

CITY OF GARDINER CODE

5.1.3. If the application is for an adult use marijuana establishment, written evidence that the applicant has received a state conditional license for the type of facility proposed.

5.1.4. If the application is for a medical marijuana establishment, written evidence that applicant has obtained all state approvals for the type of facility proposed.

5.1.5. A copy of the Planning Board's notice of decision approving the facility in accordance with the Land Use Code. If the Planning Board's approval included any conditions of approval, written documentation setting forth how those conditions have been or will be met.

5.1.6. A written report prepared by the Code Enforcement Officer documenting the proposals compliance with all applicable land use, building, plumbing and electrical codes. If the report of the Code Enforcement Officer identifies any areas of noncompliance, the applicant shall provide a written response setting forth how the identified issues have been or will be addressed.

5.1.7. A written report prepared by the Fire Chief documenting the proposals compliance with all applicable fire and life safety codes. If the report of the Fire Chief identifies any areas of noncompliance, the applicant shall provide a written response setting forth how the identified issues have been or will be addressed.

5.1.8. A written report prepared by the Police Chief addressing the adequacy of provisions to provide for the security of the establishment and to avoid any potential for nuisances from the use of the establishment. If the report of the Police Chief identifies any areas of concern, the applicant shall provide a written response setting forth how the identified issues have been or will be addressed.

5.1.9. If the proposed establishment will discharge to the public sewer system, a written report prepared by the Superintendent of the Wastewater Treatment System addressing the potential implications of discharging wastewater to the sewer system and providing treatment for this material including the need for any pre-treatment of discharges. If the report of the Superintendent identifies any areas of concern, the applicant shall provide a written response setting forth how the identified issues have been or will be addressed.

5.2 Approval Standards

The City Council shall approve an application for a new marijuana establishment license only if it finds that all of the following standards are met or will be met as a result of conditions of approval applied to the license:

5.2.1. The applicant has obtained a conditional license for the proposed adult-use marijuana establishment or approval for the proposed medical marijuana establishment from the State of Maine.

5.2.2. The applicant has not been operating as a marijuana establishment in the same location in the previous 6 months from the date of application. If there was a marijuana establishment at the same location more than 6 months ago then they are treated as a new application and must meet all associated Land Use standards in force at the time of application.

5.2.3. The proposed establishment conforms or will conform to the approval of the Planning Board including any conditions of approval prior to receiving City authorization to open.

CITY OF GARDINER CODE

5.2.4. The proposed establishment conforms or will conform to all applicable land use, building, plumbing and electrical codes prior receiving City authorization to open.

5.2.5. The proposed establishment conforms or will conform to all applicable fire and life safety codes prior receiving City authorization to open.

5.2.6. The applicant has made or will make adequate provisions to provide for the security of the establishment and to avoid any potential for nuisances from the use of the establishment prior receiving City authorization to open.

5.2.7. The proposed establishment will not discharge effluent or process water to the public sewer system that will exceed the capacity of the system to transport and treat the material and that any requirements for pre-treatment or limits on the quantity of quality of discharges will be met.

Section 6. Renewal License Applications

An application for the renewal of a marijuana establishment license shall be processed and reviewed in accordance with the following:

6.1. Submission Requirements

An application for the renewal of a marijuana establishment license that is currently licensed by the City of Gardiner and that will occupy the same space as existing operation shall include all of the following information:

6.1.1. A completed and signed application form (provided by the City)

6.1.2. The appropriate annual license fee for the type of facility in accordance with the schedule of fees set forth in Section 8.

6.1.3. If the application is for an adult use marijuana establishment, written documentation that the applicant has applied for a renewal of its state license.

6.1.4. If the application is for a medical marijuana establishment, written evidence that applicant has obtained all state approvals for the type of facility proposed.

6.1.5. A written report prepared by the Code Enforcement Officer documenting the establishment's ongoing compliance with all applicable land use, building, plumbing and electrical codes. The report shall identify any enforcement actions or other concerns during the prior year. If the report of the Code Enforcement Officer identifies any areas of noncompliance or concern, the applicant shall provide a written response setting forth how the identified issues have been or will be addressed.

6.1.6. A written report prepared by the Fire Chief documenting the establishment's on-going compliance with all applicable fire and life safety codes. The report shall include the results of any inspections performed by the department and records of all calls for service during the prior year and the reason for each call. If the report of the Fire Chief identifies any areas of noncompliance or concern about use of the fire service, the applicant shall provide a written response setting forth how the identified issues have been or will be addressed.

6.1.7. A written report prepared by the Police Chief documenting the ongoing adequacy of provisions to provide for the security of the establishment and to

CITY OF GARDINER CODE

avoid any potential for nuisances from the use of the establishment. The report of the Police Chief shall document the number of calls for service and the reason for the calls during the prior year. If the report of the Police Chief identifies any areas of concern, the applicant shall provide a written response setting forth how the identified issues have been or will be addressed.

6.1.8. If the establishment discharges to the public sewer system, a written report prepared by the Superintendent of the Wastewater Treatment System addressing the impacts of the wastewater on the sewer system and sewage treatment plant including compliance with any pre-treatment requirements or limitations on the volume of discharges. If the report of the Superintendent identifies any areas of concern, the applicant shall provide a written response setting forth how the identified issues have been or will be addressed.

6.2 Approval Standards

The City Council shall approve an application for the renewal of a marijuana establishment license only if it finds that all of the following standards are met or will be met as a result of conditions of approval applied to the license:

6.2.1. The applicant has applied to the State of Maine for the renewal of its adult-use marijuana establishment license or approval as a medical marijuana establishment.

6.2.2. The applicant has not been operating as a marijuana establishment in the same location in the previous 6 months from the date of application. If there was a marijuana establishment at the same location more than 6 months ago then they are treated as a new application and must meet all associated Land Use standards in force at the time of application.

6.2.3. The applicant has addressed any complaints or violations with respect to all applicable land use, building, plumbing and electrical codes during the prior year in a timely manner to the satisfaction of the Code Enforcement Officer and the establishment is or will be in conformance with all applicable code requirements.

6.2.4. The applicant has addressed any complaints or violations with respect to all applicable fire protection and life safety codes during the prior year in a timely manner to the satisfaction of the Fire Chief and the establishment is or will be in conformance with all applicable code requirements.

6.2.5. The applicant has addressed any complaints or violations with respect to provisions for the security of the establishment and to avoid nuisances from the use of the establishment during the prior year in a timely manner to the satisfaction of the Police Chief and has made adequate provisions to prevent the recurrence of any problems.

6.2.6. If the establishment discharges to the public sewer system, the applicant has addressed any discharges of effluent or process water to the public sewer system that has exceeded the capacity of the system to transport and treat the material including any requirements for pre-treatment during the prior year to the satisfaction of the Superintendent of the Wastewater Treatment System and has made adequate provisions to prevent the recurrence of any problems.

Section 7. Renewal License Application Involving an Expansion or Relocation of the