TOWN OF SULLIVAN
Cannabis Ordinance

Adopted: June 9, 2026

I. Purpose and Authority

A. To regulate the location, licensing and operation of Adult Use and Medical Use Cannabis establishments authorized by Maine Revised Statutes (M.R.S.) Title 28-B. (Adult Use Cannabis) and M.R.S. Title 22 c. 558-C (Medical Use Cannabis), within the town of Sullivan. The town also reserves the right for additional siting and licensing requirements pursuant to Municipal Home Rule Authority and Title 30-A MRS § 3001. This ordinance intends to promote the health, safety and general welfare of the citizens of Sullivan, to protect the natural resources (land, water, watershed), and to establish reasonable and uniform regulations for the appropriate location of Adult Use and Medical Use Cannabis businesses in Sullivan.

B. The operation or licensing of Cannabis social clubs in the Town is prohibited.

C. This Ordinance may not be construed to limit any privileges or rights of a qualifying patient, caregiver, or registered caregiver under Maine's Medical Use Cannabis laws and regulations, including but not limited to M.R.S. Title 22 c. 558-C, except that Medical Use Cannabis stores operated by registered caregivers are subject to the provisions of this Ordinance.

II. Definitions:

For the Purpose of this Ordinance, unless the context otherwise indicates, the following terms have the following meanings (refer to M.R.S. Title 28-B).

Adult Use Cannabis: Cannabis cultivated, manufactured, distributed or sold by a retail Cannabis establishment under M.R.S. Title 28-B.

Adult Use Cannabis product: A Cannabis product that is manufactured, distributed or sold by a Cannabis establishment.

Applicant: A person that submits an application for a license under this chapter to the State Office of Cannabis Policy for review that the State Office of Cannabis Policy has not yet approved or denied.

Another jurisdiction: The Federal Government, the United States military, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa and each of the several states of the United States except Maine.

Assistant: A person paid to perform a service for a caregiver, dispensary, manufacturing facility or Cannabis testing facility in accordance with this chapter, whether as an employee or independent contractor.

Business entity. A partnership, association, company, corporation, Limited Liability Company or other entity incorporated or otherwise formed or organized by law. "Business entity" does not include a federal, state or municipal government organization.

Cannabis: The leaves, stems, flowers and seeds of a Cannabis plant, whether growing or not. Cannabis includes Cannabis concentrate but does not include hemp as defined in Title7, section 2231, subsection 1-A, paragraph D or a Cannabis product.

Cannabis concentrate: The resin extracted from any part of a Cannabis plant and every compound, manufacture, salt, derivative, mixture or preparation from such resin, including, but not limited to, hashish. "Cannabis concentrate" does not include resin extracted from hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D. In determining the weight of Cannabis concentrate in a Cannabis product, the weight of any other ingredient combined with Cannabis or Cannabis concentrate to prepare the Cannabis product may not be included.

Cannabis establishment: A cultivation facility, a products manufacturing facility, a testing facility, and a Cannabis store.

Cannabis extraction: The process of extracting Cannabis concentrates from Cannabis using water, lipids, gases, solvents or other chemicals or chemical processes. "Cannabis extraction" does not include the process of extracting concentrate from hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D.

Cannabis flower: The pistillate reproductive organs of a mature Cannabis plant, whether processed or unprocessed, including the flowers and buds of the plant. Cannabis flower does not include Cannabis trim or whole mature Cannabis plants or the flower of hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D.

Cannabis plant: All species of the plant genus Cannabis, including, but not limited to, a mother plant, a mature Cannabis plant, an immature Cannabis plant or a seedling. "Cannabis plant" does not include hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D.

Cannabis product: A product composed of Cannabis or Cannabis concentrate and other ingredients that is intended for use or consumption. "Cannabis product" includes, but is not limited to, an edible Cannabis product, a Cannabis ointment and a Cannabis tincture. Cannabis product does not include Cannabis concentrate or a product containing hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D.

Cannabis store: A facility licensed under this chapter to purchase adult use Cannabis, immature Cannabis plants and seedlings from a cultivation facility, to purchase adult use Cannabis and adult use Cannabis products from a products manufacturing facility and to sell adult use Cannabis, adult use Cannabis products, immature Cannabis plants and seedlings to consumers.

Cannabis testing facility: A public or private laboratory that:
Is authorized in accordance with section 2423-A, subsection 10 to analyze contaminants in and the potency and cannabinoid profile of samples; and is accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization by a 3rd-party accrediting body or is certified, registered or accredited by an organization approved by the department.

Cannabis trim: Any part of a Cannabis plant, whether processed or unprocessed, that is not Cannabis flower or a Cannabis seed except that "Cannabis trim" does not include the stalks or roots of the Cannabis plant. "Cannabis trim" does not include any part of a hemp plant as defined in Title 7, section 2231, subsection 1-A, paragraph D.

Cardholder: A person who has been issued and possesses a valid registry identification card.

Caregiver retail store: A store that has attributes generally associated with retail stores, including, but not limited to, a fixed location, a sign, regular business hours, accessibility to the public and sales of goods or services directly to a consumer, and that is used by a registered caregiver to offer Cannabis plants or harvested Cannabis for sale to qualifying patients.

Code Enforcement Officer (CEO): the person(s) authorized by the Town of Sullivan Selectboard to act as the legal enforcement for all local, state, and federal codes and statutes that apply to the community, and is licensed (within one year of accepting the year of accepting the position) by the State of Maine in all areas required. CEO in this document will also include LHO and LPI when talking about inspections of any kind.

Collective: An association, cooperative, affiliation or group of caregivers who physically assist each other in the act of cultivation, processing or distribution of Cannabis for medical use for the benefit of the members of the collective.

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

Cultivation facility: A facility licensed under this chapter to purchase Cannabis plants and seeds from other cultivation facilities; to cultivate, prepare and package adult use Cannabis; to sell adult use Cannabis to products manufacturing facilities, to Cannabis stores and to other cultivation facilities; and to sell Cannabis plants and seeds to other cultivation facilities and immature Cannabis plants and seedlings to Cannabis stores.

Edible Cannabis product: A Cannabis product intended to be consumed orally, including, but not limited to, any type of food, drink or pill containing Cannabis or Cannabis concentrate. Edible Cannabis product does not include an edible product containing hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D.

Flowering: With respect to a Cannabis plant, the gametophytic or reproductive state of a female Cannabis plant during which the plant is in a light cycle intended to produce flowers, trichrome and cannabinoids characteristic of Cannabis.

Immature Cannabis plant: A Cannabis plant that is not a mature Cannabis plant or a seedling. Immature Cannabis plant does not include hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D.

Inherently hazardous substance: A liquid chemical, compressed gas or commercial product that has a flash point at or lower than 38 degrees Celsius or 100 degrees Fahrenheit, including, but not limited to, butane, propane and diethyl ether "Inherently hazardous substance" does not include any form of alcohol or ethanol.

Licensed premises: The premises specified in a license to operate a Cannabis establishment within which the licensee is authorized under this chapter and the rules adopted pursuant to this chapter to cultivate, manufacture, distribute, test or sell adult use Cannabis or adult use Cannabis products.

Licensee: A person licensed pursuant to this chapter to operate a Cannabis establishment.

Limited access area: A building, room or other area within the licensed premises of a Cannabis establishment where a licensee is authorized to cultivate, store, weigh, manufacture, package or otherwise prepare for sale adult use Cannabis and adult use Cannabis products in accordance with the provisions of this chapter and the rules adopted pursuant to this chapter.

Loitering: To stand or wait around idly or without apparent purpose.

Manufacturing or manufacture: The production, blending, infusing, compounding or other preparation of Cannabis and Cannabis products, including, but not limited to, Cannabis extraction or preparation by means of chemical synthesis or does not include cultivation or testing.

Mature Cannabis plant: A Cannabis plant that is flowering. Mature Cannabis plant does not include hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D.

Mature plant canopy: The total surface area within a cultivation area where mature Cannabis plants are growing. The surface area of the mature plant canopy must be calculated in square feet and measured using the outside boundaries of the area and must include all of the area within the boundaries. If the surface area of the mature plant canopy consists of noncontiguous areas, each component area must be separated by identifiable boundaries. If a tiered or shelving system is used in the cultivation area, the surface area of each tier or shelf must be included in calculating the area of the mature plant canopy. Calculation of the surface area of the mature plant canopy may not include the areas within the cultivation area that are not used at any time to cultivate mature Cannabis plants.

Medical Cannabis Registered Dispensary: An entity as defined under Title 22 M.R.S.A., Section 2428(6). A Medical Cannabis Registered Dispensary shall be further defined by, and shall adhere to, the laws of the State of Maine and to the State of Maine Rules Governing the Maine Medical Use Statute.

Medical Manufacturing facility: A registered tier 1 or tier 2 manufacturing facility or a person authorized to engage in Cannabis extraction under Title 22 M.R.S.A. Section 2423-F.

Medical use: The acquisition, possession, cultivation, manufacture, use, delivery, transfer or transportation of Cannabis or paraphernalia relating to the administration of Cannabis to treat or alleviate a qualifying patient medical diagnosis or symptoms for which a medical provider has provided the qualifying patient a written certification under this chapter.

Mother plant: A Cannabis plant that is used solely for the taking of seedling cuttings. "Mother plant" does not include hemp as defined in Title 7, section 2231, subsection 1-A paragraph D.

Municipality: A city, town or plantation in this State that is not located within the Unorganized and de-organized areas.

Permit: A license or document issued by the Town officially authorizing an applicant to operate a Retail Cannabis establishment, or a cultivation, testing or manufacturing facility.

Planning Board: A municipal body established under state law to review and make recommendations on land use, zoning, and development matters within a town or city. It is typically created by ordinance or municipal charter and is responsible for

ensuring that proposed projects comply with local planning and zoning regulations.

Plant canopy: The total surface area within the licensed premises of a cultivation facility that is authorized by the department for use at any time by the cultivation facility licensee to cultivate mature Cannabis plants. The surface area of the plant canopy must be calculated in square feet and measured using the outside boundaries of the area and must include all of the area within the boundaries. If the surface area of the plant canopy consists of noncontiguous areas, each component area must be separated by identifiable boundaries. If a tiered or shelving system is used by the cultivation facility licensee, the surface area of each tier or shelf must be included in calculating the area of the plant canopy. Calculation of the area of the plant canopy may not include the areas within the licensed premises of a cultivation facility that are used by the licensee to cultivate immature Cannabis plants and seedlings and that are not used by the licensee at any time to cultivate mature Cannabis plants.

Products manufacturing facility: A facility licensed under this chapter to purchase adult use Cannabis from a cultivation facility or another products manufacturing facility; to manufacture, label and package adult use Cannabis and adult use Cannabis products; and to sell adult use Cannabis and adult use Cannabis products to Cannabis stores and to other products manufacturing facilities.

Registered caregiver: Same meaning as in Title 22, section 2421-A, subsection 11.

Registered dispensary: Same meaning as in Title 22, section 2421-A, subsection 6.

Resident: An individual who is domiciled in the State of Maine, maintains a permanent place of abode in the State and spends the aggregate more than 183 days of the taxable year in Maine.

Retail Cannabis Establishment: Adult Use or Medical Use retail stores, retail Cannabis cultivation facilities, and all other definitions relevant to this Ordinance are defined as set forth in M.R.S. Title 28-B (Adult Use Cannabis), M.R.S. Title 22 c. 558-C (Medical Use Cannabis), and as said section may be amended.

Seedling: A Cannabis plant or rooted cutting that is: 1. Not flowering; 2. Less than 24 inches in height; and 3. Less than 24 inches in width.

Select Board is the executive branch of a town government under the Town Meeting–Select Board–Town Manager form of government. It is the body that exercises all administrative and executive powers of the town except as otherwise provided by law

Testing or test: The research and analysis of Cannabis, Cannabis products or other substances for contaminants, safety or potency. Testing includes the collection of samples of Cannabis and Cannabis products for testing purposes, but does not include cultivation or manufacturing.

Testing facility: A facility licensed under this chapter to develop, research and test Cannabis, Cannabis products and other substances.

Town: The town of Sullivan, Maine.

Town Manager; Performs the executive and administrative duties for the Town Manager as prescribed by Maine Law in 30-A M.R.S.A. Section 2636.

Universal symbol: An image developed by the department, and made available to licensees, which indicates that a container, package or product contains Cannabis or contains or is a Cannabis product.

Tier Sizes: Cannabis Tier Sizes are as follows:

1. Tier 1: 500 sq. ft. of flowering canopy
2. Tier 2: 2,000 sq. ft. of flowering canopy
3. Tier 3: 7,000 sq. ft. of flowering canopy
4. Tier 4: 20,000 sq. ft. of flowering canopy

III. Site Requirements

A. Any Cannabis establishment shall petition the Planning Board for site plan approval. A Petition for approval shall be submitted for initial approval, change of use, and any changes of ownership. A license may not be assigned and a change of ownership shall require a new permit to be obtained by the new owner.

B. Each Cannabis establishment shall meet the minimum State standards. No permit shall be granted for any Cannabis establishment within one thousand (1,000) feet of the boundary of any preexisting private or public school, library or place of worship on Route 1 within Town limits.

C. No permit for any Cannabis establishment shall be granted outside of the Retail Cannabis Overlay Zone.

D. Municipal and State Codes: No permit shall be granted for any Cannabis establishment unless the premises concerned is in complete compliance with all Municipal and State Codes, Statutes, Licensing Requirements, Rules and Regulations.

E. Signage and Advertising: All signage shall meet the requirements of the State of Maine and Town of Sullivan. Proposed signage shall be submitted with each application to the Planning Board and meet size restrictions per Site Plan Ordinance and Sign Ordinance of Sullivan.
   a. Signage for Cannabis establishments in the Town of Sullivan shall not be excessively attractive to children.
   b. There may be no display of cannabis and paraphernalia so as to be clearly visible from the exterior of a Cannabis Establishment
   c. There may be no off-premise signs (permanent or temporary) advertising the Cannabis Establishment.
   d. No ads, coupons, signs, promotional materials, or similar shall target people under the age of 21 or non-Maine residents or visitors.
   e. Exterior signs must be in compliance with the Sign Ordinance and Site Plan Review Ordinance for the Town of Sullivan.

F. Security: Both Medical Use and Adult Use retail Cannabis establishments shall meet minimum State security standards for Adult Use establishments.

G. The footprint of an Adult Use or Medical Use Cannabis stores shall not exceed sixteen hundred (1,600) square feet and must meet all State laws and local requirements.

H. Control of Emissions

a. Odor Management: For all Cannabis Establishments, the odor of cannabis must not be perceptible at the exterior of the building at the premises or at any adjoining use of the property. Cannabis Cultivation Facilities must implement appropriate ventilation and filtration systems to satisfy the odor standard contained herein. Cannabis Stores, Cannabis Manufacturing Facilities, and Cannabis Testing Facilities are not required to install filtration equipment on the licensed premises but must satisfy the same odor standard contained herein. While the Town does not mandate any particular equipment specifications with regard to filtration, all Cannabis Establishments are strongly encouraged to adopt best management practices with regard to implementing state-of-the-art technologies in mitigating cannabis odor, such as air scrubbers and charcoal filtration systems.
b. Noxious gases and fumes: Cannabis Manufacturing Facilities and Cannabis Testing Facilities shall have appropriate ventilation systems to mitigate noxious gases or other fumes used or created as part of the production. Sufficient measures and means of preventing smoke, debris, dust, fluids and other substances from exiting a Cannabis Establishment must be provided at all times.
c. Night-time Lighting for Cultivation. Cultivation establishments, such as those using greenhouses, shall prevent excessive light from illuminating beyond the subject property and into the night sky in accordance with Site Plan Review Ordinance standards and by utilizing a blackout system

I. Ventilation: Any indoor operation of a Cannabis facility shall meet the minimum State requirements for ventilation.

J. Permanent Location: Each Cannabis establishment shall be operated from a permanent location. No Cannabis establishment shall be permitted to operate from a moveable, mobile, or transitory location. Delivery of cannabis or cannabis products from any cannabis establishment is prohibited.

K. The Applicant shall provide evidence of sufficient right, title or interest in the premises for which the permit is sought.

IV. Permit Application

A person seeking an initial permit shall submit a completed Site Plan Review application to the code enforcement officer (CEO), to be placed on the Planning Board agenda for review. An applicant applying for a renewal permit issued pursuant to this Ordinance shall submit a copy of their State renewal application to the CEO to be placed on the Select Board agenda for review. Permits shall not be issued to any legal entity other than in the name of the individual person applying for the permit.

a. The applicant shall:

1. Provide full name, address and date of birth, for each applicant, and for each owner in the event the applicant is a corporate entity.

2. Furnish proof of lawful residence of the State of Maine. Proof of lawful residence may be made by providing two (2) of the following documents:
   a. A valid motor vehicle operator license;
   b. A valid motor vehicle registration certificate;
   c. A valid State of Maine fishing or hunting license;
   d. Voter registration card; or,
   e. A current invoice from a utility company in the name of the applicant.
3. Provide full name and complete physical address of the proposed Cannabis establishment.

b. If the applicant has had a previous permit under the Ordinance or has had a permit/license revoked, denied or suspended by the Town, the State of Maine or any other municipality or township, the applicant must provide this information relating thereto, as well as the date and factual findings and findings for the denial, suspension or revocation. They shall also identify whether the applicant has been, is an owner or partner, in a partnership, is an officer, direct or principal stockholder of a corporation that is permitted/licensed by the Town, State of Maine or any other municipality or township, whose permit/license has previously been denied, suspended or revoked, and shall identify the name and location for which the permit/license was denied, suspended or revoked as well as the date of denial, suspension or revocation.

V. Permit Requirements

a. Any applicant must obtain a permit from the Select Board, after obtaining Site Plan approval from the Planning Board, and upon evidence of satisfaction of criteria and regulations as set forth in M.R.S. Title 28-B, Adult Use Cannabis including regulations and amendments thereto. The Select Board's initial permitting authority is ministerial, and the Board may not deny an application that has received Site Plan approval and meets the use limitations described in this Ordinance.

1. All first-time applications must be submitted to the Town Office, and must be signed and time-stamped by the Code Enforcement Officer (CEO) or signed and time-stamped by the Town Manager or Town Clerk for delivery to the CEO.

2. Any permit issued shall expressly be designated, and therefore limited, to one or more the following classifications:

   a. Adult Use Cannabis cultivation establishment;
   b. Adult Use retail Cannabis Store;
   c. Adult Use Cannabis products manufacturing;
   d. Cannabis testing establishment;
   e. Medical Use Cannabis caregiver store;
   f. Retail medical dispensary.

3. Permits are valid for one (1) year and shall be reviewed annually by the Town Select Board. Upon receipt of the CEO report which includes the site inspection, and confirmation of continued compliance with licensing conditions and Ordinance standards, and proof of fees paid the Select Board shall issue the permit.

4. Permits shall be kept current at all times; failure to maintain all conditions of Town permit and all required State licenses and permits, shall serve to immediately suspend a Town permit, subject to revival upon compliance and re-issuance of any suspended license or permit.

5. Applicants must be at least twenty-one (21) years of age.

6. Permits shall be posted in a conspicuous location at all medical use stores and all Adult Use retail Cannabis establishments.

7. Permits shall not be assigned or transferred.

8. The Code Enforcement Officer shall insure that the applications are complete before they are reviewed by the Planning Board.

9. Upon the Town Code Enforcement Officer's receipt of a completed application for a new permit, the Planning Board shall schedule a public hearing on the Site Plan Review application to be held within sixty (60) days of the submitted application.

10. Applicants must not have had a cannabis license revoked in Maine or any other licensing authority within five years of the date of application, if the revocation has been for cause; provided however, the Select Board may waive this requirement for good cause and upon proof that the Applicant is eligible to obtain a cannabis license from the State of Maine.

b. The Town shall permit one (1) Adult Use Cannabis retail store, Adult Use Cannabis products manufacturing; with a footprint not more than 1,600sq. ft. of retail/selling space located within the Town, at any given time.

Should a previously approved store-front establishment fail to promptly renew their Town permit during the designated renewal period (within 30 days of expiration), their permit may be awarded to another prospective applicant on the approval of the Planning Board after 45 days of expiration.

c. The Town shall permit no more than two (2) Adult Use cultivation facilities as described below.

i. One (1) Adult Use cultivation facilities of Tier 1 (up to 500 square feet of flowering canopy) and one (1) Tier 2 (up to 2000 square feet of flowering canopy) or

ii. Two (2) Tier 1 facilities (up to 500 square feet of flowering canopy).

d. Tier 3 and Tier 4 Adult Use cultivation facilities are prohibited.

e. Applications for permit renewals must be received by the Town Clerk thirty (30) days prior to the anniversary of the issuance of a permit.

f. No person may establish, operate, or maintain an Adult Use retail or Medical Use Cannabis store without first obtaining a permit from the Municipal Officers. Due to the limited number of permits available in the town of Sullivan (one [1] Adult Use retail stores), permit holders must have a business plan in place and be working toward meeting all Maine Requirements and licensure in advance of the one-year permit review date. If the permit holder cannot show progress toward licensure and permit acquisition, provide proof of a store location, provide proof of acquisition of a state tax ID number, a retailer certificate, and be taking steps toward establishment of a Cannabis store in a timely fashion, permit

renewal may be denied by the Select Board.

VI. Permit Fees

The Town will implement permit fees as reflected by the Town's fee schedule, and shall be set and subject to amendment by the Select Board.

VII. Suspension or Revocation

a. The Select Board may, after notice and public hearing, suspend, revoke or refuse to renew a permit for a Cannabis establishment for failing to comply with this Ordinance and/or M.R.S. Title 28-B, Section 104, (Adult Use Cannabis), M.R.S. Title 22c. 558-C (Medical Use Cannabis).

b. Compliance failures include but are not limited to:

    1. Number and/or types of complaints law enforcement received and investigated;
    2. Failing to correct or abate any violation of any local ordinance or code;
    3. Failure to maintain all State permits;
    4. Conviction of a crime of deception or any felony level crime;

c. Repeated failures to adhere to all requirements of this ordinance.

VIII. Regulations

a. Types of Establishments: Each establishment must be approved individually and shall be separately permitted. Establishments include those with the primary purpose of:

    1. Adult Use Cannabis cultivation establishment;
    2. Adult Use retail Cannabis store;
    3. Adult Use Cannabis products manufacturing;
    4. Cannabis testing establishment;
    5. Medical Use Cannabis caregiver store;
    6. Retail medical dispensary.

b. Background history: Any application for a permit to operate any Cannabis establishment, including laboratories and cultivation, must meet minimum standards set forth by State Law and shall fully disclose accurate information as requested as part of the application process.

c. Required Notices: There shall be posted, in a conspicuous location inside each Adult Use retail Cannabis store, at least one legible sign containing the following information:

    1. Use or allowing on-site consumption of Cannabis is illegal;
    2. Open and public consumption of Cannabis in the State of Maine is illegal;
    3. The use of Cannabis or Cannabis products may impair a person's ability to drive a motor vehicle or operate machinery;
    4. No one under the age of twenty-one (21) shall be allowed inside of an Adult Use retail establishment; and,
    5. Loitering is prohibited.

d. Hours of Operation: Adult Use Retail Cannabis stores and Medical Use Cannabis stores shall operate within the hours of 9am - 6pm.

IX. Right of Access

Every Cannabis establishment shall allow State or local law, fire, safety, and code enforcement officers with jurisdiction over the Town, including but not limited to law enforcement, code enforcement, and fire marshals, to enter the premises at reasonable times for the purpose of investigating compliance with this Ordinance and M.R.S. Title 28-B, Adult Use Cannabis.

X. Indemnification

a. By accepting a permit issued pursuant to this Ordinance, the permit holder waives, releases and shall hold harmless and indemnify including reimbursement of reasonable attorney fees incurred by the Town, its officers, elected officials, employees, attorneys and agents from any liability for injuries, damages or liabilities which arise out of the use of the permitted premises of any Cannabis establishment, including acts or omissions by its owners, operators, representatives, employees, clients or customers, which arise out of any violations or any local, state or federal law, rule or regulation.

b. By accepting a permit issued pursuant to this Ordinance, all permit holders, jointly and severally if more than one (1), agree 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, 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 use, occupation and/or operation of a permitted Cannabis establishment.

XI. State Law

In the event the State of Maine adopts additional or stricter law or regulation governing the sale, distribution or operation of any Cannabis store, Cannabis products manufacturing or Cannabis testing facility in the Town, the stricter regulation shall apply. Compliance with all applicable State law or regulation shall be deemed an additional requirement for issuance or denial of any permit under this Ordinance, and non-compliance with any applicable State law or regulation may be grounds for revocation or suspension of any permits issued hereunder.

XII. Retail Sales Tax Option

All Cannabis establishments shall be subject to the maximum sales tax authorized by the State and/or Town.

XIII. Amendments

This ordinance may be amended by the legislative body of the Town. Every two years, The Planning Board shall review this ordinance in order to adapt to changes in State statutes as well as local conditions. The Planning Board shall make proposed changes to the Ordinance and, after obtaining approval of the Board of Selectmen, shall present a summary of the proposed changes to the residents at a Town Meeting for Amendment to the Ordinance.

XIV. Penalties

This ordinance shall be enforced by the Code Enforcement Officer. Violations of this Ordinance shall be subject to the enforcement and penalty provisions of Title 30-A MRS § 4452, including the requirement of reimbursement of all attorney fees for any related prosecution for compliance and/or a violation of this ordinance, and any injunctive relief sought by the Town. Any prosecution of an enforcement action in Court shall be authorized by the Select Board, in accordance with Maine law.

XV. Severability

If any portion of this Ordinance is determined invalid by a court of competent jurisdiction, such determination shall not render invalid the remaining portions of the Ordinance.

XVI. Appeals

An aggrieved party may appeal any decision of the Code Enforcement Office under this Ordinance to the Board of Appeals as a de novo review, within forty-five (45) days of the date of the Notice of Violation.

An aggrieved party may appeal the issuance, or denial to issue a permit, by the Planning Board or Select Board to the Board of Appeals, for clear error made in the factual findings or legal conclusions reached by the Planning Board. Any such appeal shall be an appellate review based on the record created at the Planning Board hearing, and it shall not be a de novo review.

An appeal of the decision of the Board of Appeals shall be to Superior Court in compliance with Rule 80 B of the Maine Rules of Civil Procedure.

All permits issued by the Select Board, and the Planning Board Site Plan permit, are issued upon reliance that all testimonial and documentary evidence presented to support permit approval is accurate and truthful. Any false, fraudulent, untrue or intentionally misleading representations in support of an application shall be cause for the Select Board to give notice and cause a revocation hearing to be conducted. In the event that the Select Board finds that any substantial information presented was false, fraudulent, untrue or intentionally misleading, the Select Board shall revoke the permit previously granted.

XVII. Effective Date

The effective date of this Ordinance shall be with sixty (60) days of approval by the legislative body of the Town of Sullivan.

Cannabis Ordinance
For the Town of Sullivan

Adopted: June 9, 2026 (first implemented)

Sullivan Selectboard – June 1, 2026

Norm Bamford - _____

Greg Ring - _____

Mike Hosking - _____