

## State Marijuana Uses and How They Apply to Current Zoning Ordinance

### **Retail and Service Establishment (VC1, VC2, BP, MUC, VMU, WFCMP, TWMP, MRSD, ESRD)**

- **Retail marijuana social club.** "Retail marijuana social club" means an entity licensed to sell retail marijuana and retail marijuana products to consumers for consumption on the licensed premises.
- **Retail marijuana store.** "Retail marijuana store" means an entity licensed to purchase retail marijuana from a retail marijuana cultivation facility and to purchase retail marijuana products from a retail marijuana products manufacturing facility and to sell retail marijuana and retail marijuana products to consumers.
- **Registered dispensary.** "Registered dispensary" means a dispensary that is a nonprofit corporation organized under Title 13-B and registered with the Department of Health and Human Services pursuant to the Maine Medical Use of Marijuana Act and holds one or more dispensary registrations.

### **Light Manufacturing (VC1, VC2, BP, MUC, WFCMP, TWMP)**

- **Retail marijuana cultivation facility.** "Retail marijuana cultivation facility" means an entity licensed to cultivate, prepare and package retail marijuana and sell retail marijuana to retail marijuana establishments and retail marijuana social clubs.
- **Retail marijuana products manufacturing facility.** "Retail marijuana products manufacturing facility" means an entity licensed to purchase retail marijuana; manufacture, prepare and package retail marijuana products; and sell retail marijuana and retail marijuana products only to other retail marijuana products manufacturing facilities, retail marijuana stores and retail marijuana social clubs.

### **Laboratory (BP)**

- **Retail marijuana testing facility.** "Retail marijuana testing facility" means an entity licensed and certified to analyze and certify the safety and potency of retail marijuana and retail marijuana products.

### **Other**

- **Retail marijuana establishment.** "Retail marijuana establishment" means a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana products manufacturing facility or a retail marijuana testing facility.

*Retail marijuana establishment appears to be a broad definition covering many of the uses listed above.*

**Medical (May or may not be pertinent)**

- **Registered dispensary.** "Registered dispensary" or "dispensary" means a not-for-profit entity registered under section 2428 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and educational materials to qualifying patients and the primary caregivers of those patients.
- **Registered nonprofit dispensary.** "Registered nonprofit dispensary" means a nonprofit dispensary that is registered by the department pursuant to section 2428, subsection 2, paragraph A.
- **Registered primary caregiver.** "Registered primary caregiver" means a primary caregiver who is registered by the department pursuant to section 2425, subsection 4.
- **Marijuana testing facility.** "Marijuana testing facility" means a public or private laboratory that:
  - Is licensed, certified or otherwise approved by the department in accordance with rules adopted by the department under section 2423-A, subsection 10, paragraph D 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.
- **Primary caregiver.** "Primary caregiver" means a person or an employee of that person, a hospice provider licensed under chapter 1681 or a nursing facility licensed under chapter 405 that provides care for a qualifying patient in accordance with section 2423-A, subsection 2. A person who is a primary caregiver must be at least 21 years of age and may not have been convicted of a disqualifying drug offense.

Prepared by Justin Brown, Code Enforcement Officer  
January 2017