

Ordinance Introduced by Deputy Mayor Smith
on August 25, 2026

**Ordinance No. 8, 2026 Series
City of Caribou
County of Aroostook
State of Maine**

**AN ORDINANCE TO AMEND CHAPTER 13, THE LAND USE ORDINANCES OF THE
CITY OF CARIBOU, SECTION 13-700, GENERAL REQUIREMENTS FOR LAND
USES, SUBSECTION 13.700.39 REGISTERED MEDICAL CANNABIS DISPENSARIES**

Short Title: Amend Chapter 13 Section 13-700.39, General Requirements for Land Uses, Registered Medical Cannabis Dispensaries

WHEREAS the City of Caribou is a Local Unit of Government under the State of Maine and is granted home rule authority under Maine Revised Statutes, Title 30-A, §3001; and

WHEREAS the City of Caribou has adopted Section 13-700.39, General Requirements for Land Uses, Registered Medical Cannabis Dispensaries; and

WHEREAS the Caribou Planning Board was established to administer the Zoning Ordinance, Chapter 13 of City Code; and

WHEREAS the Caribou Planning Board determined that amendments to were made where necessary to Section 13-700.39, General Requirements for Land Uses, Registered Medical Cannabis Dispensaries; and

WHEREAS the Caribou Planning Board conducted a public meeting and hearing August 20, 2026, to receive comments on proposed changes to Chapter 13, Section 13-700.39, General Requirements for Land Uses, Registered Medical Cannabis Dispensaries, which hearing was preceded by the notification to the general public in accordance with City notification procedures; and

WHEREAS the Caribou Planning Board has forwarded a positive recommendation to the City Council for the proposed Chapter 13 Section 13-700.39, General Requirements for Land Uses, Registered Medical Cannabis Dispensaries; and

WHEREAS the Caribou City Council and staff had a first read of the proposed ordinance changes at the August 25, 2026, City Council meeting; and

NOW THEREFORE, the City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11, does ordain the following:

Section I. Chapter 13 Revision to Section 13-700.39, General Requirements for Land Uses, Registered Medical Cannabis Dispensaries

The Chapter 13, Section 13-700.39, General Requirements for Land Uses, Registered Medical Cannabis Dispensaries, is hereby amended as indicated in the attached "Exhibit A".

Section II. Severability

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section III. Posting and Effective Date

This ordinance, being introduced on August 25, 2026, and a public hearing being held on September 21, 2026, was duly passed by the City Council of the City of Caribou, Maine, this _____ day of _____ 2026. This ordinance shall become effective 30 days after adoption by the City Council.

Courtney Boma, Mayor

Jody Smith, Deputy Mayor

Dan Bagley, Councilor

Jennifer Kelley, Councilor

Tamara Lovewell, Councilor

Paul Watson, Councilor

Lori Knight Phair, Councilor

Attest:

Danielle Brissette, City Clerk

CHAPTER 13 Land Use Ordinances of the City of Caribou

Section 13-204, Land Use Table

Principal Land Use Activity	R-1	R-2	RC-2	R-3	C-1	C-2	I-1	I-2	H-1
Registered Medical Cannabis Dispensaries	NO	NO	PB	PB	NO	NO	NO	NO	NO
Caregiver Retail Store	NO	NO	NO	NO	NO	NO	NO	NO	NO
Adult Use Cannabis Operations	NO	NO	NO	NO	NO	NO	NO	NO	NO

Section 13-700.39, General Requirements for Land Uses, Registered Medical Cannabis Dispensaries

Section 1. Authority. This Ordinance is adopted under authority granted by M.R.S. Title 22, Chapter 558-C, Maine Medical Use of Cannabis Act, § 2429-D.

Section 2: Purpose. The purpose of this Ordinance is to provide for and regulate the operation of Registered Medical Cannabis Dispensaries within the City of Caribou. This ordinance establishes clear guidelines for the operation of two (2) Registered Medical Cannabis Dispensaries in the City of Caribou, in accordance with M.R.S. Title 22, Chapter 558-C Maine Medical Use of Cannabis Act.

Section 3: No Caregiver Retail Stores Permitted. No business or individual shall operate or seek to establish a “Caregiver Retail Store” in the City of Caribou, as defined by M.R.S. Title 22 Ch. 558-C § 2421-A (12). However, this ordinance does not prohibit or limit the operation of “Caregivers,” as defined in M.R.S. Title 22, Ch. 558-C, § 2421-A (11).

Section 4: No Adult Use Stores Permitted. No business or individual shall operate or seek to establish an “Adult Use Retail Store” under M.R.S. Title 28-B, Chapter 1 Cannabis Legalization Act.

Section 5. Registered Medical Cannabis Dispensary. A Registered Medical Cannabis Dispensary, as defined in M.R.S. Title 22, Ch. 558-C, § 2421-A (41), may operate in the City of Caribou, subject to the requirements and restrictions of this Ordinance.

Section 6. Definitions.

Registered Medical Cannabis Dispensary: Consistent with M.R.S. Title 22, Ch. 558-C §2421-A(41), an entity registered in accordance with this chapter that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses cannabis paraphernalia, cannabis plants, harvested cannabis, related supplies or educational materials to qualifying patients and the caregivers of those patients.

Medical use: Consistent with M.R.S. Title 22, Ch. 558-C §2421-A (31), the acquisition, possession, cultivation, manufacture, use, delivery, transfer or transportation of cannabis or cannabis paraphernalia relating to the administration of cannabis to treat or alleviate a qualifying patient's medical diagnosis or symptoms for which a medical provider has provided the qualifying patient a written certification under this chapter.

Section 7. Standards for Registered Medical Cannabis Dispensaries.

1. **Permit Required.** The establishment of a Registered Medical Cannabis Dispensary shall require review by the Caribou Planning Board as per Section 13-300 "Site Design Review" of the Caribou Code. Section 13-302 (B) shall require a mandatory public hearing and abutter notification within 500 feet as part of the Site Design Review. Siting requirements shall also apply to any and all ancillary structures, mobile units, or any future types of dispensary mechanisms as yet contemplated within this ordinance. Upon Following Site Design Review and after approval and direction of the City Council, the City Clerk is authorized to issue two
(2) City of Caribou Registered Medical Cannabis Dispensary Permits. Applicants for a Registered Medical Cannabis Dispensary permit must complete an initial permit application and annual renewal applications, submitted on the appropriate form provided by the City, in accordance with City of Caribou Code, Chapter 7, Article XI.

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2. **Zoning.**

- a) Registered Medical Cannabis Dispensaries are allowed in Zones R3 and RC2 only.
- b) Registered Medical Cannabis Dispensaries may not be located:
 - ~~i) Within 32100 feet of an existing residential dwelling. This standard shall not apply to residential dwellings inside an owner occupied mixed-use building where the owner occupying the residential dwelling sells or leases commercial space for the use of Registered Medical Cannabis Dispensaries pursuant to this Chapter and all other City of Caribou and State of Maine requirements.~~
 - ~~ii) Within 300 feet of an adjoining Zone boundary line~~
 - iii) Within a Drug Free Safe Zone, or within 500 feet of a pre-existing Private School, Day Care Facility, or House of Public Worship.

3. **Security.** Registered Medical Cannabis Dispensaries must comply with the security requirements outlined in the Maine Medical Use of Cannabis Program Rule, 18-691 C.M.R., Ch. 2, § 3 (B) and any revisions, amendments, or updates thereto.

Section 8. Inspections and Compliance.

1. **Local Inspections.** All Registered Medical Cannabis Dispensaries must remain in compliance with applicable building, safety, fire, and health codes and shall be subject to inspection by the Code Enforcement Officer, Fire Department, Police Department, and any other designated municipal authority, as may be required.

2. **State Compliance.** All Registered Medical Cannabis Dispensaries must comply with the Maine Medical Use of Cannabis Act and must remain in good standing with the Maine Office of Cannabis Policy. On an annual basis, permitted Registered Medical Cannabis Dispensaries shall provide the Caribou Code Enforcement Officer proof of an active license issued by the Maine Office of Cannabis Policy.

Section 9. Enforcement. Any violation of this ordinance may result in enforcement actions, including fines, suspension or revocation of permit, and imposition of special conditions or constraints regarding operations, in accordance with applicable municipal procedures.

Section 10. Effective Date. This ordinance shall take effect 30 days after enactment by the Caribou City Council, and shall remain in effect until it is amended or repealed.

Section 11. Fees. A Registered Medical Cannabis Dispensary shall be subject to annual permitting fees, initial or renewal site inspection fees, and any additional compliance inspections fees that may be required, as outlined in City of Caribou Code, Chapter 7 § 1102(7).

Section 12. Penalty Any person violating the provisions of this ordinance may be liable for the penalties set forth in City of Caribou Code, Chapter 7 §1105.

CHAPTER 13
Land Use Ordinances of the City of Caribou

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