



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Legislation Details (With Text)

**File #:** 17-075      **Version:** 1      **Name:**  
**Type:** Order      **Status:** Agenda Ready  
**File created:** 3/29/2017      **In control:** Town Council  
**On agenda:** 4/25/2017      **Final action:**  
**Title:** To adopt an extension of 180 days to the ordinance establishing a moratorium on all proceedings, applications, and petitions for the development, including all relevant permits, of Retail Marijuana Establishments and Retail Marijuana Social Clubs.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CoverSheet 17-075, 2. Retail Marijuana Establishment Moratorium Ordinance

Date	Ver.	Action By	Action	Result
4/25/2017	1	Town Council	approved	Pass

### I. Council Action Requested.

To adopt an extension of 180 days to the ordinance establishing a moratorium on all proceedings, applications, and petitions for the development, including all relevant permits, of Retail Marijuana Establishments and Retail Marijuana Social Clubs.

### II. Basis for Council Action.

Council approval of this item is required because;

- a. Pursuant to Article I, Section 2 of the Charter the town “may enact reasonable by-laws, regulations and ordinances for municipal purposes, not inconsistent with the Constitution and laws of the State of Maine,”
- b. Pursuant to Article I, Section 2 of the Charter “the administration of all the fiscal, prudential and municipal affairs of said Town, with the government thereof, except as otherwise provided by this Charter, shall be and are vested in one body of seven (7) members, which shall constitute and be called the Town Council,” and
- c. Pursuant to Article II, Section 3(I) of the Charter the Council shall have the power to “exercise all the legislative, financial, borrowing and other powers now or hereafter given by statute to inhabitants of towns acting in Town Meeting except as otherwise provided herein, and also exercise all the powers now or hereafter given by statute to municipal officers of towns.”

### III. Issue Summary.

This order would extend the expiration date of the moratorium ordinance adopted at the meeting of December 13, 2016. That ordinance, and the emergency ordinance it replaced, established a 180 day moratorium through May 21, 2017. This order would extend the moratorium for another 180 days, through November 17, 2017 while the town continues work on issues surrounding both retail marijuana establishments.

