on the next Warrant for a simple majority vote of the Town.

Effective Date

The effective date of this Ordinance shall be the date of the adoption by the voters of the Town.

Validity and Severability

The provisions of this Ordinance are severable, and if any provisions shall be declared to be invalid or void, the remaining provisions shall not be affected and shall remain in full force and effect.

Cannabis Business Ordinance for the Town of Hollis, Maine

Enacted at the Hollis ATM on June 8, 2021.

Proposed amendments - Hollis STM on March 29, 2023

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Definitions

As used in this Ordinance, the terms below shall be defined as indicated. All other terms used in this Ordinance, if not defined below, shall have the same definitions as set forth in the Maine Cannabis Laws, as may be amended.

Active State License: A license issued by the State that authorizes Cultivation, sample collection, Testing, Manufacture or Sale of Cannabis or Cannabis Products in accordance with State Cannabis Law.

Adult Use Cannabis: Cannabis Cultivated, Manufactured, Tested, distributed or sold by an Adult Use Cannabis Business.

Adult Use Cannabis Business: An Adult Use Cultivation Facility, an Adult Use Products Manufacturing Facility, an Adult Use Testing Facility or an Adult Use Cannabis Store.

Adult Use Cannabis Cultivation Facility: A facility licensed to purchase Cannabis Plants and seeds from other Cultivation Facilities; to Cultivate, prepare and package Adult Use Cannabis; to sell Adult Use Cannabis to products Manufacturing facilities, to Cannabis Stores and to other Cultivation Facilities; and to sell Cannabis Plants and seeds to other Cultivation Facilities and Immature Cannabis Plants and Seedlings to Cannabis Stores. Cultivation Facilities may be of the following types:

1. Tier 1 Cannabis Cultivation Facility. Not more than 500 square feet of Plant Canopy.
2. Tier 2 Cannabis Cultivation Facility. Not more than 2,000 square feet of Plant Canopy.
3. Tier 3 Cannabis Cultivation Facility. Not more than 7,000 square feet of Plant Canopy.
4. Tier 4 Cannabis Cultivation Facility. Not more than 20,000 square feet of Plant Canopy.
5. Nursery Cultivation Facility. Not more than 1,000 square feet of Plant Canopy. Not more than thirty (30) Mature Cannabis Plants and an unlimited number of Immature Cannabis Plants and Seedlings.

Adult Use Cannabis Products Manufacturing Facility: A facility licensed under this chapter to purchase Adult Use Cannabis from a Cultivation Facility or another Products Manufacturing Facility; to Manufacture, label and package Adult Use Cannabis and Adult Use Cannabis Products; and to Sell Adult Use Cannabis and Adult Use Cannabis Products to Cannabis Stores and to other Products Manufacturing Facilities.

Adult Use Cannabis Store: A facility licensed under this chapter to purchase Adult Use Cannabis, Immature Cannabis Plants and Seedlings from a Cultivation Facility, to purchase Adult Use Cannabis and Adult Use Cannabis Products from a Products Manufacturing Facility and to sell Adult Use Cannabis, Adult Use Cannabis Products, Immature Cannabis Plants and Seedlings to consumers.

Adult Use Cannabis Testing Facility: A facility licensed under this chapter to develop, research and Test Cannabis, Cannabis products and other substances.

Applicant: A Person or Business Entity who has submitted an application for a Conditional Use Permit pursuant to this Ordinance that has not yet been approved or denied.

Business Entity means a partnership, association, company, corporation, limited liability company or other entity incorporated or otherwise formed or organized by law. "Business Entity" does not include a federal, state or municipal government organization.

Cannabis Business Ordinance for the Town of Hollis, Maine

Enacted at the Hollis ATM on June 8, 2021.

Proposed amendments - Hollis STM on March 29, 2023

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Cannabis means the leaves, stems, flowers and seeds of a Cannabis Plant, whether growing or not. "Cannabis" includes Cannabis concentrate but does not include hemp or a Cannabis Product.

Cannabis Business: Any Adult Use or Medical Cannabis Cultivation Facility, Manufacturing Facility, Testing Facility, ~~Registered Dispensary~~, Registered Caregiver Retail Store, or Cannabis Store permitted under this Ordinance; each is a separate business.

Cannabis Business License: A license issued by the Town of Hollis Select Board for operation of a Cannabis Business.

Cannabis Plant means all species of the plant genus cannabis, including, but not limited to, a mother plant, an Immature Cannabis Plant or Seedling. "Cannabis Plant" does not include hemp.

Cannabis Product means a product composed of Cannabis or Cannabis concentrate and other ingredients that is intended for use or consumption. "Cannabis Product" includes, but is not limited to, an Edible Cannabis Product, a Cannabis ointment and a Cannabis tincture. "Cannabis product" does not include Cannabis concentrate or a product containing hemp.

Cannabis Store: A facility where activities permitted under a State-issued license to operate a Cannabis Store. "Cannabis Store" includes an Adult Use Retail Store, a Registered Caregiver Retail Store or a Registered Dispensary.

Caregiver Retail Store means a store that has attributes generally associated with retail stores, including, but not limited to, a fixed location, a sign, regular business hours, accessible to the public and sales of goods or services directly to the consumer, and that is used by a Registered Caregiver to offer Cannabis Plants or harvested Cannabis for sale to Qualifying Patient.

Conditional State License: A license issued by the State that authorizes the Licensee to seek Local Authorization to operate a Cultivation Facility, Testing facility, Products Manufacturing Facility or Cannabis Store. The Conditional State License does not authorize possession, transfer, Cultivation, Testing, Manufacture or Sale of Cannabis or Cannabis Products.

Conditional Use Permit: A permit issued by the Hollis Planning Board under the provisions of State Law, this Ordinance and the Hollis Zoning Ordinance.

Cultivation or Cultivate means the planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of Cannabis for use or sale. "Cultivation" or "cultivate" does not include Manufacturing, Testing, or selling Cannabis or Cannabis extraction.

Edible Cannabis Product means a Cannabis Product intended to be consumed orally, including, but not limited to, any type of food, drink or pill containing harvested Cannabis. "Edible Cannabis Product" does not include an edible product containing hemp.

Flowering means, with respect to a Cannabis Plant, the gametophytic or reproductive state of a female Cannabis Plant during which the plant is in a light cycle intended to produce flowers, trichomes and cannabinoids characteristic of Cannabis.

Immature Cannabis Plant means a Cannabis Plant that is not a Mature Cannabis Plant or a Seedling. "Immature Cannabis Plant" does not include hemp as defined.

Inherently Hazardous Substance means a liquid chemical; a compressed gas; carbon dioxide; or a commercial product that has a flash point at or lower than 100 degrees Fahrenheit, including, but not limited to butane, propane and diethyl ether. "Inherently Hazardous Substance" does not include any form of alcohol or ethanol.

Licensed Premises: The Premises or Business Entity to operate a Cannabis Business.

Licensee: A Person or Business Entity licensed to operate a Cannabis Business.

Local Authorization: Confirmation of compliance with the Ordinance submitted by the Town to the State in accordance with 28-B MRS§402. Local Authorization is not required for Sample Collectors.

Manufacturing or Manufacture means the production, blending, infusing, compounding or other preparation of Cannabis and Cannabis Products, including, but not limited to, Cannabis extraction or preparation by means of chemical synthesis. "Manufacturing" or "Manufacture" does not include Cultivation or Testing.

Mature Cannabis Plant means a Cannabis Plant that is flowering. "Mature Cannabis Plant" does not include hemp.

Medical Cannabis Cultivation Facility: A facility used for Cultivation, processing, storage, and/or distribution of medical Cannabis at a location which is not the Registered Caregiver's primary residence. A Medical Cannabis Cultivation Facility shall be considered a commercial use.

Medical Cannabis Manufacturing Facility: A registered tier 1 or tier 2 Manufacturing Facility or a Person authorized to engage in Cannabis extraction under section 2423-F.

Medical Cannabis Testing Facility: A public or private laboratory that:

- A. Is authorized in accordance with 22 M.R.S.A. § 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 State.

Medical Use means the acquisition, possession, Cultivation, Manufacture, use, delivery, transfer or transportation of Cannabis or paraphernalia related to the administration of Cannabis to treat or alleviate a Qualifying Patient's medical diagnosis or symptoms for which a medical provider has provided the Qualifying Patient a written certification under this chapter.

Person: A natural person, partnership, association, corporation, manager, agent, owner, director, servant, officer, or employee thereof. "Person" does not include any governmental organizations.

Cannabis Business Ordinance for the Town of Hollis, Maine

Enacted at the Hollis ATM on June 8, 2021.

Proposed amendments - Hollis STM on March 29, 2023

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Plant Canopy means the total surface area within the Licensed Premises of a Cultivation Facility that is authorized by the department for use at any time by the Cultivation facility to Cultivate Mature Cannabis Plant. The surface area of the Plant Canopy must be calculated in square feet and measured using the outside boundaries of the area and must include all the area within the boundaries. If the surface area of a Plant Canopy consists of noncontiguous areas, each component area must be separated by identifiable boundaries. If a tiered or shelving system is used by the Cultivation Facility Licensee, the surface area of each tier or shelf must be included in calculating the area of the Plant Canopy. Calculation of the area of Plant Canopy may not include the areas within the Licensed Premises of a Cultivation facility that are used by the Licensee to Cultivate Immature Cannabis Plants and Seedlings and that are not used by the Licensee at any time to Cultivate Mature Cannabis Plants.

Premises: The physical location at which a Cannabis Business is to conduct its business.

Qualifying Patient means a person who possess a valid certification for the Medical Use of Cannabis pursuant to Title 22, section 2423-B.

Registered Caregiver: A person or assistant of that person that provides care for a Qualifying Patient and who is registered by the State of Maine pursuant to 22 M.R.S. 2425-A.

Registered Dispensary or Dispensary means an entity registered under section 2425-A that acquires, possesses, Cultivates, Manufactures, delivers, transfers, transports, Sells, supplies or dispenses Cannabis Plants or harvested Cannabis or related supplies and educational materials to Qualifying Patients and the Registered Caregivers of those patients.

Sale or Sell means a transfer or delivery of Cannabis or Cannabis Products for consideration.

Seedling means a Cannabis Plant that is not Flowering, less than 6 inches in height; and less than 6 inches in width.

State License: Any license, registration or certification issued by the State Licensing Authority.

Testing or Test: The research and analysis of Cannabis, Cannabis products or other substances for contaminants, safety or potency. "Testing" or "Test" includes the collection of samples of Cannabis and Cannabis Products for Testing purposes, but does not include the Cultivation or Manufacturing.

Numbers of Cannabis Business Licenses to be Granted

Pursuant to 28-B M.R.S. 402, the Town has placed the following Cannabis Business License limits on the following categories of Cannabis Businesses:

1. Total of four (4) Cannabis Stores
 - a. Two (2) Adult Use Cannabis Stores
 - b. Two (2) Caregiver Retail Stores

2. Total of five (5) Adult Use Cannabis Cultivation Facilities (A facility may include multiple buildings or greenhouses operating under a single license.)
 - a. One (1) Tier 1 Cannabis Cultivation Facility: Not more than 500 square feet of Plant Canopy.
 - b. One (1) Tier 2 Cannabis Cultivation Facility. Not more than 2,000 square feet of Plant Canopy.

Cannabis Business Ordinance for the Town of Hollis, Maine

Enacted at the Hollis ATM on June 8, 2021.

Proposed amendments - Hollis STM on March 29, 2023

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- c. One (1) Tier 3 Cannabis Cultivation Facility. Not more than 7,000 square feet of Plant Canopy.
 - d. One (1) Tier 4 Cannabis Cultivation Facility. Not more than 14,000 square feet of Plant Canopy.
 - e. One (1) Tier 4 Cannabis Cultivation Facility. Not more than 20,000 square feet of Plant Canopy.
3. Total of two (2) Cannabis Manufacturing Facilities.
 4. Total of one (1) Cannabis Testing Facilities.
 5. Registered Caregiver Licenses are not limited by the Town, but additional new Medical Cannabis Businesses are not authorized if the numbers listed above for Medical Cannabis Businesses are already at the capacity listed or exceeded.
 6. Registered Dispensaries are prohibited.

Operating as a Home Occupation

1. Adult Use Cannabis Businesses are not permitted to operate as a Home Occupation.
2. A Registered Caregiver may operate as a Home Occupation, provided they are registered with the Code Enforcement Officer.
3. If a Registered Caregiver Cultivates Medical Cannabis or Manufactures Medical Cannabis Products only for themselves, members of their family (living with or apart from the Registered Caregiver) and/or members of the household, the Registered Caregiver is not required to register as a Home Occupation.
4. A Caregiver Retail Store shall not operate as a Home Occupation.
5. Registered Caregivers operating from their home prior to the adoption of this Ordinance, who intend to continue operations without change, shall register their Home Occupation with the Code Enforcement Officer within thirty (30) days of the adoption of the Ordinance.

Conditional Use Permit Required

1. Before applying for a Cannabis Business License, an Applicant shall obtain a Conditional Use Permit from the Planning Board.
2. Cannabis Businesses shall only be located within permitted zones in accordance with the Land Use Table in the Town Zoning Ordinance.
3. An Applicant for an Adult Use Cannabis Business shall obtain a Conditional State License prior to submitting an application for a Conditional Use Permit.

Administration of Conditional Use Permit Applications

Applications for Cannabis Business Conditional Use Permits shall be administered and reviewed on a first come, first served basis, based upon the date of receipt of a Conditional Use Permit application deemed sufficient by the Code Enforcement Officer for referral to the Town Planner, including receipt of the application fee.

Cannabis Business Ordinance for the Town of Hollis, Maine

Enacted at the Hollis ATM on June 8, 2021.

Proposed amendments - Hollis STM on March 29, 2023

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1. The order in which applications are referred to the Planning Board will be determined by the Code Enforcement Officer, based upon order of receipt. Only one Conditional Use Permit will be issued to any individual during the initial cycle of applications.
2. If an Applicant fails to satisfy the Planning Board's requirements for the application to be deemed complete for review, as determined by the Town Planner, within thirty days of receipt of the application, the Town may conclude review of that application and take up review of the next application based upon order of receipt.
- ~~3. If a Conditional Use Permit is denied, or a Marijuana Business License is denied, not renewed, revoked or otherwise forfeited, Applicants on file will be contacted to proceed with their Conditional Use Permit application, if available Marijuana Business Licenses remain.~~

Conditional Use Permit Application Submission Requirements

All Conditional Use Permit applications must be submitted to the Code Enforcement Officer on forms provided by the Town, in accordance with standard Conditional Use Application procedure set forth in the Zoning Code. The Code Enforcement Officer will assist the Applicant in to ensure all required submittal material has been received for referral to the Planning Board. The Planning Board has the sole and final authority in determination of a complete application. The Planning Board shall review the Applicant in accordance with the Conditional Use procedures and review criteria set forth in the Zoning Ordinance.

In submitting a complete Conditional Use Permit application, an Applicant for a Cannabis Business shall:

1. Provide all information required for a Conditional Use Permit application under the Hollis Zoning Ordinance.
2. State the type of Cannabis Business for which the Applicant is seeking a permit.
3. Provide a map of the property to demonstrate that the site is not located within 1,000 feet of a public/private school.
4. If the proposed Premises are leased or otherwise not owned by the Applicant, provide a signed certification by the property owner allowing the operation of the Cannabis Business on the Premises.
5. If the Applicant is a Business Entity, provide the names and addresses of every officer, director, manager and general partner of the Business Entity.
6. Provide a copy of the approved Conditional State License.
7. Provide a waste disposal plan.
8. Provide fumes and odor control plan.
 - a. For all Cannabis Establishments (Medical and Adult Use), the odor of Cannabis must not be perceptible at the property line.
 - b. All Cannabis Cultivation facilities must implement appropriate ventilation and filtration systems to satisfy the odor standard listed.
 - c. Cannabis Stores and Dispensaries are not required to install filtration equipment on the Licensed Premises but must satisfy the same odor standard listed.
 - d. Cannabis Manufacturing Facilities and Testing Facilities shall include proper ventilation systems to mitigate noxious gases or other fumes used or created as part of the production.
 - e. Sufficient measures and means of preventing smoke debris, dust, fluids and other substances from exiting a Cannabis Establishment must be provided at all times.
9. Provide a security plan.
10. Provide a signage plan.
11. Provide a State of Maine License for pesticide application (if applicable).

Cannabis Business Ordinance for the Town of Hollis, Maine

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Proposed amendments - Hollis STM on March 29, 2023

12. Provide a State of Maine License for the use of Inherently Dangerous Substances (if applicable).
13. Provide a State of Maine License for edible food products (if applicable).

The Code Enforcement Officer or designee may request additional information from the Applicant before the application will be considered for Planning Board submission.

Once the Code Enforcement Officer finds all required submittal material has been received, the application will be referred to the Planning Board in order of priority for determination of a complete application, review, and final decision.

Cannabis Business License

No Person, firm, corporation or other entity shall operate a Cannabis Business unless a license shall have first been obtained from the Select Board.

Applicants for a Cannabis Business License shall submit the following to the Select Board:

1. A copy of the Conditional Use Permit approval issued by the Planning Board.
2. A copy of the approved Conditional State License issued by the State.
3. A copy of the Certificate of Occupancy from the Code Enforcement Officer.
4. The required licensing fees.

Cannabis Business License Expiration and Renewal

1. The Licensee (Applicant) is fully responsible for following timelines for License renewal. Failure to follow the procedure is not grounds for a hardship appeal.
2. Each Cannabis Business License issued under this Ordinance shall be valid for one year.
3. Applications for renewal of a Cannabis Business License shall be submitted to the Code Enforcement Officer, with applicable fees, no less than 60 days prior to expiration of a current term.
4. The Code Enforcement Officer or designee and the Fire Chief or designee will perform the Annual Inspection and make recommendations on remediation of any problems/issues identified.
5. The Code Enforcement Officer will review any complaints or issues that have been identified during the year and make recommendations to the Select Board on whether the license should be renewed or denied.
6. Upon the completion of the review by the Code Enforcement Officer, the Select Board will schedule a public hearing and review any concerns that are raised with the Licensee (Applicant). The Select Board can deny a renewal application pursuant to the provisions below regarding license denial.
7. In the event that the Select Board denies the renewal request, the Licensee is entitled to appeal the decision.

Right of Access/Inspection

1. The Code Enforcement Officer or designee will inspect a Cannabis Business Premises prior to issuance of a Certificate of Occupancy and annually thereafter. The Code Enforcement Officer will verify that the facility is constructed and can be operated in accordance with the Conditional Use Permit, the Business License, the requirements of this Ordinance, and all applicable State and local laws.

Cannabis Business Ordinance for the Town of Hollis, Maine

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Proposed amendments - Hollis STM on March 29, 2023



2. The Fire Chief or designee will inspect a Cannabis Business Premises prior to issue of a Certificate of Occupancy and annually thereafter to verify that the facility is constructed and can be operated in accordance with all laws and regulations under the purview of the Fire Chief.
3. The initial inspection shall occur as scheduled by both the Code Enforcement Officer and Fire Chief.
4. Whenever inspections of a Cannabis Business Premises are required by this Ordinance, State or local law, or are reasonably necessary to determine compliance, admittance to the Premises shall be afforded to the inspector without delay.

Performance Standards for Cannabis Businesses

1. All State mandated performance standards shall be met.
2. All Cannabis Businesses shall comply with all applicable State laws, local laws, and regulations.
3. Except as permitted under the Cannabis Laws, the use, consumption, ingestion, or inhalation of Cannabis or Cannabis Products on or within the Premises of a Cannabis Business is prohibited.
4. Cannabis Businesses, except for Registered Caregivers, are not permitted to conduct outdoor Cultivation or Manufacturing.
5. In accordance with State Law, Adult Cannabis Stores may operate curbside pickup and limited delivery services.
6. Cannabis Businesses shall submit emergency contact information to both the Select Board and the Hollis Fire Department.
7. No Cannabis Business may be located or deliver within 1,000 (one thousand) feet of a private or public school.
8. Failure to comply with the odor standards by the owner of a Cannabis Business will require the following action:
 - a. First offense: Review by the Code Enforcement Officer or designee of identified problem with the owner and corrective plan to be developed within no more than sixty (60) days.
 - b. Second offense: Review by the Code Enforcement Officer or designee of identified problem with report submitted to the Select Board and the owner to meet with the Select Board to identify a plan for corrective action. If corrective action is not completed within the set time period, a Public Hearing will be held to determine what the status of the license held should be.
 - c. Third offense: Review by the Code Enforcement Officer with referral to the Select Board, Public Hearing, and action by the Select Board.

Cannabis Cultivation and Manufacturing Facilities

1. A Knox Box shall be installed at the facility's exterior entrance for emergency access. All Knox Boxes shall be obtained, installed, and maintained in coordination with the Hollis Fire Department.
2. Facilities must comply with NFPA-1 Chapter 38 standards for *Cannabis Growing, Processing, or Extraction Facilities*. These standards will be utilized by Hollis Fire Department during their review of applications and inspections of these Premises.

Cannabis Business Ordinance for the Town of Hollis, Maine

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Proposed amendments - Hollis STM on March 29, 2023

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Cannabis Stores

1. A Cannabis Store is required to comply with all applicable State laws, local laws, and regulations.
2. A Cannabis Store is required to post specific hours of operation.
3. A Cannabis Store must be operated from a permanent location.
4. A Cannabis Store may not use vending machines for Sales, may not have "drive-through" or "drive-up" window-serviced Sales. ~~and may not have internet-based Sales with credit/debit card payment and delivery.~~
5. A Cannabis Store may operate limited delivery service and curbside pickup in accordance with both state statutes and this ordinance. Store owners shall submit a written plan for the Town to review prior to implementation.

Transfer of Ownership and Change of Location

1. Cannabis Business Licenses issued under this Ordinance are limited to the Licensed Premises approved and are not transferable to another location.
2. Any Licensee who seeks to move a licensed Cannabis Business to a new location shall acquire a renewal of the Cannabis Business License for the new location.
3. No License issued under this Ordinance may be assigned or transferred to another individual or license.
4. Any change in ownership of the Cannabis Business shall require a new License.

Confidentiality

Registered Caregivers submitting applications and supporting information that is confidential under 22 M.R.S.A §2421 et seq., as may be amended, and the Maine Freedom of Access Act, 1 M.R.S.A. 403(3)(F) shall mark such information as confidential.

Indemnification

By accepting a Cannabis Business License issued pursuant to this Ordinance, the Licensee waives and releases the Town, its officers, elected officials, employees, attorneys, and agents from any liability for injuries, damages, or liabilities of any kind that result from any arrest or prosecution of any Cannabis Business owners, operators, employees, clients, or customers for a violation of local, State or federal laws, rules, or regulations.

By accepting a Cannabis Business License issued pursuant to this Ordinance, the Licensee agrees to indemnify, defend, and hold harmless the Town, its officers, elected officials, employees, attorneys, agents, and insurers against all liability, claims, and demands on account of any injury, loss, or damage, including without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss, or damage, or any other loss of any kind whatsoever arising out of or in any manner connected with the operation of a permitted Cannabis Business.


Denial, Suspension or Revocation of License

1. The Town of Hollis Select Board has the authority to deny, suspend, or revoke a Cannabis Business License.
2. A Cannabis Business License may be denied, suspended or revoked if an Applicant or Licensee:
 - a. Fails to meet the requirements of this Ordinance.
 - b. Has had a permit or license for a Cannabis Business revoked by the State.

Cannabis Business Ordinance for the Town of Hollis, Maine

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Proposed amendments - Hollis STM on March 29, 2023

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- c. Has not acquired all necessary State and local approvals prior to the issuance of a Cannabis Business License.
 - d. Has been convicted of a criminal violation arising out of operation of a Cannabis Business.
 - e. Has violated the provisions of this Ordinance or any other applicable building or life safety requirements.
3. The Licensee shall be entitled to notice and a hearing prior to License suspension or revocation.

Enforcement

Violations

1. Any violation of this Ordinance, including any failure to comply with any condition, shall be deemed to be a violation of 30-A.M.R.S. 4452.
2. Each day of violation constitutes a separate offense.
3. Commencement of any Cannabis Business without a Conditional Use Permit, Business License, and/or an Active State License shall be a violation of this Ordinance. Any Person committing such a violation shall immediately cease operations, whether of a construction, renovation, or business nature, upon notification by the Code Enforcement Officer or designee.
4. Upon such notification, the Town may pursue fines and/or penalties under 30-A.M.R.S. 4452.
5. In addition to such penalty, the Town may enjoin or abate any violation of this Ordinance.
6. If the Code Enforcement Officer or designee finds that any provision of this Ordinance is being violated, the Code Enforcement Officer shall notify the Licensee in writing, indicating the nature of the violation and ordering action(s) necessary to correct the violation(s), including but not limited to, discontinuance of illegal use of land, buildings, or structure, or work being done, removal of illegal buildings or structures, and abatement or mitigation of violations. A copy of such notices shall be submitted to the Select Board and be maintained as a permanent record.
7. The Code Enforcement Officer shall keep a complete record of all essential transactions related to the Conditional Use Permit and Cannabis Business License, including, but not limited to, Cannabis Business Conditional Use Permit applications submitted, granted, or denied, revocation actions, revocations, appeals, court actions, violations investigated, violations found and fees collected.

Legal Actions

1. When the above violations actions do not result in the voluntary correction or abatement of the violation by the subject Cannabis Business, the Select Board, upon receiving written notification from the Code Enforcement Officer, shall institute any and all actions and proceedings, either legal or equitable, including revocation of the Cannabis Business License, injunctions of violations and the impositions of penalties and/or fines to enforce the provisions of this Ordinance.
2. The Select Board, or their authorized agent, are hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this Ordinance and recovering fines without court action.

Cannabis Business Ordinance for the Town of Hollis, Maine

Enacted at the Hollis ATM on June 8, 2021.

Proposed amendments - Hollis STM on March 29, 2023

Ordinance amended as voted on at a Special Town Meeting held on March 29, 2023.

Hollis Select Board:

David McCubrey, Select Board Chair

John Rogala, Select Board

Mary Hoffman, Select Board

MMH 