

Proposed Amendment
Town of Windham: Marijuana Business Ordinance

Chapter 128: Marijuana Businesses

§ 128-8 Denial, suspension or revocation of license.

A license application for a marijuana business shall be denied by the licensing authority, and an existing license may be suspended or revoked by the Town Council after notice and hearing if the applicant, or any owner of the applicant or licensee:

- A. Fails to meet the requirements of this chapter.
- B. Is not at least 21 years of age.
- C. Has had a license required for the marijuana business suspended or revoked by the Town, by a municipality in the State of Maine, or by the state.
- D. Is in violation of this or any other ordinance or has unpaid penalties assessed by a court related to the marijuana business.
- E. Has not acquired all necessary state and local approvals (other than final state approval) prior to issuance of the license.
- F. Fails to meet zoning or other requirements of Chapter 120, Land Use, or Chapter 185, Shoreland Zoning.
- G. Has been convicted of a criminal violation arising out of operation of a marijuana business.
- H. Has, within 10 years prior to the date of the application, been convicted of selling or furnishing marijuana, alcohol, or any scheduled drug to a minor, or of allowing a minor under that person's control or in a place under that person's control to consume any of these substances.
- I. Has provided false or misleading information in connection with the license application.
- J. Is not in good financial standing with the Town. For the purposes of this chapter, “good financial standing” shall be defined as not owing to the Town any real estate or personal property taxes, municipal fees, or monetary award from a final court judgment; provided that such amounts that are either (i) less than thirty (30) days past due as of the date of the application for**

approval and are less than \$250.00; (ii) are subject to a pending request for an abatement of, or an appeal of, the tax assessment that is claimed to be delinquent; or (iii) are determined in the sole discretion of the Town Manager or his or her designee not to be owed by the applicant or owner, shall not be considered due and payable to the Town for purposes of this chapter.

The purpose of the addition of Section J is to ensure that applicants and licensees are in good financial standing with the Town of Windham.