



## TOWN OF FREEPORT, MAINE

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ITEM # 65-17 AND # 66-17  
MARIJUANA MORATORIUMS

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### MEMORANDUM

TO: Freeport Town Council  
FROM: Peter Joseph, Town Manager   
DATE: 06/01/17  
RE: Moratorium Extension – Ordinance Chapters 56 and 57

Ordinance Chapter 56 (Moratorium on Medical Marijuana Production Facilities) is set to expire on 06/07/17, and Chapter 57 (Moratorium on Retail Marijuana Establishments and Social Clubs) is set to expire on 07/04/17. These moratoria can be extended, provided that two specific conditions are met.

MRSA Title 30-A sec. 4356 states:

“The moratorium may be extended for additional 180-day periods if the municipality adopting the moratorium finds that:

- A. The problem giving rise to the need for the moratorium still exists; and
- B. Reasonable progress is being made to alleviate the problem giving rise to the need for the moratorium.”

I believe that condition A for both moratoria has been met, as both issues are current regulatory “problems” for the Town of Freeport, as well as the State of Maine. I also believe that condition B for both moratoria has been met. For Chapter 56, the Planning Board has had several discussions on this subject and will need to forward ordinance changes (if any are recommended) to the Town Council by the beginning of October. For Chapter 57, the Town Council has had several discussion on this subject, has taken a non-binding “straw poll vote” indicating support for banning all five retail use categories, and will begin discussions about how to craft regulation/ordinance language at the Council meeting on 06/06/17.

In order to effectively extend the Chapter 56 and 57 moratoria, the Town Council will need to deliberate at the 06/06/17 meeting and find that both condition A and B have been met for both moratoria. Should you have any questions on this matter before that time, please do not hesitate to contact me at your convenience.