

Ordinance and Limiting Home Cultivation of Marijuana for Personal Adult Use

WHEREAS, the Town of Acton deems it in the best interest of its citizens to limit the cultivation of marijuana for personal adult use within the Town, without affecting cultivation, use, or distribution of Medical Marijuana as allowed by 22 M.R.S.A. Chapter 558-C;

NOW THEREFORE the Town of Acton does ordain as follows:

Section 1. Legislative authority.

This ordinance is enacted pursuant to the Marijuana Legalization Act, 28-B M.R.S.A. § 1502, Municipal Home Rule Authority, Maine Constitution, Article VIII, Part 2, and 30-A M.R.S.A. § 3001.

Section 2. Limitation of Home Cultivation.

Home cultivation of marijuana for personal adult use by a person 21 years of age or older is limited to cultivation of three (3) mature marijuana plants, twelve (12) immature marijuana plants, and an unlimited number of seedlings by each person 21 years of age or older who is domiciled on a parcel or tract of land, pursuant to 28-B M.R.S.A. § 1502. No person shall be permitted to cultivate marijuana plants or seedlings on a parcel or tract of land on which he or she is not domiciled. Nothing in this ordinance is intended to prohibit the lawful cultivation, use, possession, or conduct pursuant to the Maine Medical Use of Marijuana Act, 22 M.R.S.A. §§ 2421-2430-B.

Section 3. Effective date; duration.

This ordinance shall take effect immediately upon enactment by the Town of Acton unless otherwise provided and shall remain in effect until it is amended or repealed.

Section 4. Enforcement; violations and penalties.

This ordinance shall be enforced by the municipal officers or their designee. Violation of this ordinance shall be subject to the enforcement and penalty provisions of 30-A M.R.S.A § 4452.

July 17, 2018 Adopted by the Town of Acton Voters

248 Ballots Cast

169 YES

79 NO

0 BLANKS

Jennifer Roux - Town Clerk