



CITY COUNCIL ACTION

Council Meeting Date: January 8, 2024

Item No: 24-063

Responsible Dept: Legal

Action Requested: Ordinance

Map/Lot: N/A

Title, Ordinance

Amending Chap. 177, Art. II, Retail Marijuana, §177-7, by Adding subsection 177-7(K), To Clarify That Retail Marijuana Establishments May Not Transact Sales of Cannabis at Off-Site Specified Events

Summary

This Ordinance amendment, if passed, would amend Chapter 177, Article II, Retail Marijuana, to clarify that retail marijuana establishments may not transact sales of adult use cannabis or cannabis products at off-site specified events that take place within the City of Bangor.

The State Legislature recently enacted LD 202, "An Act to Clarify the Requirements for Adult Use Cannabis Stores to Transact Sales at Specified Events." This state law does not require municipalities to permit sales of adult use cannabis or cannabis products at off-site specified events, but sets up a procedure for adult use cannabis stores to apply for a permit from the State Department of Administrative and Financial Services, which would be a temporary authorization from the State for a cannabis store to conduct sales of adult use cannabis and cannabis products at specified events. These specified events would typically occur off the premises of an adult use cannabis store, and the requests for State permits may come from adult use cannabis stores located within or outside the City of Bangor.

An applicant for a State permit would need municipal authorization in order to obtain the State permit, and the state law allows municipalities to restrict the sale of adult use cannabis and cannabis products at specified events, including prohibiting such sales. Without municipal approval, an applicant will not be able to obtain a State permit.

As the state law does not allow consumption of cannabis at the specified event, policing to ensure compliance with the state law is anticipated to be an issue organizers of specified events would have to address were such off-site cannabis sales to be permitted at specified events.

This item was reviewed by the Government Operations Committee at its January 3, 2024 meeting, with the Committee recommending the proposed ordinance revision, which clarifies that retail marijuana establishments may not transact sales of adult use cannabis or cannabis products at off-site specified events that occur within the City of Bangor.

Committee Action

Committee: Government Operations

Meeting Date: January 3, 2024

Action: Recommended for passage

For:

Against:

Staff Comments & Approvals

City Manager

City Solicitor

Finance Director

Introduced for: First Reading



CITY COUNCIL ORDINANCE

Date: January 8, 2024

Assigned to Councilor: Fish

ORDINANCE, Amending Chap. 177, Art. II, Retail Marijuana, §177-7, by Adding subsection 177-7(K), To Clarify That Retail Marijuana Establishments May Not Transact Sales of Cannabis at Off-Site Specified Events

WHEREAS, the recent passage of the state law known as LD 202 has generated a need for the City to amend its Retail Marijuana ordinance to clarify regarding adult use cannabis establishments transacting sales of adult use cannabis or cannabis products at off-site specified events that occur within the City of Bangor;

WHEREAS, the City Council finds that it is in the best interests of the City to clarify that adult use cannabis stores may not transact sales of cannabis or cannabis products at off-site specified events that occur within the City of Bangor;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT

Chapter 177, Article II, Retail Marijuana, of the Code of the City of Bangor is hereby amended as follows:

§ 177-7 Security and oversight requirements.

....

K. A retail marijuana establishment or adult use cannabis store, whether located within or outside the City of Bangor, may not transact sales of adult use cannabis or cannabis products at off-site, specified events that take place within the City of Bangor.

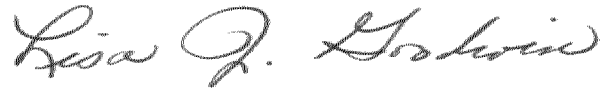
Additions are underlined, deletions ~~struck through~~.

IN CITY COUNCIL

JANUARY 8, 2024

COrd 24-063

First Reading



CITY CLERK

IN CITY COUNCIL

JANUARY 22, 2024

COrd 24-063

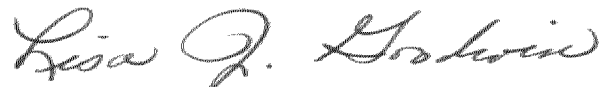
Motion made and seconded for Passage

Vote: 8 – 1

Councilors Voting Yes: Fish, Hawes, Yacoubagha, Tremble, Fournier, Schaefer, Deane

Councilors Voting No: Leonard

Passed



CITY CLERK