



OFFICE OF THE CITY MANAGER

CITY OF BANGOR

CATHERINE M. CONLOW
CITY MANAGER
ER #7

EMERGENCY REGULATION: DEADLINES RELATED TO RETAIL MARIJUANA LICENSING

WHEREAS, the City issued a Proclamation Declaring State of Emergency on March 16, 2020, since renewed by the City Council, in response to the COVID-19 outbreak;

WHEREAS, at that time, in accordance with guidance from the President of the United States and the Center for Disease Control, the City urged the public to practice social distancing and not attend events where ten or more people will be gathered;

WHEREAS, said outbreak continues to emerge and spread rapidly, so that the number of cases of COVID-19 since the City's Proclamation was issued has risen from eight confirmed cases and nine presumptive positive cases to 560 confirmed cases;

WHEREAS, health officials have now confirmed thirty-one cases of COVID-19 in Penobscot County;

WHEREAS, sixteen people in the State of Maine have died of COVID-19 complications;

WHEREAS, the State of Maine allows for "adult-use" marijuana sales but requires such adult use marijuana shops to receive authorization from their municipality or other local authority;

WHEREAS, under the statutes of the State of Maine and, specifically, Title 28-B, Section 402(5) of those statutes the municipality would have a minimum of 90 days and a maximum of 180 days to process a request for local authorization,

WHEREAS, the City of Bangor allows for "retail marijuana" within its borders but subject to a series of limitations,

WHEREAS, "adult-use" marijuana establishments under State law are called "retail marijuana" establishments under the City Code,

WHEREAS, the Code of Ordinances of the City of Bangor would only allow for thirty days for the City Council to review an adult-use or recreational marijuana license application,

WHEREAS, the availability of public resources, including the available time of the City Council and City Staff members, are limited, and

WHEREAS, the health, safety, and welfare of the citizens of Bangor are best served by the use, to the maximum extent necessary, of public resources, including the available time of the City Council and City Staff, on matters related to the COVID-19 pandemic,

I, Catherine M. Conlow, City Manager of the City of Bangor, pursuant to the City's Proclamation Declaring State of Emergency of March 16, 2020 and Section 28-79 of the Bangor City Code, regulate as follows, effective as of March 17, 2020, 2020 at 12:01 A.M.:

1. Time frame for processing retail marijuana applications: Notwithstanding Bangor Code of Ordinance Section 177-8(D)(2) the City Council may consider a retail marijuana establishment application up to 90 days after the complete application is received by the City Clerk, except that if City Staff or the City Council cannot either ready the application for review or review it within 90 days, the City Council may consider the application up to 180 days after the complete application is received. For the extension of time to 180 days to be effective, the City Clerk must notify the applicant in writing prior the expiration of the original 90-day time period for Council review.

2. Retroactivity: This regulation is expressly retroactive and applies to all retail marijuana applications received from March 17, 2020 at 12:01 A.M. until the termination of the State of Emergency declared by the March 16, 2020 Proclamation of the City Manager.

3. Duration: This Regulation shall remain in effect until the termination of the State of Emergency declared by the March 16, 2020 Proclamation of the City Manager. This Regulation applies to all applications received during the aforementioned State of Emergency.

Dated: 4-10-2020



Catherine M. Conlow
City Manager