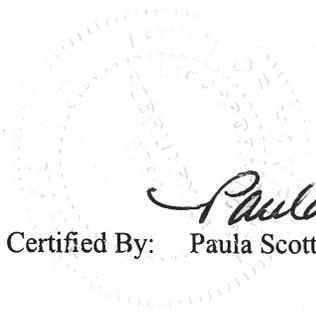


TOWN OF HAMPDEN MAINE
MARIJUANA ORDINANCE

ADOPTED: August 20, 2018

EFFECTIVE: September 19, 2018



Paula A Scott
Certified By: Paula Scott, Town Clerk

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Article 1 – Purpose and Authority

The purpose of this Ordinance is to provide for the health, safety, and general welfare of the citizens of the Town of Hampden through regulation of the number of marijuana plants that can be grown for personal adult use (non-medical) on a single property, as permitted under Title 28-B MRSA §1502. The Town of Hampden enacts this Ordinance pursuant to 30-A MRSA §3001, municipal home rule ordinance authority.

Article 2 – Home Cultivation for Personal Adult Use Marijuana. A maximum of nine mature marijuana plants may be grown on a single property (as defined in this ordinance), with the exception that in addition to this limit, a maximum of three mature marijuana plants plus 12 immature marijuana plants plus an unlimited number of marijuana seedlings may be grown by each person age 21 or older who is domiciled on the property.

Article 3 – Enforcement

- 3.1 It is the duty of the Code Enforcement Officer to enforce the provisions of this ordinance pursuant to 30-A MRSA §4452.
- 3.2 It is unlawful for any person to violate any provision of this ordinance.
- 3.3 The penalties contained in 30-A MRSA §4452 will apply to any violation of this ordinance.

Article 4 – Severability.

If any section or provision of this ordinance is declared by the courts to be invalid, such decision will not invalidate any other section or provision of this ordinance.

Article 5 – Definitions

- 5.1 Construction Language. In this Ordinance, certain terms or words shall be interpreted as follows: The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual; the present tense includes the future tense, the singular number includes the plural, and the plural includes the singular.
- 5.2 As used in this ordinance, unless the context indicates otherwise, the following terms have the following meanings. Terms not specifically listed here which are listed in MRSA Title 28-B have the meanings provided in those laws. Terms not defined shall have the customary dictionary meaning in the Merriam-Webster print or online dictionary.

Domicile: A person's fixed, permanent, and principal home.

Property: A parcel or tract of land including all contiguous land in the same ownership, except that lands located on opposite sides of a public or private road are considered each a separate tract or parcel of land unless the road was established by the owner of land on both sides of the road after September 22, 1971.