



TOWN OF TOPSHAM

Marijuana Business License Application

Clerk's Office, 100 Main Street Topsham, Maine 04086 Tel: 207-725-5821 www.topshammaine.com

- For renewal license-If no changes to the business or ownership indicate such as no change on each item, attach current licenses. Other materials are not required if nothing has changed, the attachments are included with original application.
- All required information and non- refundable fee must be submitted at the time of application.
- Please note that prior to approval, a Life Safety Inspection will be conducted by the Fire Department, while they do attempt to schedule appointments, on occasion due to staff availability a non- scheduled inspection may be necessary.
- A separate license must be obtained for each marijuana business located on the same premises. Each license shall be effective for a period of one year from the date of issuance. A license must be obtained prior to the opening of a marijuana business. Applications for renewal licenses shall be submitted at least 90 days prior to expiration of the existing term. Any licensee that fails to submit a renewal application by the applicable deadline shall not have authority to operate until a new license is granted and may lose priority in the issuance of license if the maximum number of licenses has been issued.

FEE	<input type="checkbox"/> \$250.00 Non Refundable <input type="checkbox"/> Total Fee due upon License Issuance \$ _____-\$250 = _____	Non-Refundable Paid: \$ _____ Date: _____ / Time _____ Application Received
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New License License Renewal

Select One: Caregiver Retail Store (\$3000) Manufacturing Facility (\$2000) Testing (\$1000)

Cultivation Facility Tier ____1 (\$1000) 2 (\$2000) 3 (\$4000) 4 (\$6000) Nursery (\$2000)

LICENSE APPLICATION: MARIJUANA BUSINESS									
BUSINESS INFORMATION									
BUSINESS LOCATION	Parcel ID	Map		Lot		Zoning District		Total Land Area	
	Physical Address								
BUSINESS INFORMATION	Business Name					Phone			
	Business Address (if different from property location)					EMAIL			
Square Footage to be occupied/ No. of Employees									
Hours of Operation									
Number of Registered Caregivers									

Business Type (Check All That Apply):

- Sole Proprietorship
- Corporation (Including LLC)
- Partnership
- S Corporation
- Trust
- Non-Profit Organization

If business type is anything other than a sole proprietorship, attach the following:

- Attachment A – Articles of Incorporation

List below all officers, directors, and shareholders including their home addresses. If the business is a partnership, list the names and home addresses each of the partners. If necessary, provide additional information on a separate sheet.

Name	Home Address, City, State, and Zip Code	DOB	Position

APPLICANT INFORMATION: Highest level official or employee of business/ cooperative such as Board President, Chief executive officer, Executive Director, or comparable position.

Applicant Name			Date of Birth		
Applicant Address					
Applicant EMAIL Address				PHONE	
City		State		Zip	

Attachment B - Provide state or federally issued photo identification

OPERATOR INFORMATION: If different than the applicant, list the individual(s) responsible for day to day operations.

Operator Name			Date of Birth		
Operator Address					
Operator EMAIL Address				PHONE	
City		State		Zip	

Operator Name			Date of Birth		
Operator Address					
Operator EMAIL Address				PHONE	
City		State		Zip	

Attachment C - Provide copy of state or federally issued photo identification

LICENSE INFORMATION

Has the applicant and/or operator been denied an application for medical marijuana retail store, dispensary, marijuana product manufacturing, marijuana cultivation facility or other related business from any jurisdiction?

Yes

No

If yes, state when, where and why: _____

Has the applicant had medical marijuana retail store, dispensary, marijuana product manufacturing, marijuana cultivation facility or other related business license suspended or revoked by any jurisdiction?

Yes

No

If yes, state when, where and why: _____

If yes to either question, what was the next business activity or occupation of the applicant subsequent to such action of suspension or revocation?

Has the applicant or operator ever been convicted of a felony or controlled substances violation(s) in a federal, state, or other court?

Yes

No

If yes, please provide the following: (If necessary, provide additional information on a separate sheet.)
 ***Town Clerk shall order a background check for each individual per Town Code

Name and Location of Court	Conviction Charge	Sentence	Date of Sentencing	Last date of incarceration/parole/probation

PROPERTY OWNER INFORMATION

Owner Name

Home Address

Phone

City

State

Zip

Does the applicant have legal possession of the premises from the date that this license will be issued by virtue of ownership, lease, or other arrangement?

- Ownership
- Lease
- Other: (Explain in detail)

Attachment D – Provide proof of ownership or copy of lease

Attachment E – If premises are leased, attach written permission from the owner of the premises for the use specified in this application

FACILITY INFORMATION

Does the applicant have an alarm system in place?

- Yes
- No

If yes, name the alarm company, contact name and phone number: _____

Does the applicant propose to have retail sales of packaged food, beverages, or other merchandise on site?

- Yes
- No

If yes, what items will be sold? _____

Does the applicant have a retail sales or food service license?

- Yes
- No

License #: _____ If yes, when did the applicant obtain the license? _____

Application Information 150-11 (Please respond to whether each standard is met or not – Y/N)

1. If a State License is required for the proposed use, a copy of the Applicant’s State License Application and supporting documentation as filed with the State Licensing Authority, and any amendments thereto

Yes

No

2. Evidence of all State approvals or conditional approvals required to operate a Marijuana Business, including, but not limited to, a State License as defined by this Article, a State retail certificate, or a State health license.

Yes

No

3. If not included in the Applicant’s State License Application, attested copies of the articles of incorporation and bylaws if the Applicant is a corporation, operating agreement if the Applicant is a limited liability company, evidence of partnership if the Applicant is a partnership, or articles of association and bylaws if the Applicant is an association.

Yes

No

4. If not included in the Applicant’s State License Application, an affidavit that identifies all owners, officers, members, managers, or partners of the Applicant, their ownership interests, and their places of residence at the time of the application and for the immediately preceding three (3) years.

Yes

No

5. Evidence of a property interest in the premises in which the Marijuana Business will be located, along with the written consent of the owner of the premises for such use if the applicant is not the owner.

Yes

No

6. No Marijuana Business is permitted to utilize or provide a drive up service window

Yes

No

7. A description of the premises for which the Local License is sought, including a floor plan of the premises showing how the floor space is or will be used, parking for the premises, total floor area of the building(s), and the nature and location of any existing or proposed exterior lighting and signage (please attach a floor plan)

Yes

No

8. A copy of the Applicant's security plan and operations manual (please attach).

Yes

No

9. Evidence that operating requirements of section 150-14 are met (please fill out next section)

Yes

No

Operating Requirements (Please respond to whether each standard is met or not – Y/N)

1. All Licensed Premises shall be fixed, permanent locations. Licensees shall not be permitted to operate a Marijuana Business in temporary locations (such as mall kiosks, vending carts, or farm stands).

Yes

No

2. No more than one Registered Caregiver Retail Store shall be located on a single parcel of land

Yes

No

3. No Marijuana Business shall be located within 1,000 feet of the entrance of a pre-existing public or private school. For the purposes of this Ordinance, "school" includes a public school, private school, or public preschool program as defined in 20-A M.R.S. §1, or any other educational facility that serves children from prekindergarten to grade 12. Distance shall be measured in a straight line, without regard to intervening structures or objects, from the nearest entrance of the school to the nearest entrance of the Marijuana Business.

Yes

No

4. No Marijuana Business shall be located such that the nearest entrance to the facility is any closer than 1,000 feet, measured in a straight line, without regard to intervening structures or objects, to the nearest entrance of another Marijuana Business or Registered Caregiver Retail Store located on a separate parcel of land.

Yes

No

5. No Marijuana Business shall be located inside a building containing residential units, including transient housing such as lodging, group homes, hotels, motels, and boardinghouses.

Yes

No

6. No Registered Caregiver Retail Store shall be located within 200 feet of any residence, a building containing residents, or residential use. Distance shall be measured in a straight line, without regard to intervening structures or objects, from the nearest entrance of the residential building or use to the nearest entrance of the Registered Caregiver Retail Store

Yes

No

7. No Marijuana Business is permitted to utilize or provide a drive up service window

Yes

No

8. Hours of operation shall be established by the licensing authority, but in no event shall a Marijuana Business be open to the public, and no sale or other distribution of marijuana shall occur upon the premise or via delivery from the premises, between the hours of 8:00pm and 8:00am

Yes

No

9. No registered caregiver retail store shall have a gross floor area, open to the public, in excess of 1,500 square feet.

Yes

No

10. No outside storage is permitted

Yes

No

11. Outdoor Cultivation of marijuana is prohibited.

- Yes
- No

12. Only one on-site sign per Marijuana Business is allowed.

- Yes
- No

13. A ventilation plan shall be included for Marijuana Cultivation Facilities, Marijuana Manufacturing facilities, and Marijuana Testing Facilities that provides for adequate ventilation so as to prevent pesticides, insecticides or other chemicals used in the cultivation or processing of marijuana or marijuana related products from being dispersed or released outside the premises. The plan shall further provide for resulting smoke, vapor, fumes, gases and particulate matter from marijuana or its processing or cultivation to be effectively confined to the premises

- Yes
- No

14. Marijuana Businesses shall provide odor control measures so that odor generated on site is mitigated at the property line of the lot containing the Marijuana Business. Applications must demonstrate appropriate measures, such as carbon filtration, ventilation and exhaust systems, facility plans or other additional practices adequate to mitigate odors for the scale of operations for the uses proposed.

- Yes
- No

15. Only one on-site sign per Marijuana Business is allowed.

- Yes
- No

16. Maximum size for all signage shall be 75 square feet, or as permitted by Chapter 225-33, whichever is less

- Yes
- No

17. Any signage is limited to displaying the following information: name of business; logogram of business; and business' address, hours of operation and contact information. Other than the forgoing information, no advertising for Marijuana or Marijuana Products shall be displayed on any sign in a publicly visible location.

Yes

No

18. Portable signs or sandwich board signs located in the public right of way are prohibited.

Yes

No

19. Marijuana plants, products, and paraphernalia shall not be visible from outside the building in which the Marijuana Business is located.

Yes

No

The original signed copy of this form must be accompanied by the required application fees and other necessary submissions.

The undersigned hereby makes application to the Town of Topsham for approval of the proposed Marijuana Business License and declares all attached and embedded information to be true and accurate to the best of his/her knowledge.

SIGNATURE: APPLICANT OR APPLICANT'S AGENT

PRINT NAME

DATE

Licensing procedures.

(1) Applications shall be reviewed in the order they are received and determined to be complete. After a completed application packet and fee is received by the Town Clerk, the Clerk will review the information and will contact the applicant if clarifications or updates to the submitted application materials are needed. The Clerk will notify the applicant whether they have met the standards necessary to be invited to be reviewed by the Topsham Select Board.

(2) The initial application for a license shall be processed by the Town Clerk but shall be reviewed by the Topsham Select Board. Applications shall be made on a form prepared by the Town and must include all information required by Sec. 150-11 of this Article and by the form.

(3) In the event that the Town Clerk determines that a submitted application is not complete, the Town Clerk shall notify the Applicant within ten (10) business days that the application is not complete and shall inform the Applicant of the additional information required to process the application.

(4) The Town Clerk shall order background checks of each applicant and renewal applicant. If the applicant is a business entity, every officer, director, manager and general partner of the business entity is required to submit to a criminal history record check. Failure to submit required releases for a background check is grounds for denial of a license. The cost of the background check shall be borne by the applicant above and beyond the application fee.

(5) Public hearing. A public hearing on an application for a license shall be scheduled after receipt of a completed application pursuant to Sec. 150-11. The Town Clerk shall post and publish public notice of the hearing not less than seven (7) days prior to the hearing.

(6) A renewal application shall be subject to the same review standards as applied to the initial issuance of the license. As part of the renewal process, the Town Clerk shall conduct a full staff review to determine if any changes in operation or compliance from previous years have occurred or are proposed, and based upon that review, may refer action on a renewal application to the Town Select Board for a public hearing and action.

(7) Applications received after the maximum number of licenses has been issued shall be placed on a waiting list at the request of the applicant. Following termination of an existing license, the Select Board shall consider applications in order from the waitlist.

Updated 2/23