

TOWN OF CAMDEN
WARRANT FOR SPECIAL TOWN MEETING
Tuesday, January 24, 2017

County of Knox

To: Randy Gagne, Constable of the Town of Camden, Maine

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the Inhabitants of the Town of Camden, required by law to vote in town affairs, to meet at the Camden Town Office in the Washington Street Conference Room at 8 Washington Street in said Town on Tuesday, January 24, 2017 at 6:30 p.m. in the evening to vote on Articles 1 through 2 at which time the meeting will adjourn.

ARTICLE 1

To elect a moderator to preside at said meeting.

ARTICLE 2

Shall the Town vote to approve and enact a Moratorium Ordinance entitled "Moratorium on Retail Marijuana Establishments and Retail Marijuana Social Clubs" with a draft dated of November 30, 2016, so as to provide an opportunity for the Inhabitants of the Town of Camden to reasonably investigate and implement such local ordinances or amendments as the Citizens deem appropriate to address the recently approved State Referendum authorizing social clubs and retail sales of marijuana for recreational use.

Note: A full copy of said Draft Moratorium Ordinance dated November 30, 2016 is on file with the Town Clerk and available for inspection during regular business hours.

The Select Board gives notice that the Registrar of Voters will be in session at the Camden Town Office during regular business hours, 8:00 a.m. – 3:30 p.m., Monday through Friday, to correct any error or change a name or address on the voting list; to accept the registration of any person eligible to vote and accept new enrollments.

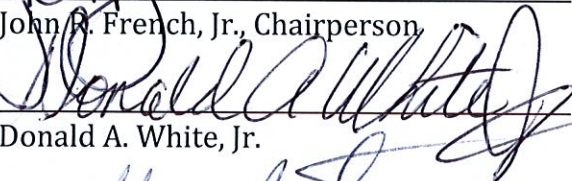
You must be registered to vote in Camden to vote in any election.

Given under our hands this 11th day of January, 2017.

CAMDEN SELECT BOARD



John R. French, Jr., Chairperson



Donald A. White, Jr.



Marc Ratner

Leonard Lookner, Vice Chairperson



James Heard

A true attest: _____
Katrina Oakes, Town Clerk

RETURN

I certify that I have notified the Voters of Camden of the time and place of the Town of Camden Special Town Meeting to be held Tuesday, January 24, 2017 by posting an attested copy of the Warrant at the Camden Public Safety Building, Camden Town Office, Camden Public Library, and the Camden Post Office on _____, 2017.

Randy Gagne, Constable

TOWN OF CAMDEN, MAINE
(Draft of November 30, 2016)

ORDINANCE, Enacting a Moratorium on Retail Marijuana Establishments and Retail Marijuana Social Clubs, upon the following findings and conclusions of law:

WHEREAS, the Marijuana Legalization Act (the "Act"), was passed by Referendum Ballot in Maine as voted upon on November 8, 2016 which legalized the recreational use of marijuana;

WHEREAS, the Act allows a municipality to regulate or prohibit the operation of retail marijuana establishments (stores, cultivation facilities, product manufacturing facilities, and testing facilities) and retail marijuana social clubs (businesses selling marijuana for consumption on the premises) within the municipality's jurisdiction;

WHEREAS, there are concerns about the public health and safety of marijuana as well as concerns about the impact that this law will have in the Town of Camden, and being cognizant, the State of Maine Department of Agriculture, Conservation and Forestry has yet to adopt the required Rules for such retail establishment;

WHEREAS, the Town needs time to understand the outcomes of this legislation and rulemaking before determining how, and where within the zoning districts previously adopted, retail marijuana can be safely and best compatibly permitted in the Town of Camden;

WHEREAS, the local legislative process provides an opportunity for increased discussion and awareness of the consequences of retail recreational marijuana, and discussion of the impacts on the community;

WHEREAS, retail marijuana establishments and social clubs require public health, safety, and welfare consideration in that there is no readily available measure for public safety personnel to employ to determine a person's ability to safely operate motorized vehicles after recreational consumption at social clubs;

WHEREAS, the increased use of marijuana, including through its cultivation, sale, and use in social clubs in the Town of Camden create the potential additional burden on the Town of Camden's public facilities, especially the Town's public health and public safety resources;

WHEREAS, the Town of Camden needs to consider the impact of such establishments regarding the proximity to schools, churches, residential neighborhoods and other permitted uses;

WHEREAS, a temporary prohibition on retail marijuana establishments and social clubs is therefore appropriate in order to determine what regulation, if any, is necessary at the local level within the Town of Camden;

NOW THEREFORE, be it Ordained by the Voters of the Town of Camden as follows, that:

A moratorium on the use and issuance of permits for retail marijuana establishments and retail marijuana social clubs is hereby enacted and approved as follows:

§1. Necessity.

Municipalities are authorized by 30-A M.R.S. § 4356(1) to enact moratoria:

(a) to prevent a shortage or an overburden of public facilities that would otherwise occur during the effective period of the moratorium or that is reasonably foreseeable as a result of any proposed or anticipated development; or

(b) because the application of existing comprehensive plans, land use Ordinances or regulations or other applicable laws, if any, is inadequate to prevent serious public harm from residential, commercial or industrial development in the affected geographical area.

In accordance with 30-A M.R.S. § 4356(1), and consistent with the findings referenced above, the Town of Camden Select Board finds that a moratorium on retail marijuana and retail marijuana social clubs is necessary and warranted.

§2. Moratorium.

Retail marijuana establishments and retail marijuana social clubs, as defined in the Marijuana Legalization Act, are hereby prohibited in the Town of Camden. Furthermore, no building or use permit, certificate of occupancy, or other permit shall be issued for any such use pending the Moratorium enactment period.

§3. Term.

This moratorium shall continue for one hundred eighty (180) days from the date of passage. It may be extended for an additional one hundred eighty (180) days in accordance with 30-A M.R.S. § 4356(2) upon a finding by the Town of Camden Select Board that the problem giving rise to this moratorium continues to exist and reasonable progress is being made to alleviate the problem giving rise to the need for this moratorium.

§4. Applicability.

Notwithstanding the provisions of 1 M.R.S. § 302, this moratorium shall apply retroactively to all actions, inquiries and proceedings introduced or pending as of November 8, 2016 or thereafter.