

Annual Town Meeting Warrant/Secret Ballot

Tuesday, July 14, 2020 Polls Open 8am – 8pm

To: Lee Mank, resident of the Town of Readfield, in the County of Kennebec, State of Maine

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Readfield in said county and state, qualified by law to vote in town affairs, to meet at the **Readfield Elementary School Gymnasium at 84 South Road** in said Town on Tuesday, the 14th day of July, A.D. 2020, at eight o'clock in the forenoon, then and there to act upon Article 1 and by secret ballot on Articles 2 through 50 as set out below, the polling hours therefor to be from 8 o'clock in the forenoon until 8 o'clock in the afternoon, said articles being the following:

Article 1: Elect a moderator by written ballot to preside at said meeting.

Article 2: Elect one Select Board member for a three-year term:

Price, Dennis

Write in: _____

Elect one RSU #38 School Board member for a three-year term:

Write in: _____

Elect one Local School Committee member for a one-year term:

Write in: _____

Elect one Local School Committee member for a two-year term:

Write in: _____

Elect one Local School Committee member for a three-year term:

Write in: _____

Article 3: Shall the Town of Readfield vote to allow the Select Board to establish **Salaries and or Wages** of town officers and employees, not elsewhere established, for the period July 1, 2020 through June 30, 2021?

Article 4: Shall the Town vote to fix **September 25, 2020** or thirty days after the taxes are committed, whichever is later, and **February 26, 2021** as the dates upon each of which one-half of the property taxes are due and payable, and as the dates from which interest will be charged on any unpaid taxes at a rate of 9% per year, which is the State rate pursuant to Title 36 MRSA, 505.4?

Article 5: Shall the Town vote to authorize the Tax Collector to **Pay Interest** at a rate of 5% , which is lower than the State Rate of 9% , from the date of overpayment, on any taxes paid and later abated pursuant to Title 36 MRSA, § 506 & 506A?

Article 6: To see if the Town will vote to authorize the municipal officers, **If an Article Fails**, to spend an amount not to exceed 3/12 of the budgeted amount in each operational budget category that the town is legally obligated to pay, of the last year's approved budgeted amount during the period July 1, 2020 to October 1, 2020?

Article 7: Shall the Town vote to raise and appropriate \$ **514,780** for the **Administration** budget category for the following budget lines with **Grant Writing, Heating Assistance and Attorney Fees** unexpended balances to be carried forward?

Municipal Administration	\$270,625
Insurance	\$140,150
Office Equipment	\$ 6,720
Assessing	\$ 23,675
CEO/LPI/BI	\$ 33,910
Planning Board	\$ 1,100

Appeals Board	\$ 100
Grant Writing/Planning Ser.	\$ 2,000
Heating Assistance	\$ 1,500
Attorney Fees	\$ 35,000

Select Board recommends: Yes Budget Committee recommends: Yes

Article 8: Shall the Town vote to raise and appropriate **\$145,370** for the **Municipal Maintenance** budget category?

General Maintenance	\$ 95,220
Building Maintenance	\$ 42,400
Vehicles Maintenance	\$ 7,750

Select Board recommends: Yes Budget Committee recommends: Yes

Article 9: Shall the Town vote to raise and appropriate **\$69,770** for the **Community Services** budget category for the following budget lines, with the unexpended balance of the Age Friendly and Library budget line carried forward?

Animal Control	\$ 14,180
Kennebec Land Trust	\$ 250
Kennebec Valley Council of Governments	\$ 4,500
Age Friendly Initiatives	\$ 2,100
Library Services	\$ 36,405
Readfield TV	\$ 5,415
Street Lights	\$ 6,500
Maranacook Lake Dam	\$ 420

Select Board recommends: Yes Budget Committee recommends: Yes

Article 10: Shall the Town vote to raise and appropriate **\$46,412** for the **Recreation, Parks, Activities and Open Space** budget category for the following budget lines with any unexpended balances to be carried forward?

Beach	\$ 13,992
Recreation	\$ 18,086
Heritage Days	\$ 5,000
Town Properties	\$ 3,680
Conservation	\$ 3,850
Trails	\$ 1,804

Select Board recommends: Yes Budget Committee recommends: Yes

Article 11: Shall the Town of Readfield vote to make use of the Readfield Town Beach free to Readfield residents beginning January 1, 2021; with supporting revenues to come from property taxes, program fees, rentals, and other sources as deemed in the best interests of the Town?

Article 12: Shall the Town vote to raise and appropriate **\$141,362** for the **Protection Department** budget category for the following budget lines with any unexpended balances to carry forward?

Fire Department Operating	\$ 67,900
Ambulance Service	\$ 32,162
Tower Sites	\$ 4,550
Dispatching	\$ 36,750

Select Board recommends: Yes Budget Committee recommends: Yes

Article 13: Shall the Town vote to raise and appropriate **\$22,500** for the **Cemetery Materials & Services** budget category, with any unexpended balances to carry forward?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 14: Shall the Town vote to raise and appropriate **\$392,150** for the **Roads & Drainage** budget category for

the following budget lines with any unexpended balance to be carried forward for the Summer Roads budget?

Summer Road Maintenance	\$ 121,500
Winter Road Maintenance	\$ 270,650

Select Board recommends: Yes Budget Committee recommends: Yes

Article 15: Shall the Town vote to raise and appropriate **\$567,981** for the **Capital Improvements** budget category for the following budget lines with all accounts to be carried forward?

Admin Equip.	\$ 14,000
Cemetery	\$ 5,000
Equipment	\$ 15,000
Equipment Leases	\$ 16,150
Fire Dept.	\$ 10,000
Fire Station Addition	\$ 42,351
Gile Hall	\$ 20,000
Municipal Buildings	\$ 75,000
Roads	\$ 293,500
Sidewalk	\$ 5,000
Transfer Station	\$ 71,980

Select Board recommends: Yes Budget Committee recommends: Yes

Article 16: Shall the Town vote to raise and appropriate **\$312,650** for the **Solid Waste** budget category with all accounts to be carried forward?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 17: Shall the Town vote to raise and appropriate **\$48,550** for the **Regional Assessments** budget category for the following budget lines which the town is legally bound to pay?

Cobbossee Watershed	\$ 23,550
First Park	\$ 25,000

Select Board recommends: Yes Budget Committee recommends: Yes

Article 18: Shall the Town vote to raise and appropriate **\$293,962** for the **Kennebec County Tax** budget category which the town is legally bound to pay?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 19: Shall the Town vote to raise and appropriate **\$196,963** for the **Debt Service** budget category for the following budget lines which the town are legally bound to pay?

2016 Fire Truck Bond	\$ 54,884
2018 Maranacook Lake Dam Bond	\$ 19,242
2013 Road & Bridge Bond	\$106,737
2020 Municipal Building Bond	\$ 16,100

Select Board recommends: Yes Budget Committee recommends: Yes

Article 20: Shall the Town vote to appropriate **\$10,000** for **Local Tax Relief** budget category, with any unexpended balances to be carried forward?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 21: Shall the Town vote to raise and appropriate the requested amount of **\$1,000** for the **Kennebec Behavioral Health**?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 22: Shall the Town vote to raise and appropriate the requested amount of **\$1,513** for the **Central Maine Agency on Aging/Cohen Center/Senior Spectrum?**

Select Board recommends: Yes Budget Committee recommends: Yes

Article 23: Shall the Town vote to raise and appropriate the requested amount of **\$1,250** for the **Family Violence Agency?**

Select Board recommends: Yes Budget Committee recommends: Yes

Article 24: Shall the Town vote to raise and appropriate the requested amount of **\$2,362** for the Courtesy Boat Inspection Program, with **\$1,575** for the **Maranacook Lake Association** and **\$787** for the **Torsey Pond Association?**

Select Board recommends: Yes Budget Committee recommends: Yes

Article 25: Shall the Town vote to raise and appropriate the requested amount of **\$910** for the **Sexual Assault Agency?**

Select Board recommends: Yes Budget Committee recommends: Yes

Article 26: Shall the Town vote to raise and appropriate the requested amount of **\$2,500** for the **30 Mile River Association?**

Select Board recommends: Yes Budget Committee recommends: Yes

Article 27: Shall the Town vote to raise and appropriate the requested amount of **\$5,000** for continued restoration of the **Readfield Union Meeting House?**

Select Board recommends: Yes Budget Committee recommends: Yes

Article 28: Shall the Town vote to appropriate **\$1,476** paid to the Town by the State (based on snowmobile registrations) for the **Readfield Blizzard Busters Snowmobile Club** to be used for trail creation and maintenance?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 29: Shall the Town vote to raise and appropriate **\$70,000** for the **Unclassified** budget category for the following budget lines with Readfield Enterprise Fund and Revaluation unexpended balance to carry forward?

Readfield Enterprise Fund	\$10,000
Real Estate Property Revaluation	\$10,000
Overdraft	\$ 5,000
Abatements	\$45,000

Select Board recommends: Yes Budget Committee recommends: Yes

Article 30: Shall the Town vote to raise and appropriate **\$10,000** for the **General Assistance** budget category?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 31: Shall the Town vote to authorize **Expenditure of Revenues** from Federal, State, and private grant sources for those purposes for which the grant is intended?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 32: Shall the Town vote to accept the following **Estimated Revenues** to reduce the 2020 Tax Commitment?

State Revenue Sharing	\$ 200,000
Interest on Property Taxes	\$ 30,000

Interest on Investments	\$ 2,000
Veterans Exemption	\$ 4,000
Homestead Exempt. Reimbursement	\$ 264,838
Tree Growth Reimbursement	\$ 9,000
BETE Reimbursement	\$ 12,910
Boat Excise Taxes	\$ 7,000
Motor Vehicle Excise Taxes	\$ 517,500
Agent Fees	\$ 9,000
Newsletter	\$ 100
Business License Fees	\$ 50
Certified Copy Fees	\$ 1,500
Other Income	\$ 5,000
Heating	\$ 1,500
Plumbing fees	\$ 4,000
Land Use Permit Fees	\$ 4,500
Dog License Fees	\$ 2,500
Rabies Clinic	\$ 1,000
Library Revenue	\$ 3,167
Cable Television Fees	\$ 29,000
Beach Income	\$ 9,992
Recreation Income	\$ 14,210
Protection	\$ 3,450
Local Roads	\$ 30,000
Municipal Building Projects Donations	\$ 25,000
Transfer Station Capital	\$ 12,132
Transfer Station	\$ 204,550
First Park	\$ 15,000
Snowmobile (State reimb.)	\$ 1,476
General Assistance (State reimb.)	\$ 5,000
Total	\$1,429,375

Select Board recommends: Yes Budget Committee recommends: Yes

Article 33: Shall the Town vote to appropriate the following **Designated Funds** to reduce the 2020 Tax Commitment?

Beach	\$ 4,000
Conservation	\$ 2,900
Fire Station Addition	\$ 8,146
Fire Station Improvements	\$ 9,205
Local Tax Relief	\$ 10,000
Readfield Enterprise Fund	\$ 10,000
Recreation	\$ 3,000
Roads Operating	\$ 35,000
Roads Capital	\$ 73,500
Transfer Station	\$ 51,200
Trust Funds Cemetery Perpetual Care	\$ 5,000
Total	\$211,951

Select Board recommends: Yes Budget Committee recommends: Yes

Article 34: Shall the Town vote to authorize the Select Board to expend up to **\$25,000** from the **Unassigned Fund Balance** (General Fund), in the aggregate for one or more purposes as necessary to meet contingencies that may occur during the ensuing fiscal year?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 35: Shall the Town vote to appropriate **\$277,117** from the **Unassigned Fund Balance** to **reduce the total tax commitment**?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 36: Shall the town vote to authorize the Select Board to make emergency expenditure reductions and if necessary transfers from the Unassigned Fund Balance (General Fund) up to \$200,000 in total pursuant as necessary to meet projected revenue shortfalls due to coronavirus emergency to the extent authorized by state law during the ensuing fiscal year?

Select Board recommends: Yes Budget Committee recommends: No

Article 37: Shall the Town authorize the purchase and conversion of existing streetlights to energy saving LED fixtures, authorize the installation of up to four new streetlights, and authorize an associated multi-year contract with Central Maine Power?

Article 38: Shall the Town vote to consolidate the following reserve accounts?

The **Road Bond 2013-14** reserve account into the **Roads Capital** reserve account,
The **Parks & Recreation (FKA Ball field)** reserve account into the **Town Properties** reserve account,
The **Cemetery Living Fence** reserve account into the **Cemetery Capital** reserve account,
The **Dispatching** reserve account into a **Public Safety** reserve account, and
The **Forestry** reserve account into the **Conservation Land** reserve account

Article 39: Shall an ordinance entitled **Town of Readfield Food Sovereignty Ordinance**, be enacted? (A copy of said Ordinance is attached to this Warrant.)

Article 40: Shall an ordinance entitled 2020 Amendments to the Town of Readfield **Administration Ordinance**, be enacted? (A copy of said Ordinance is attached to this Warrant.)

Article 41: Shall an ordinance entitled 2020 Amendments to the Town of Readfield **Land Use Ordinance**, be enacted? (A copy of said Ordinance is attached to this Warrant.)

Article 42: Shall the Town vote to allow **Medical Marijuana Manufacturing Facilities** subject to the provisions of the Marijuana Establishments Ordinance to be considered under Article 49, if approved?

Article 43: Shall the Town vote to allow **Medical Marijuana Testing Facilities** subject to the provisions of the Marijuana Establishments Ordinance to be considered under Article 49, if approved?

Article 44: Shall the Town vote to allow **Medical Marijuana Registered Caregiver Retail Stores** subject to the provisions of the Marijuana Establishments Ordinance to be considered under Article 49, if approved?

Article 45: Shall the Town vote to allow **Adult Use Marijuana Cultivation Facilities** subject to the provisions of the Marijuana Establishments Ordinance to be considered under Article 49, if approved?

Article 46: Shall the Town vote to allow **Adult Use Marijuana Products Manufacturing Facilities** subject to the provisions of the Marijuana Establishments Ordinance to be considered under Article 49, if approved?

Article 47: Shall the Town vote to allow **Adult Use Marijuana Testing Facilities** subject to the provisions of the Marijuana Establishments Ordinance to be considered under Article 49, if approved?

Article 48: Shall the Town vote to allow **Adult Use Marijuana Retail Stores** subject to the provisions of the Marijuana Establishments Ordinance to be considered under Article 49, if approved?

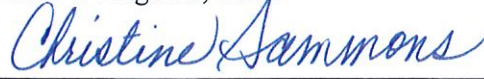
Article 49: Shall an ordinance entitled Town of Readfield **Marijuana Establishments Ordinance**, be enacted? (A copy of said Ordinance is attached to this Warrant.)

Article 50: Should the Town continue to use the **Secret Ballot** process for the 2021 Annual Town Meeting?

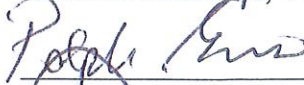
Voted & Approved on April 27, 2020 by:




Bruce Bourgoine, Chair



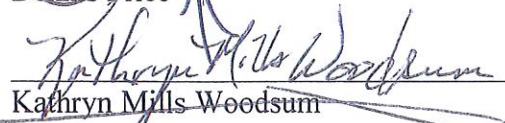
Christine Sammons, Vice Chair



Ralph Eno

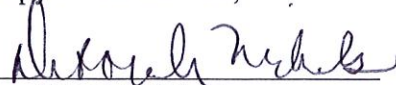


Dennis Price



Kathryn Mills Woodsum

A true copy of the warrant,

Attest: 
Deborah Nichols

Clerk of the Town of Readfield



**TOWN OF READFIELD
FOOD SOVEREIGNTY ORDINANCE**

WHEREAS, the Town of Readfield wishes to encourage the local production and sale of food and food products;

WHEREAS, regulation of the local production and sale of food and food products can be unduly burdensome to producers; and

WHEREAS, the Maine Legislature has provided municipalities with home rule authority to exempt direct producer-to-consumer transactions of food and food products from regulation;

NOW, THEREFORE, be it ordained by the Town of Readfield, that the Following Food Sovereignty Ordinance is hereby enacted:

1. Authority and Purpose: This Ordinance is intended to provide Readfield residents unimpeded access to local food and to reduce governmental regulation of local foods to the extent permitted by home rule authority under 30-A M.R.S.A. § 3001, the Constitution of Maine, Article VIII, Part Second, and pursuant to 7 M.R.S. § 281 et seq.
2. Definitions: As used in this ordinance, unless the context otherwise indicates, the following terms have the meanings stated below:
 - A. Direct Producer-to-Consumer Transaction: A face-to-face transaction involving food or food products at the site of production of those food or food products.
 - B. Food or Food Products: Any food or food product intended for human consumption, including, but not limited to, milk or milk products, meat or meat products, poultry or poultry products, fish or fish products, cider or juice, acidified foods or canned fruits or vegetables.
 - C. State and Town Food Law: Any provision of Title 7 or Title 22 of the Maine Revised Statutes, or rules adopted under Title 7 or Title 22 of the Maine Revised Statutes, or provision of the Town of Readfield Land Use Ordinance that regulate direct producer-to-consumer transactions.
3. Exemption from Licensure and Inspection: Producers and processors of local food intended for direct producer-to-consumer transactions in the Town of Readfield shall be exempt from State and Town licensure and inspection under State and Town Food Laws. In accordance with Section 284 of the Maine Food Sovereignty Act, the State of Maine and the Town of Readfield shall not enforce State and Town Food Laws with respect to direct producer-to-consumer transactions.

4. Exception for Meat and Poultry Inspections: In accordance with Section 285 of the Maine Food Sovereignty Act, the exemption provided in Section 3 of this Ordinance does not apply to any meat or poultry product inspection and licensing requirements that are specified under applicable federal acts.

ENACTED: _____

CERTIFIED BY: _____
Signature

CERTIFIED BY: _____
Printed Name

Title

2020 Amendments to the Town of Readfield Administration Ordinance

The purpose of this ordinance is to give authorization of powers and duties of the ~~board of selectpersons~~ Select Board to manage the following non budgetary items:

Sections

~~1.1 ACCEPT PAYMENT OF TAXES~~

~~1.2 CONTRACTS AND LEASES~~

~~1.3 SALE OF SURPLUS PROPERTY~~

~~1.4 ACCEPTANCE OF GIFTS AND DONATIONS TO THE TOWN~~

~~1.5 MISCELLANEOUS FEES~~

1.1 ACCEPT PAYMENT OF TAXES

Authorize the Treasurer of Readfield to accept prepayment of taxes not yet committed pursuant to 36 M.R.S.A., Section 506.

1.2 CONTRACTS AND LEASES

On behalf of the Town of Readfield, enter into single or multi-year contracts, leases and lease/purchase agreements, not to exceed five years, in the name of the Town if it is deemed to be in the best interest of the Town, where the underlying purpose has been authorized by the voters.

1.3 SALE OF SURPLUS PROPERTY

On behalf of the Town, sell any ~~town-town~~-owned surplus property, equipment and tools no longer needed by the Town.

1.4 ACCEPTANCE OF GIFTS AND DONATIONS TO THE TOWN

To accept and expend, on behalf of the Town, any gifts or donations, including grants from federal, state and local agencies, unanticipated donations, or pass-through funds that may be provided by individuals, business associations, charitable groups, or other organizations, if the Select Persons determine that the gifts, donations, or pass through funds and their purposes are in the best interest of the Town. Enter into and execute such agreements and contracts and to take all actions as may be necessary, appropriate and convenient to accomplish this acceptance. Any donation or gift that requires additional funds, such funds must be appropriated by a Town ballot vote. The value and intended purpose of all donations accepted on behalf of the Town in excess of \$100, exclusive of volunteered time, whether cash or in-kind, publicly or anonymously given, shall be recorded by the Collection Clerk or designee and a receipt provided to the donor.

1.5 TAX ACQUIRED PROPERTY

To retain; sell to the prior owner for taxes, interest and costs; or sell the tax acquired property on such terms as they deem advisable, and in accordance with a written policy regarding Tax Acquired Property adopted ~~January 8, 2007~~ by the ~~Municipal Officers~~ Select Board ~~and amended on January 4, 2010.~~

~~1.9 WAIVER OF FORECLOSURE~~

~~To issue Waivers of Automatic Foreclosures when the municipal officers wish to avoid acquiring property that may be burdensome to the Town and to take court action if needed to foreclose at a later date, if desired.~~

2020 Amendments to the Town of Readfield Administration Ordinance

1.6 INCREASE LINE ITEM- BY 5%

To increase any line item up to five percent (5%) by transferring funds from another line balance or miscellaneous income to pay for unexpected expenses.

1.7 EXPENDITURE OF CARRY FORWARD & RESERVE FUNDS

To expend for their designated purpose any funds that have been reserved or carried forward from prior and current fiscal years.

1.8 MISCELLANEOUS FEES

To set Miscellaneous Fees charged for Town services not covered or set by State Statue.

Amendment History:

TM: June 14, 2016

**TABLE 1 /
TABLE OF USES**

	<i>LAND USE DISTRICTS</i>									<i>Overlay District</i>
	V	VR	AD ⁹	R	RR	SR	RP	SP	CID	MH
OUTDOOR, RESOURCE-BASED USES										
Accessory Structure	C	C	C	C	C	C	P	P ¹	N	U
Agriculture ^{12,13}	Y	Y	Y	Y	Y	Y ¹	P	Y ¹	Y	U
Agriculture–Light Industry ¹⁴	P	P	P	P	P	P	P	N	P	<u>UP</u>
<u>Agriculture–Intensive</u> ¹⁵	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>U</u>
Individual Campsites	Y	Y	C	Y	Y	C	C	C	N	U
Campground	N	N	N	P ¹	N	P	N ¹	N	N	U
Natural Resource-Based Industries	N	N	N	P	P	N	N	N	P	U
Natural Resource-Based Recreation	P	N	P	P	P	P	P	P	N	U
Kennels	N	N	N	P	N	N	N	N	N	N
Parks/Recreation	P	P	P	P	P	P	P	P	N	U
Piers and Docks										
- Temporary	NA	NA	C	NA	NA	Y	Y	Y	N	NA
- Permanent	NA	NA	N	NA	NA	N	N	N	N	NA
Common Shoreland Accesses	NA	NA	NA	NA	NA	PB	PB	PB	N	NA
Mining & Mineral Extracting ¹	N	N	N	P	P	P	P	N	N	N
Filling or Other Earth Moving										
- Less than 10 cy ¹	Y	Y	Y	Y	Y	Y	C	C	Y	U
- More than 10 cy ¹	Y	Y	C	Y	Y	C	P	P	Y	U
Forest management & Timber Harvesting	Y	Y	Y	Y	Y	Y ¹	C	Y	Y	U

Legend

<i>Land Use Districts</i>			<i>Overlay District</i>		
V = Village District	R = Rural District	RP = Resource Protection	MH = Mobile Home		
VR = Village Residential	RR = Rural Residential	SP = Stream Protection			
AD = Academic District	SR = Shoreland Residential	CID = Commercial Industrial			

Key to Table of Uses

Y =	Allowed Use (no permit required, but the use must comply with all applicable federal, state and local standards and regulations, including but not limited to this Ordinance).
C =	Use requires review and permit from Code Enforcement Officer (CEO) and/or Local Plumbing Inspector (LPI).
P =	Use requires site review from Planning Board, and requires a permit from the CEO and LPI upon Planning Board approval.
N =	Prohibited Use
U =	Use shall comply with underlying District requirements.
N/A =	Not Applicable to the district

12. "Agriculture" that also meets the definition of "Agriculture – Light Industry" shall be subject to the provisions of the LUO applicable to "Agriculture – Light Industry".
13. "Agriculture" that also meets the definition of "Agriculture – Intensive" shall be subject to the provisions of the LUO applicable to "Agriculture – Intensive".
14. "Agriculture – Light Industry" that also meets the definition of "Agriculture - Intensive" shall be subject to the provisions of the LUO applicable to "Agriculture – Intensive".
15. Planning Board approval is required for a newly established Agriculture – Intensive use, for expansions of use meeting the definition of "agriculture – intensive", and for expansions of existing agricultural use that cause the use to meet the definition of "agriculture – intensive".

SECTION 26. AGRICULTURE

- A. All agricultural activities located within the Shoreland District shall comply with the standards set forth in Article 8, section 19.L in addition to any applicable standards otherwise set forth in this Section.
- B. Animal Husbandry:
1. All livestock shall be contained within fences or barriers adequately constructed and maintained to prevent such livestock from escaping the confined area or otherwise damaging abutting property.
 - a) Except in the Rural District, new livestock fencing on lots of less than 80,000 square feet in area is subject to the same side and rear setbacks as for structures.
 2. Commercial confinement feeding operations are subject to Site Review of Article 6, Section 3 of this ordinance.
- C. **Marijuana Cultivation** – In addition to any requirements that the Planning Board may impose as part of any required Site Review, all marijuana cultivation (“cultivation”) must, at a minimum, meet all applicable requirements of state law and regulations, and must meet the performance standards of this subsection. All marijuana cultivation in an area that is equal to/or greater than 250 square feet must take place in a fully enclosed, weathertight structure.
1. Indoor and/or outdoor combined cultivation area of equal to/or less than 250 square feet:
 - a. Cultivation may not take place within 20 feet of any lot line, unless the abutting lot is under common ownership; and,
 - b. Signage may not be posted either on or off the premises that may identify the site to the public as a marijuana cultivation location.
 2. Indoor cultivation area of 250 square feet or equal to/or greater:
 - a. Cultivation may not take place within 75 feet of any lot line;
 - b. Sites used for cultivation must be effectively buffered and/or screened from view;
 - c. Unauthorized entry to cultivation sites must be discouraged through the use of fences, barriers, or other means;
 - d. Signage may not be posted either on or off the premises that may identify the site to the public as a marijuana cultivation location;
 - e. Cultivation must comply with all other applicable provisions of the Readfield Land Use Ordinance (e.g. stormwater runoff, erosion control, etc.);
 - f. Cultivation sites/facilities shall be operated in a manner that ensures that odor is not detected off-site, i.e. off the premises at locations that are not under the custody or control of the cultivation facility;

- g. For cultivation facilities subject to Site Review, unless otherwise determined by the Planning Board, an odor control plan must be submitted for review and approval as part of the Site Review application. The plan shall, at a minimum:
- Identify the locations of all potentially odor-emitting activities and sources, the locations of structural features such as doors, windows, vents, HVAC systems, etc.;
 - List specific potentially odor-emitting activities and sources, and describe the processes that will take place at the facility (e.g. vegetative flowering, processing, storage);
 - Describe administrative controls proposed to control odors (e.g. standard operating procedures, employee training, regular equipment maintenance, inspections, etc.);
 - Describe engineering controls proposed to control odors (e.g. building design features, specific equipment and technology; and
 - Provide evidence and documentation that the proposed odor control plan is appropriate and adequate to effectively control odors and that it is consistent with marijuana industry best practices for odor control.
 - Any design or installation of specific odor control technologies must be conducted by individuals whose training, experience and/or professional certification is appropriate to satisfactorily accomplish the work.

D.

Notes:

- All stockpiling, spreading or disposal of manure in all districts shall be accomplished in conformance with the Manure Utilization Guidelines published by the Maine Department of Agriculture on November 1, 2001, or as amended; and,
- A person who owns or operates a farm that meets the criteria in the Nutrient Management Law, Title 7 MRSA, Section 4204, sub-section 2, shall have and implement an approved nutrient management plan as required in Section 4204.
- Deceased livestock shall be disposed of only in compliance with Chapter 211 of the Maine Dept. of Agriculture Rules for the Disposal of Animal Carcasses, or the rules as amended.

4. Records of the inspections;
 5. Preparation of the notice and layout by the Select Board filed with the Town Clerk;
 6. Notice of public hearing (copy filed with Town Clerk);
 7. The public hearing record filed with the Town Clerk;
 8. Article in Town Warrant to accept **road** as a Town way;
 9. Notice of decision filed with the Town Clerk and a copy to owner or **applicant**.
- C. If an applicant to the Planning Board proposes to construct a new private **road** as part of a subdivision or other development project, and if the **applicant** proposes said **road** never be eligible for acceptance as a Town **Road**, the **applicant** shall so stipulate in said application and on the plan to be recorded at Registry of Deeds, thereupon the road may be constructed to Private Road Standards.

SECTION 5. CONSTRUCTION SPECIFICATIONS

A. General Specifications: The following specifications shall apply to all new **roads** construction:

1. The excavated areas between ditches shall be cleared of all debris including large rocks, trees, stumps, roots, bushes, and other organic material.
2. All **developed areas** of the **road** section shall be located within the road right-of-way and in no case shall the edge of the shoulder be less than 8 feet from either edge of the right-of-way.
3. All construction activity involving soil disturbance shall **conforming** with Maine Department of Transportation Best Management Practices for Erosion & Sediment Control (February 2008).
4. An applicant must demonstrate that provisions for stormwater from the road(s) complies with Maine Department of Environmental Protection standards adopted pursuant to the Maine Stormwater Management Law or Site Location of Development Law.
5. Culverts within a road right-of-way shall be constructed of High-Density Polyethylene or recognized equivalents accepted by the Maine Department of Transportation (MDOT). **Roadway** culverts shall not be less than 18 inches in diameter for **road** crossing and ~~15~~ 12 inches in diameter for **driveways**, recreational trails, skid trails, or other uses requiring entrance from the roadway. Culverts, and stormwater basins and ponds shall be designed with principal spillways to control flows from a 24-hour storm of a 25-year frequency and may be required to be designed by a licensed professional engineer registered in the State of Maine.
6. Any proposed **bridge** construction shall be designed by a licensed professional engineer with regard to suitability and safety for the intended application. The licensed professional engineer's written recommendations or comments shall be submitted with the design.
7. The design standard for turnarounds shall be of the "T" Turnaround type as depicted in Appendix A-1.
8. No trees, shrubs, fill, fences, or other structures shall be installed or placed within a public **right-of-way** without prior written approval from the Road Commissioner.

greenhouses when the products of the greenhouses are sold commercially. Agriculture is essentially synonymous with farming. Agriculture does not include forest management and timber harvesting or livestock confinement feeding operations.

Agriculture, Intensive: “Excluding seasonal farm stands that operate less than one-hundred and eighty (180) days in a twelve (12) month period, retail, wholesale or commercial agricultural uses/activities on a site which meets the following criteria:

1. The site contains at least 3000 square feet of floor area, in the aggregate, of non-residential structures that are directly associated with the agricultural activities/use(s) such as; greenhouses, barns or other structures; and/or
2. There are, generally, a combined total of 20 or more vehicle entrances and exits per business day.

Agriculture al Light Industry: a low impact commercial activity which results in a product or service primarily derived from the crops or livestock located or raised on the property. The business is conducted in whole or in part on the same premises where the owner of the business resides. Agricultural light industry is small in scale, is carried on primarily in a dwelling unit or structure accessory to a dwelling unit by a member of the family residing there, is in keeping with the character of the district, and the activity is, and remains, clearly incidental and secondary to the primary use of the premises as a residence. Examples of Agricultural Light Industry include, but are not limited to: wreath making, and maple syrup and honey production, which may be sold directly from the home or through mail order. Agricultural light industry does not include commercial activities such as meat processing and slaughter operations.

Aggrieved Party: A person whose land is directly or indirectly affected by the grant or denial of a permit or variance under this Ordinance, a person whose land abuts land for which a permit or variance has been granted, or a group of five or more citizens of the municipality who represent an interest adverse to the grant or denial of such permit or variance.

Alteration: Any change, or modification in construction, or change in the structural members of a building or structure, such as bearing walls, columns, beams or girders, or in the use of a building. The alteration shall also include change, modification, or addition of a deck, dormer, staircase, or roof of the building.

Amusement Facility: Any private, commercial premises which are maintained or operated primarily for the amusement, patronage, or recreation of the public, containing four (4) or more table sports, pinball machines, video games, or similar mechanical or electronic games, whether activated by coins, tokens, or discs, or whether activated through remote control by the management.

Applicant: The person(s) applying for approval under this Ordinance.

Authorized Agent: An individual or a firm having written authorization to act on behalf of a property owner.

Automotive Body Shop: A business establishment engaged in body, frame, or fender straightening and repair, or painting and undercoating.

Automobile Graveyard: See Article 8, Section 25 on Junkyards, Automobile Graveyards and Automobile Recycling.

Automobile Repair Shop: A business establishment engaged in general repair, engine rebuilding, and/or parts replacement of motor vehicles.

Land Management Road: A route or track consisting of a bed of exposed mineral soil, gravel, or other surfacing materials constructed for, or created by, the passage of motorized vehicles and used primarily for timber harvesting and related activities, including associated log yards, but not including skid trails or skid roads.

Licensed Forester: A forester licensed under 32 M.R.S.A. Chapter 76.

Livestock: Farm animals kept for use or profit such as, but not limited to, horses, cattle, goats, sheep or swine.

Lot: An area of land in one ownership, or one leasehold, with ascertainable boundaries established by deed or instrument of record, or a segment of land ownership defined by lot boundary lines on a land subdivision plan duly approved by the Planning Board and recorded in the County Registry of Deeds.

Lot Area: The area of land enclosed within the boundary lines of a lot, minus land below the normal high-water line of a water body or upland edge of a wetland and areas beneath roads serving more than two lots.

Lot, Minimum Area: The minimum required lot area within a district for a single use.

Lot, Corner: A lot with at least two contiguous sides abutting a street or right-of-way.

Lot, Coverage: The percentage of a lot covered by all non-vegetated surfaces, including but not limited to the total footprint area of all structures, paved or unpaved driveways and parking areas, and other non-vegetated surfaces including land previously developed.

Lot of Record: A parcel of land, a legal description of which, or the dimensions of which, are recorded on a document or map on file with the County Register of Deeds.

Lot, Shorefront: Any lot abutting a body of water.

Lot, Through: Any interior lot having frontages on two more or less parallel streets or rights-of-way or between a street and a body of water, or a right-of-way and a body of water, or between two bodies of water, as distinguished from a corner lot. All sides of through lots adjacent to streets, rights-of-way, and bodies of water shall be considered frontage.

Lot Width: The distance between the side boundaries of the lot measured at the front setback line.

Marijuana Cultivation: The planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of marijuana for use or sale. "Cultivation" or cultivate" does not include marijuana manufacturing, testing or extraction.

Market Value: The estimated price a property will bring in the open market and under prevailing market conditions in a sale between a willing seller and a willing buyer, both conversant with the property and with prevailing general price levels as determined by the Town Assessor or a qualified real estate appraiser.

Medium Borrow Pit: A borrow pit that has a total reclaimed and un-reclaimed area from 5 to 30 acres.

Mining and Mineral Extraction: Any area of excavation which removes soil, topsoil, loam, sand, gravel, clay, rock, peat, or other like material from its natural location for the purpose of transporting the product or material being removed away from the extraction site. Mining and

the most recent edition of a United States Geological Survey 7.5 minute series topographic map, to the point where the body of water becomes a river or flows to another water body or wetland.

Structure: This term shall be defined by 38 M.R.S.A. section 436A, to mean anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind, ~~or anything constructed or erected with a fixed location on or in the ground.~~

~~To the extent not inconsistent therewith:~~

The term "structure" includes anything that is:

~~structures~~ temporarily or permanently constructed or erected on, ~~or~~ in or above the ground or waterbody, or is an attached ment to something having a fixed location on the ground, including, but not limited to, buildings, patios, carports, storage sheds, outdoor wood boilers, and other building features; docks, swimming pools, ponds in excess of 10,000 square feet; exterior satellite dishes, and exterior antennas, and other exterior utility services, including, but not limited to, fuel tanks, generators, heat pumps, solar panels or other heating/cooling or electrical services; and, semi-trailers and truck-boxes or other similar containers in a fixed location for more than thirty (30) consecutive days.

The term "structure" does not include: but not including

sidewalks, ~~fences~~, steps or stairways of no more than four feet in width, driveways, parking lots; utility hook ups, utility poles ~~poles and metering services;~~ ~~towers of small wind systems;~~ subsurface wastewater disposal system components; ~~stormwater treatment Article 11 Definitions 129 construction;~~ ~~and~~ field or garden walls or embankment retaining walls, or fences, except as subject to waterbody setback requirements ~~pursuant to Title 38 M.R.S.A. Sections 435-449 (Shoreland Zoning);~~ and for purposes of this definition, legally established signs are not considered a structure.

Subdivision: Subdivision means subdivision (1) as defined in Title 30-A M.R.S.A., 4401, as amended, i.e., generally a division of a tract or parcel of land into three (3) or more lots within a five year period (see statute for full definition).

Subdivision, Major: Any subdivision containing more than three lots or dwelling units that are wholly within the boundaries of the Town of Readfield or that extends across the Town of Readfield's boundary into a neighboring municipality; or any campground with fifty or more sites; or any subdivision having one or more lots to be used for three or more principal buildings or uses on the same lot.

Subdivision, Minor: Any subdivision containing not more than three lots or dwelling units that are wholly within the boundaries of the Town of Readfield or that extends across the Town of Readfield's boundary into a neighboring municipality, or not otherwise qualifying for classification as a major subdivision.

Substantial Construction Start: Improvements to a site or building for which development approval has been granted, in accordance with this Ordinance, which constitutes the completion of at least 30% of the proposed improvements.

Subsurface sewage disposal system: Any system designed to dispose of waste or waste water on or beneath the surface of the earth; includes, but is not limited to: septic tanks; disposal fields; grand-fathered cesspools; holding tanks; pretreatment filter, piping, or any other fixture, mechanism, or apparatus used for those purposes; does not include any discharge system licensed under 38 M.R.S.A. section 414, any surface waste water disposal system, or any municipal or

Town of Readfield
MARIJUANA ESTABLISHMENTS ORDINANCE

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Marijuana Establishments Ordinance

Article I Title:

This ordinance shall be known and cited as the Town of Readfield “Marijuana Establishments Ordinance” and will be referred to hereinafter as “this Ordinance”. This Ordinance limits all Adult Use and Medical Marijuana Establishments to the rules and regulations contained herein, in addition to any zoning rules and regulations that may apply in the Town of Readfield Land Use Ordinance or other ordinances.

Article II Purpose and Authority:

WHEREAS, implementing a system for regulation of Establishments for the sale, manufacturing, and testing for both Adult Use and Medical Marijuana, is a complex function with significant administrative demands on the Town of Readfield; and

WHEREAS, to ensure that possession and use of Adult Use and Medical Marijuana is limited to persons who are 21 years of age or older, except in the case of minors in possession of a Medical Marijuana Patient Card; and

WHEREAS, the Town of Readfield believes that any production, testing, processing, cultivation, or selling of Adult Use and Medical Marijuana should be conducted in a safe and fair manner for the health, safety, and welfare of the community, which includes complying with provisions of all applicable laws and ordinances relating to Adult Use and Medical Marijuana throughout the Town of Readfield;

NOW THEREFORE, this Ordinance is adopted pursuant to the Marijuana Legalization Act, Title 28-B M.R.S. c. 1; Maine’s Medical Marijuana laws and regulations, 22 M.R.S. c. 558-C; Article VIII, Part 2, Section 1 of the Maine Constitution; Municipal Home Rule Authority, 30-A M.R.S. §3001 et seq.; and the provisions of the Planning and Land Use Regulation Act, 30-A M.R.S. §4312 et seq..

Article III Definitions:

The terms in this ordinance shall have the same definition as that contained in 22 M.R.S. § 2422, for medical marijuana establishments, and 28-B § M.R.S. The term “Marijuana Establishment” refers collectively to all medical and adult use retail marijuana stores, medical and adult use marijuana cultivation facilities, medical and adult use marijuana manufacturing facilities, and medical and adult use marijuana testing facilities, as authorized by the Town.

Article IV Permitted Establishments:

Only Marijuana Establishments specifically authorized by an “opt-in” vote at a legally held Town Meeting shall be permitted. The permitted establishments are as follows: [Clerk shall insert following Town Meeting vote].

Article V License Required:

No person may establish, operate or maintain an Adult Use or Medical Marijuana Establishment without first obtaining a license from the Town.

Article VI Application Procedure:

A. Application Process

A Marijuana Establishment license application must be made on the form provided by the Town in order to determine whether the applicant meets the requirements of this and other ordinances. Prior to application to the Town, the applicant must first obtain conditional approval from the appropriate State agency. Licenses shall be valid for one year following the date of issuance.

Applications shall be submitted to the Code Enforcement Officer for initial review. Applications found to be complete by the Code Enforcement Officer shall be submitted to the Planning Board for review and approval in consideration of the terms of this Ordinance and provisions of the Land Use Ordinance. Applications will then be submitted to the Select Board for final review and approval. An application may be denied for failure to provide all required information and documentation in a timely fashion.

B. Application and Annual License Fees

All applications must be submitted with the appropriate fees shown below. If an application is approved, the following license fees must be paid before the Town will issue a license:

1. Adult Use and Medical Marijuana Stores: License Fee: \$1,500
2. Adult Use and Medical Marijuana Manufacturing/Extraction Facility: License Fee: \$1,500
3. Adult Use and Medical Marijuana Manufacturing/Consumable Facility (manufacturing facility in a kitchen setting, producing only consumable goods): License Fee: \$100
4. Adult Use and Medical Marijuana Testing Facility: License Fee: \$1,500
5. Adult Use and Medical Marijuana Cultivation:

Tier 1: More than thirty (30) mature plants (and an unlimited number of immature plants and seedlings) or 251-500 SF of plant canopy: License Fee: \$1,500

Tier 2: 501-2,000 SF of mature plant canopy: License Fee: \$2,500

Tier 3: 2,001-7,000 SF of mature plant canopy: License Fee: \$3,500

Tier 4: 7,001-20,000 SF of mature plant canopy: License Fee: \$4,500

Renewal applicants for Adult Use and Medical Marijuana Cultivation licenses may seek an increase to a higher tier if they comply with the requirements of this section.

The same person may not hold more than three (3) licenses for Adult Use or Medical Marijuana Cultivation Facilities, or maintain a combined plant canopy in excess of 30,000 SF. For the purposes of this provision, Marijuana Cultivation facilities will be combined to determine whether the three licenses or 30,000 SF canopy limits are met if the ownership of the facilities is 50% or more in the same person(s) or entity(ies).

C. Change of ownership; transferability

Licenses shall not be transferable. A new owner of a Marijuana Establishment shall obtain licensure from the Town pursuant to this Ordinance prior to taking over operation of the Marijuana Establishment.

If there is any change to the name, status or ownership of a corporate entity holding the license under this Ordinance, the licensee shall promptly notify the Town and provide all pertinent documentation related to the change in entity. The Town shall evaluate the new information using the same process and standards applicable to new license applications. For the purposes of this paragraph a change in ownership is defined as a change to the person(s) or company(ies) holding at least 50% ownership of the licensed business.

Article VII Standards for License:

A. General

1. All Adult Use and Medical Marijuana Establishments must be operated from permanent locations, which may utilize telephone and internet orders.
2. Adult Use and Medical Marijuana Establishments may not use vending machines for sales.
3. Adult Use and Medical Marijuana Establishments may not be operated on property located within:
 - a. Five hundred (500) feet of the property line of a public or preexisting private school (K-12) per 28-A M.R.S. §402.2.A; and/or
 - b. Five hundred (500) feet of the property line of a property used primarily for religious worship and related religious activities; property used for pre-existing

licensed daycare use under 10-148 CMR c. 32; recreational areas designated for use by children up to eighteen (18) years in age; or areas designated as municipal "safe zones" pursuant to 30-A M.R.S. §3253.

4. Required setbacks under 3. a. & b. above shall be measured as the most direct, level, shortest, straight-line distance between property lines of a property containing a building or structure used as the premises where an Adult Use or Medical Marijuana establishment is conducted, to the nearest property line of the premises of a use listed in subsection A (3) shown above.
5. Medical Marijuana Establishments located and operating within Readfield under and in compliance with Maine's Medical Marijuana laws and regulations on or before December 13, 2018, who file applications for an Adult Use or Medical Marijuana Establishment license for locations that they currently operate within and have continuously operated within since December 13, 2018, are exempt from subsection 3 of this Section.
6. Security measures at all Adult Use and Medical Marijuana Establishment premises shall include, at a minimum, the following:
 - a. Security surveillance cameras installed and operating twenty-four (24) hours a day, seven (7) days a week, with ten (10) day video storage, to monitor all entrances, along with the interior and exterior of the premises, to discourage and facilitate the reporting of criminal acts and nuisance activities occurring at the premises; and
 - b. Door and window combination video and motion detector intrusion system with audible alarm, maintained in good working condition; and
 - c. A safe, case or room secured with a keycode, deadbolt or padlock that is suitable for storage of all marijuana, marijuana products, and cash stored overnight on the licensed premises; and
 - d. Exterior lighting that illuminates the exterior walls of the licensed premises during dusk to dawn, that is either constantly on or activated by motion detectors, and complies with applicable provisions of the lighting performance standards in the Town of Readfield Land Use Ordinance; and
 - e. Deadbolt locks on all exterior doors and any other exterior access points, excepting windows which shall have locks; and
 - f. For adult use facilities: methods to ensure that no person under the age of twenty-one (21) shall have access to marijuana and marijuana products.

7. Ventilation

All Adult Use and Medical Marijuana Establishments are required to be in compliance with any odor and nuisance provisions of the Town of Readfield Land Use Ordinance. No detectable odor of marijuana or of chemicals used in the manufacturing process may emit beyond the property line of a parcel containing an Adult Use or Medical Marijuana Establishment.

8. Required Notices

There shall be posted in a conspicuous location inside each Adult Use and Medical Marijuana Establishment, at least one legible sign containing the following information:

- a. *“Adult use of or on-site consumption of marijuana is illegal; Open and public consumption of marijuana in the State of Maine is illegal; The use of marijuana or marijuana products may impair a person’s ability to drive a car or operate machinery; No one under the age of twenty-one (21) allowed, Loitering prohibited”.*
- b. *Medical Use: “use of or on site consumption of marijuana is illegal; open and public consumption of marijuana in the state of Maine is illegal; the use of marijuana or marijuana products may impair a person’s ability to drive a car or operate machinery; no one under the age of twenty-one (21) allowed, except a minor with a medical marijuana card between the ages of eighteen (18) and twenty-one (21), or a minor under eighteen (18 years of age accompanied by a legal guardian; loitering prohibited”.*

9. Signs

All signs used by and all marketing and advertising conducted by or on behalf of the Marijuana Establishment may not involve advertising or marketing that has a high likelihood of reaching persons under 21 years of age or that is specifically designed to appeal particularly to persons under 21 years of age. The signs, marketing, or advertising is prohibited from making any health or physical benefit claims.

All signage shall meet the requirements for signs under the Town’s Land Use Ordinance.

B. Right of Access / Inspection

Every Adult Use and Medical Marijuana Establishment shall allow Code Enforcement Officers and other municipal officials to enter the premises at reasonable times for the purpose of checking compliance with all applicable State laws and this Ordinance.

Due to fire, explosion, and other hazards inherent in Adult Use and Medical Marijuana Cultivation and Manufacturing Establishments, including, but not limited to, heavy electrical loads, hot lighting fixtures, CO² enrichment, extraction solvents (acetone, butane, propane, ethanol, heptane, isopropanol, CO², etc.), high-pressure extraction methods (CO², etc.), and flammable contents, the owners of all such establishments shall agree to be inspected annually by the Town of Readfield Code Enforcement Officer and Fire Chief, or their designee.

Adult Use and Medical Marijuana Cultivation and Manufacturing Establishments must comply with NFPA-1 Chapter 38 standards for *Marijuana Growing, Processing, or Extraction Facilities*, and these standards will be utilized by the Town of Readfield or their designee during its inspections of these premises.

C. Indemnification

By accepting a 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 Adult Use or Medical Marijuana Establishment owners, operators, employees, clients, or customers for a violation of local, State or federal laws, rules, or regulations.

By accepting a 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 licensed Adult Use or Medical Marijuana Establishment.

D. State Law

In the event the State of Maine adopts any additional or stricter law or regulation governing the sale, cultivation, manufacture, distribution, or testing of Adult Use or Medical Marijuana or marijuana products, the additional or stricter regulation shall control the establishment or operation of any Adult Use or Medical Marijuana Establishment in Readfield.

Compliance with 28-B M.R.S. c. 1, State laws and regulations pertaining to medical marijuana, and any other applicable State laws or regulations shall be deemed an additional requirement for issuance or denial of any license under this Ordinance, and noncompliance with 28-B M.R.S. c. 1 and any other applicable State law or regulation shall be grounds for revocation or suspension of any license issued hereunder.

VIII Enforcement

A. Violations

1. Any person including, but not limited to an Adult Use or Medical Marijuana Establishment owner, a property owner where such business is located, or any agent or contractor for same, who orders or conducts any activity in violation of this ordinance shall be subject to a minimum civil penalty of \$100 and a maximum civil penalty of \$500. Each day a violation continues shall constitute a separate offense.
2. In addition to the civil penalty, the Town is entitled to injunctive relief.
3. In any successful prosecution the Town shall be rewarded its reasonable attorney fees.
4. The Town is authorized to enter into administrative consent agreements for the purpose of eliminating violations of this Ordinance and recovering fines without court action.
5. Actions for the violation of this Ordinance may be initiated by the Code Enforcement Officer or Town Manager.
6. Any violation of this Ordinance, violation of state law, loss of suspension of a state license, or provision of knowingly false information in a license application, may result in license suspension or revocation by the Select Board, after notice and hearing.

B. Code Enforcement Officer (CEO)

The primary enforcement person for the Town shall be the Code Enforcement Officer. If the CEO finds that any provision of this Ordinance is being violated, the CEO shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it, including but not limited to, discontinuance of illegal use of land, buildings, or structures, or work being done, removal of illegal buildings or structures, and abatement or mitigation of violations. A copy of such notices shall be maintained as a permanent record.

C. Law Enforcement Officers

Law enforcement officers, the Code Enforcement Officer, and the Fire Chief may at any reasonable time conduct on-site inspections of Adult Use and Medical Marijuana Establishments to ensure compliance with all applicable laws and conditions attached to license approvals and shall investigate all complaints of alleged violations of the Ordinance.

Article IX Conflict with Other Ordinances; Severability:

Whenever a provision of this Ordinance conflicts with or is inconsistent with other provisions of this Ordinance, or of any other ordinance, regulation or standard, the more restrictive provision shall apply.

Should any section or provision of this Ordinance be declared by any court to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

ENACTED: _____

CERTIFIED BY: _____
Signature

CERTIFIED BY: _____
Printed Name

Title