

**Maine Adult Use Local Authorization Renewal Form**

This Local Authorization Renewal Form must be completed by the host municipality, county commissioners or the Maine Land Use Planning Commission. The authorized local official responsible for completing this Form must return it to the Office of Cannabis Policy at Licensing.OCP@maine.gov or 162 State House Station, Augusta, Maine 04333.

**If the authorized local official in receipt of this Form has not recently met with the Office of Cannabis Policy to discuss the local authorization process and OCP’s expectations for completion of this Form, please contact the Director of Licensing, at** **Licensing.OCP@maine.gov** **or (207) 624-7530, prior to filling it out.**

|  |
| --- |
| **Section 1: License Information.** Information to be completed by the licensee. |
| **Section 1(a): Required information for all licensees.**  |
| Business Legal Name       | Business DBA      | License Number      |
| License Type      |
| Mailing Address      | Facility Phone      |
| Primary Contact Person      |
| Primary Contact Email      |
| Has the licensee made any changes to ownership or plans of record filed with OCP since the time of the licensee’s last received local authorization? [ ]  Yes [ ]  NoIf “yes”, has the licensee provided the all applicable information regarding those changes to the municipality, town, plantation, county commission and/or Maine Land Use Planning Commission? [ ]  Yes [ ]  No |
| **Section 1(b): Additional required information for cultivation facility licensees.** All cultivation facility licensees must indicate below whether or not the licensee is requesting an increase in cultivation tier (for existing Tier 1, 2, 3 licensees) or an increase in plant canopy area (Tier 4 licensees, once every 2 years up to an additional 7,000 square feet).  |
| 1. Is the cultivation facility licensee requesting an increase in Tier upon renewal? [ ]  Yes [ ]  No | If “yes”, which Tier is the licensee requesting upon renewal? [ ]  Tier 2 (up to 2,000 sq. ft. of mature plant canopy) [ ]  Tier 3 (up to 7,000 sq. ft. of mature plant canopy)[ ]  Tier 4 (up to 20,000 sq. ft. of mature plant canopy)  |
| 2. Is the cultivation facility licensee a Tier 4 licensee that is requesting an increase in the square footage of canopy the licensee is permitted to cultivate? [ ]  Yes [ ]  No |
| 3. What is the total square footage of the plant canopy the cultivation facility licensee intends to cultivate upon renewal of the licensee’s cultivation facility license?Total square footage:       |
| **Section 2: Cannabis Establishment and Local Authorization Information.** This section to be completed by the Municipality, County Commissioners, or Maine Land Use Planning Commission in receipt of request for Local Authorization. |
| Physical Location of Establishment (include unit number)      | Municipality/Town/Plantation/Township      | County      | State      | ZIP      |
| Tax Map #      | Tax Lot #      |
| Owner of Record of the Physical Location Listed Above      |
| Date Local Authorization Form Presented to the Municipality, County Commissioners, or Maine Land Use Planning Commission      | Date Local Authorization Form Approved by Municipality, County Commissioners, or Maine Land Use Planning Commission      |
| If this is a Local Authorization from a *municipality*, complete Section 3.If this is a Local Authorization from a *town, plantation or township in the unorganized and deorganized areas* through the county commissioners or the Maine Land Use Planning Commission, complete Section 4.  |
| **Section 3: Local Authorization of Cannabis Establishments within Municipalities.** This section to be completed by the Municipality in receipt of request for renewal of Local Authorization. |
| **Section 3(a): Request for renewal of local authorization to operate Cannabis establishment in municipality prohibited unless authorized by municipal ordinance or warrant article.** A person operating a Cannabis establishment within a municipality may not request renewal of local authorization to operate the Cannabis establishment, and a municipality may not accept as complete the person's request for renewal of local authorization, unless the municipality continues to permit, by ordinance or warrant article, the operation of the type of Cannabis establishment listed in the “License Type” box in Section 1 of this form.  |
| 1. Is an ordinance or warrant article in effect that allows some or all types of Cannabis establishments within the municipality, including the type of Cannabis establishment the person is currently operating within the municipality as indicated in the “License Type” box of Section 1 of this form?

[ ] Yes [ ]  No |
| 1. Has the ordinance or warrant article authorizing the operation of some or all types of Cannabis establishments been amended or otherwise revised since the Cannabis establishment listed in Section 1 last requested local authorization from the municipality? *If “yes”, please attach a copy of the updated ordinance or warrant article to this form.*

[ ]  Yes [ ]  No |
| **Section 3(b): Minimum authorization criteria.** A municipality may not renew the authorization for the operation of a Cannabis establishment within the municipality unless the following questions are answered in the affirmative. |
| 1. Is the existing Cannabis establishment located equal to or greater than 1,000 feet of the property line of a preexisting public or private school? If the municipality by ordinance or other regulation prohibits the location of Cannabis establishments at distances less than 1,000 feet but not less than 500 feet from the property line of a preexisting public or private school, that lesser distance applies.

[ ]  Yes [ ]  NoIf applicable, municipality has ordinance or other regulation requiring distance of: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Does the person requesting renewal of local authorization to operate the Cannabis establishment continue to demonstrate possession or entitlement to possession of the licensed premises of the Cannabis establishment? [ ]  Yes [ ]  No |
| **Section 3(c): Local authorization required for continued operation of Cannabis establishment within municipality.** A person may not continue to operate a Cannabis establishment within a municipality unless the following question is answered in the affirmative.  |
| 1. Has the person obtained all applicable municipal approvals, permits, or licenses that are required by the municipality for the continued operation of this type of adult use Cannabis establishment? By selecting “yes” below, the municipality is affirming that no further action by the municipality is required prior to the Office of Cannabis Policy’s renewal of the active license. The Office of Cannabis Policy encourages the municipality to coordinate the issuance date of a local license with the Office when appropriate. *Please attach a copy of all applicable approvals, permits or licenses, including dates of issuance and expiration to this form.*

[ ]  Yes [ ]  No |
| **Section 4: Local Authorization of Cannabis Establishments within Towns, Plantations and Townships in the Unorganized and Deorganized Areas.** This section to be completed by the Maine Land Use Planning Commission, or if outside MLUPC’s administration, by the appropriate county commissioners in receipt of request for renewal of Local Authorization. |
| **Section 4(a):** **Request for renewal of local authorization to operate Cannabis establishment in town, plantation or township in unorganized and deorganized areas prohibited unless generally allowed by town or plantation or by county commissioners on behalf of township.** A person operating a Cannabis establishment within a town, plantation or township located within the unorganized and deorganized areas may not request renewal of local authorization to operate the Cannabis establishment, and the Maine Land Use Planning Commission, county commissioners, or legislative body may not accept as complete the person’s request for renewal of local authorization unless the Maine Land Use Planning Commission, county commissioners or legislative body have authorized the operation of the type of Cannabis establishment listed in the “License Type” box in Section 1 of this form.  |
| 1. Is a regulation in effect that allows some or all types of Cannabis establishments within the town, plantation or township, including the type of Cannabis establishment the person is current operating within the town, plantation or township as indicated in the “License Type” box of Section of this form?

[ ]  Yes [ ]  No [ ]  Not applicable |
| 1. Has the regulation authorizing the operation of some or all types of Cannabis establishments been amended or otherwise revised since the Cannabis establishment listed in Section 1 last requested local authorization? *If “yes”, please attach a copy of the updated regulation to this form.*

[ ]  Yes [ ]  No |
| **Section 4(b): Minimum authorization criteria.** The County Commissioners and Maine Land Use Planning Commission may not certify to the Department renewal of local authorization of a Cannabis establishment within a town, plantation or township located within the unorganized and deorganized areas unless the following questions are answered in the affirmative. |
| 1. Is the existing Cannabis establishment located equal to or more than 1,000 feet of the property line of a preexisting public or private school? If the County Commissioners or Maine Land Use Planning Commission prohibit the location of Cannabis establishments at distances less than 1,000 feet but not less than 500 feet from the property line of a preexisting public or private school, that lesser distance applies.

[ ]  Yes [ ]  NoIf less than 1,000 feet, County Commissioners or Maine Land Use Planning Commission requires distance of: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 1. Does the person requesting renewal of local authorization to operate the Cannabis establishment continue to demonstrate possession or entitlement to possession of the licensed premises of the Cannabis establishment pursuant to a [ ]  lease, [ ]  rental agreement or [ ]  other arrangement for possession of the premises (specify:     ) or [ ]  by virtue of ownership of the premises?

[ ]  Yes [ ]  No |
| **Section 4(c): Local authorization required for continued operation of Cannabis establishment in town, plantation, or township in unorganized and deorganized areas.** A person may not continue to operate a Cannabis establishment within a town, plantation or township located within the unorganized and deorganized areas unless the following questions are answered in the affirmative. |
| 1. Has the town, plantation or, in the case of a township, the county commissioners of the county in which the township is located, certified to the Maine Land Use Planning Commission that the person has obtained all applicable local approvals, permits or licenses **not** relating to land use planning and development? *Please attach a copy of all applicable approvals, permits or licenses, including dates of issuance and expiration to this form.* [ ]  Yes [ ]  No [ ]  Not applicable
 |
| 1. Has the person obtained all applicable Maine Land Use Planning Commission approvals, permits, or licenses that are required for the operation of this type of adult use Cannabis establishment? By selecting “yes” below, the Maine Land Use Planning Commission is affirming that all Maine Land Use Planning Commission approvals, permits, or licenses have been approved, granted, or issued and no further action by the Maine Land Use Planning Commission is required prior to the Office of Cannabis Policy’s renewal of an active license. The Office of Cannabis Policy encourages the Maine Land Use Planning Commission to coordinate the issuance date of a local license with the Office, when appropriate. *Please attach a copy of all applicable approvals, permits or licenses, including dates of issuance and expiration to this form.* [ ]  Yes [ ]  No [ ]  Not applicable
 |
| **Statutory Guidance for Municipalities/County Commissioners/Maine Land Use Planning Commission** |
| Pursuant to 28-B M.R.S. §§ 402-403, failure to act on a person’s request for local authorization to operate a Cannabis establishment in a municipality, town, plantation, or township in an unorganized and deorganized area does not satisfy the local authorization requirement.Typically, a request for local authorization should be approved or denied within 90 days. For additional information regarding failure to act on a person's request for local authorization and result appeal rights, see 28-B M.R.S. §§402-403.Pursuant to 28-B M.R.S. §406, any changes in the status of local authorization require notification to the Office of Cannabis Policy within 14 days of the date on which the change occurs, including without limitation, withdrawing authorization or suspending or revoking a local license for the operation of a Cannabis establishment.**The completed Maine Adult Use Local Authorization Renewal Form can be emailed to the Office of Cannabis Policy at** **Licensing.OCP@maine.gov** **or sent to Office of Cannabis Policy, 162 State House Station, Augusta, ME 04333-0162.**  |
| **Municipal/County Commission/LUPC Representative** |
| Legal Name and Title of Representative      | City      | County      |
| I hereby affirm and acknowledge that the information above is truthful and complete to the best of my knowledge. |
| Signature of Representative(Do not sign until witnessed by notary):  | Date      |
| **Notarization** |
| The foregoing instrument was acknowledged before me this       day of      , 20     , at      , Maine, by       to be his/her free act and deed.  |
| Name of Notary Public (Printed)      | Signature of Notary Public |
| Notary Public, State of Maine      | **STAMP/SEAL** |
| My commission expires:      |