



City of Caribou, Maine

Municipal Building
25 High Street
Caribou, ME 04736
Telephone (207) 493-3324
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AGENDA **Caribou Planning Board** **Regular Meeting** **Thursday, August 20, 2026, at 6:00 p.m.** **Caribou Public Library – 30 High Street** **Caribou, ME 04736**

Public Comments submitted prior to the meeting no later than 4:00 pm on Thursday, August 20, 2026, will be read during the meeting. Send comments to Economic & Community Development Specialist, Eric Sanderson at esanderson@cariboumaine.org.

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MINUTES Caribou Planning Board Regular Meeting Thursday, July 30, 2026, at 6:00 p.m.

Members in Attendance: Frank McElwain (Chair), Rick Williams, Dave Corriveau, Eric Hitchcock, Steve Wentworth

Liaisons in Attendance: Dan Bagley (City Council)

Staff in Attendance: Penny Thompson (City Manager), Tim St. Peter (Code Enforcement Officer), Eric Sanderson (Economic & Community Development Specialist).

I. Call Meeting to Order, Determine Quorum, disclosure of conflicts of interest

The meeting was called to order at 6:03PM by Chair, Frank McElwain.

II. Acceptance of Minutes

a. June 11, 2026 Caribou Planning Board

Motion to approve the minutes by Dave Corriveau, seconded by Rick Williams. Motion passes unanimously 5-0-0.

III. Public Hearings

- a. Updates to Chapter 7 Licenses & Permits and Chapter 13 Zoning Ordinance
Regarding standards for Registered Medical Cannabis Dispensaries
- i. Staff Memo on Updates to Ch. 7 & Ch. 13
 - ii. Proposed redline updates to Ch. 7 & Ch. 13

The public hearing was opened at 6:06PM. Kayla Bosse, of Safe Alternatives, provided public comment, requesting the Board make additional considerations for buffer distance locally, where 300 feet is currently required by Caribou Ordinances from schools, churches, and residents. There is a location that can be considered that is 211 feet from other residences, and changing that would help support relocation of the business to a limited pool of options. Dan Bagley commented that the 300 feet is not a big distance and was used to protect the neighborhoods and residents, so he cautioned the Board in considering this. Steve Wentworth added that ordinances from other Maine communities were looked at, including Brewer as he could recollect. Frank McElwain voiced concerns over making this change without further public hearings, with Dan Bagley noting abutters getting noticed during a previous process that also had Zoning Map implications. Dan also requested a land-owner notification be included for Registered Medical Cannabis Dispensaries. Tim St. Peter noted after the hearing closes the Board can deliberate. Ms. Bosse requested consideration as the business has always paid its taxes, passed audits, and done everything it can to be above board and meet all required standards. Chair, Frank McElwain closed the Public Hearing at 6:33PM.

After existing the Public hearing, Eric Hitchcock and Frank McElwain noted the Board should have another Public Hearing. Dave Corriveau suggested scheduling a hearing with public notification in the paper and neighbors being notified. Steve Wentworth noted that any changes could include Planning Board level modifications with a recommendation(s) to the City Council. Penny Thompson provided clarification that the Planning Board provides a recommendation, then staff puts it in the form of an Ordinance to be considered for introduction at the City Council level. If the City Council chooses to introduce it, a Public Hearing would still be required at the City Council level. She noted we would need to go back on the record of when the previous iteration of the ordinance was approved. Dan stated to be safe, it should come to the City Council for “re-introduction”. Frank McElwain noted he’d like to see the City propose a change, have a Public Hearing on that change, and notify the public. Eric Hitchcock made a motion to schedule a Public Hearing to consider abutter notification and reducing the setback from 300 feet to 200 feet for the next Planning Board meeting. Seconded by Dave Corriveau. Motion passes unanimously 5-0-0.

IV. New Business

- a. Updates to Chapter 13 Zoning Ordinance Regarding Standards for Mixed Use & Residential Zoning
 - i. Staff Memo on Updates to Chapter 13 & Attachments

Dan Bagley noted that the Board took on an initiative in 2021-2022 in conjunction with the Comprehensive Plan update, including the establishment of new Riverfront Zones along the Aroostook Riverfront. Dan noted the Planning Board sent the changes to the Riverfront Redevelopment Committee and Eric will look at where those changes went and may have possibly been forwarded back to the Board. He stated that it streamlines more uses to be permissible by the CEO, reducing the uses that need to come to the Planning Board by 50% or 60%. Tim noted there is another request on Main Street to put apartments on the bottom floor in a C-2 zone. He added that there are homes all around the area by Lyndon Street, so it is very much a traditional area. Councilor Bagley requested the Planning Board revisit this issue and schedule a Public Hearing. The Board agreed to schedule a workshop for an upcoming meeting to show the existing ordinance redlined to match what was proposed in 2022.

V. Old Business

- a. Property Maintenance and Summary of Changes to International Property Maintenance Code (IPMC)
 - i. Memo Regarding Updates to IPMC
 - ii. Redline of entire Code Section with Updates

Tim St. Peter gave an overview of the changes with respect to fees, enforcement, etc. These changes were made to reflect state standards aligning it with the state statute around land use violations. Steve Wentworth asked about the 10% fee, with Tim responding this is based on “cost of repairs” so the 10% administrative fee payable to the City is based on those repair. The next piece would be to schedule a Public Hearing at the next meeting. Dave Corriveau made a motion to hold a Public Hearing on August 20th on the changes proposed to the IPMC. Seconded by Steve Wentworth. Motion passes unanimously 5-0-0.

VI. City Council Liaison Report

Dan Bagley gave an update on pushback on the proposed changes to the Dog Ordinance related to limiting the number of dogs and some other standards, which may come back as another change.

Dave Corriveau spoke to one of the Code Enforcement Officers in Bangor on their Animal Control Ordinance. The updates are more visionary with keeping in mind issues that may arise in the future. These updates are all encompassing and comprehensive.

VII. Staff Report

a. Building Permit & Development Report – Tim St. Peter, Code Enforcement Officer

Dan Bagley asked if there is a way to tag projects that have an impact or increase in assessed value of a property. Tim responded that he believes it is, and this could be part of an application modification. Similarly,

b. Next Meeting – Thursday, August 20th at 6PM.

Rick Williams motioned to set the next regular meeting of the Planning Board for Thursday, August 20th and to include a Public Hearing on changes discussed related to Registered Medical Cannabis Dispensaries in Chapter 7 and Chapter 13. Seconded by Dave Corriveau. Motion passes unanimously.

VIII. Adjournment

Motion by Dave Corriveau to adjourn. Seconded by Eric Hitchcock. Motion passes unanimously 5-0-0. The meeting was adjourned at 7:33PM.



MEMO

TO: Caribou Planning Board

FROM: Eric Sanderson, Economic & Community Development Specialist

DATE: August 13, 2026

RE: Updates to Chapter 7, Licenses & Permits and Chapter 13 Zoning on Medical Cannabis

Introduction

On May 11th, 2026, the City Council adopted amendments to Chapters 7 & 13 to outline an application process for Registered Medical Cannabis Dispensaries in Caribou. After the City Council's adoption of the changes in May, further changes have been recommended by the City Attorney. The Planning Board held a Public Hearing on the changes, summarized below, during its July 30th, 2026 meeting. During the hearing, public comment was received related to reducing the distance required between a Registered Medical Cannabis Dispensary and residential dwellings. The current requirement is 300 feet, and the Board discussed reducing that to 200 from residential dwellings, and also noted it wanted to see additional language related to noticing for license applications received for Registered Medical Cannabis Dispensaries. A Public Hearing was then scheduled for tonight's meeting on August 20th to review the attorney recommended changes as well as the changes related to buffering and noticing discussed on July 30th.

Summary of Updates

In May, the City received guidance from its legal team that there were two discrepancies in what was passed by the City Council – the requirement for Site Design Review for Registered Medical Cannabis Dispensaries was in Chapter 7 Licenses & Permits, while it was inadvertently removed from Chapter 13 Land Use Ordinance. Second, the limit on the number of permits that could be issued in Caribou (2 permits) was in Chapter 7, but not Chapter 13. Based on this guidance, some other minor recommendations from the City's legal team, and the comment and discussion from the July 30th meeting related to buffering from residential uses and noticing, the attached redlines are being provided for the Board's review. Staff has summarized changes below:

Chapter 7 Licenses & Permits

1. Section 1102(8) was updated to read that notices shall be provided by the Clerk "to the general public and all abutters within 500 feet of the proposed permit location at the applicant's prepaid expense, stating the date, time and place of the public hearing".
2. Section 1102 Permit Required – per legal's advice, staff have added in the limit of 2 permits to match what the City Council passed in Chapter 13 Land Use Ordinance. Section 1102(1) now reads "In accordance with the permit application process outlined in Section 1102(3) of this Article, 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 Dispensary Permits". This was added for the Planning Board's review, however, the City's attorney did advise that it could also be removed from both Ch. 7 & Ch. 13. Either way, the recommendation would be to have the limit in both chapters, or remove it from both chapters to be consistent.
3. Section 1102 Permit Required – The City Attorney added to 1102(2) "A valid state license is sufficient proof of compliance with all applicable State laws".
4. There are also several other grammatical changes (see Sec. 1102(9)(a), Sec. 1102(9)(e), Sec. 1102(9)(f), and Sec. 1102(11)).

Chapter 13 Land Use Ordinance

1. Chapter 13-700.39 General Requirements for Registered Medical Cannabis Dispensaries, Subsection 7(1) was updated to read that establishment of a Registered Medical Cannabis Dispensary shall require a mandatory public hearing “and abutter notification within 500 feet” as part of the Site Design Review”.
2. Chapter 13-700.39 General Requirements for Registered Medical Cannabis Dispensaries, Subsection 7(2)(b) was updated to reduce the buffer requirement from an existing residential dwelling from 300 feet to 200 feet. This section also includes a stipulation that 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 a Registered Medical Cannabis Dispensaries pursuant to this Chapter and all other City of Caribou and State of Maine Requirements”.
3. The Zoning Ordinance was changed to include language requiring Site Design Review approval by the Planning Board in Section 7(1) Permit required. This language was added by the City Attorney.
4. Additionally, the Land Use Table was recommended to be revised to remove the former “Caregiver Retail Store and Adult Use Cannabis Operations”. Legal counsel gave the reasoning that the City does not need to list a use that is noted as prohibited elsewhere, as that could suggest other prohibited uses that are not listed outside of the Land Use Table are in fact prohibited.

Conclusion

If the Planning Board is satisfied with the two permit limit being congruent in both Chapters and the Land Use Table revised to avoid redundancy, as well as the noticing and buffering requirements, staff recommends voting to send the ordinance changes to the City Council for consideration to be introduced at an upcoming City Council meeting.

Attachments

Updates to Chapter 7 Licenses & Permits and Chapter 13 Land Use Ordinance

Suggested Action

If upon the Public Hearing tonight, the Board is comfortable with the amendments, it should forward the amendments to the City Council for consideration to be introduced at an upcoming City Council meeting. If this is the case, the below motion should be made:

“Motion to provide amendments to Chapter 7 Licenses & Permits and Chapter 13 Land Use Ordinance relating to Registered Medical Cannabis Dispensaries to the City Council for consideration to be introduced at an upcoming City Council meeting.”

Second

Discussion

Chapter 7 Licenses and Permits

ARTICLE XI REGISTERED MEDICAL CANNABIS DISPENSARIES

Section 1101 Purpose

The purpose of this Article is to control the issuance of a permit to operate a Registered Medical Cannabis Dispensary within the City of Caribou, pursuant to Maine Revised Statutes, Title 22, Chapter 558-C – Maine Medical Use of Cannabis Act

Section 1102 Permit Required

1. *Operation of a Registered Medical Cannabis Dispensary:* In accordance with the permit application process outlined in Section 1102(3) of this Article, 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. No permit or renewal of a permit may be issued by the City of Caribou unless the facility is licensed by the Maine Office of Cannabis Policy. No facility shall conduct business within the limits of Caribou as a Registered Medical Cannabis Dispensary without first securing a permit from the City of Caribou.
2. *Compliance with all laws:* No permit shall be issued unless the applicant can prove full compliance with all applicable State laws and local ordinances pertaining to the type, operation, and location of the facility to be permitted. A valid state license is sufficient proof of compliance with all applicable State laws.
3. *Applications for permit:* Applications for a permit shall be made in writing to the City of Caribou through the Caribou City Clerk's Office and shall include:
 - a. The name of the business entity
 - b. Location and type of facility
 - c. Maine Office of Cannabis Policy license number(s)
 - d. Copy of completed Maine Office of Cannabis Policy Medical Use of Cannabis Program Dispensary Registration Application, and all materials and supporting documents, showing evidence of all State approvals or conditional approvals required to operate as a Registered Medical Cannabis Dispensary within the State of Maine
 - e. Copy of Caribou Planning Board Site Design Review approval, including application materials, plan sets, and findings of fact, pursuant to Chapter 13 (Sec 13-300)
 - f. Cop(ies) of the completed local inspection form(s), signed by the Code Enforcement Officer, Police Chief, and Fire Chief, and which clearly certify the facility is suitable for occupancy and operation as a Registered Medical Cannabis Dispensary
 - g. Non-refundable application fee of \$1,000.00. If the permit is approved, this sum will be applied to the first-year annual permit fee, as described in item 7. below
4. *Existing dispensaries:* Registered Medical Cannabis Dispensary in operation at the time of enactment of this ordinance will have sixty (60) days to submit a complete permit application to the City Clerk. Failure to submit a complete permit application within sixty (60) days of the enactment of this ordinance will result in termination of the existing permit.

5. *Application review:* Permit applications will be reviewed in the order they are received by the City Clerk. The City Clerk shall determine application completeness, before forwarding the application package to the Caribou Planning Board for initial Site Design Review.
6. *Local authorization required:* For approved applications, the Caribou City Clerk shall complete a Maine Medical Cannabis Program Dispensary Local Authorization Form and submit it to the Maine Office of Cannabis Policy.
7. *Fees:* A Registered Medical Cannabis Dispensary operating in the City of Caribou shall pay an annual permit fee of \$1,000.00. This fee shall be submitted to the Caribou City Clerk with any new application or at the time of renewal. The purpose of this fee is to help offset administrative and regulatory costs incurred by the municipality in overseeing compliance and permitting of Registered Medical Cannabis Dispensary operations. In addition to the annual permit fee, Registered Medical Cannabis Dispensaries shall be required to pay the following fees: A fee of \$500.00 for each initial or renewal site inspection conducted by the municipality. A fee of \$250.00 for any additional compliance inspections that are required outside the normal annual review cycle. Any proposed change to operations, including but not limited to structural expansion, site design modification, or change of ownership, shall require submission of a new application and payment of a \$1,000.00 non-refundable application fee to cover municipal review and administrative costs.
8. *Approval authority and public hearing:* The Caribou City Council is the approval authority for all new permit applications. After completion of the Planning Board Site Design Review, the City Council shall conduct a public hearing for new permit applications. For each renewal application, the City Manager is delegated as the approval authority, as described in item 11. below. The City Clerk shall provide notice of public hearings to the general public and all abutters within 500 feet of the proposed permit location at the applicant's prepaid expense, stating the date, time and place of the public hearing. Notices shall be posted no later than 7 days prior to the scheduled public hearing in a weekly newspaper having general circulation in the municipality and on the home page of the City of Caribou website.
9. *Factors in issuing permit:* In granting or denying an application, the City Council shall record its decision and indicate the reason(s) for denial, if applicable. A permit may be denied on one or more of the following grounds:
 - a. Findings of fact and recommendations by the Planning Board, based on the results of the Site Design Review;
 - b. Conviction of the applicant of any Class A, Class B, or Class C crime;
 - c. Noncompliance with any local zoning or land use ordinance;
 - d. Conditions of record, such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the permitted premises and caused by persons patronizing or employed by the permitted premises, or other such conditions caused by persons patronizing or employed by the permitted premises that unreasonably disturb, interfere with, or affect the ability of persons or businesses residing or located in the vicinity of the permitted premises to use their property in a reasonable manner;
 - e. Repeated incidents of record, such as breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the permitted premises and caused by persons patronizing or employed by the permitted premises; or

- f. Any violation of Federal, State, or local laws, regulations, or policies directly related to the operation of the Registered Medical Cannabis Dispensary.
10. *Term of permit:* A permit shall be valid for one (1) year from the date of first issuance and shall be subject to all requirements set forth in this Article for renewal.
11. *Renewal:* Approval authority for permit renewals is delegated to the Caribou City Manager. No later than 30 days prior to the Registered Medical Cannabis Dispensary's State license renewal date, the City of Caribou shall conduct an annual inspection of the Registered Medical Cannabis Dispensary. Inspections shall be conducted by the Code Enforcement Officer, Fire Chief and Police Chief to ensure that the Registered Medical Cannabis Dispensary remains in compliance with zoning, fire safety and security requirements. After satisfactory inspection, the City Manager may, without additional review or approval by the City Council and without conducting a public hearing, approve applications for permit renewals. The City Manager shall have discretion to refer a permit renewal application to the City Council for review and approval if the City Manager determines there is cause to question the past operation of the permitted Registered Medical Cannabis Dispensary and/or that the conduct of a public hearing would be in the best interests of the citizens of Caribou.
12. *Transferability of permits:* An entity holding a City of Caribou Registered Medical Cannabis Dispensary permit that seeks a change in ownership of greater than fifty-percent of available equity or shares, whichever the case may be, must:
- Notify the City Code Enforcement Office in writing.
 - Update all contact information on file with the City of Caribou as to the ownership of the business.
 - Provide proof that the Maine Office of Cannabis Policy has been notified of the change, if such notification is required by state law or applicable state rules.
 - Be subject to inspections by the City Code Enforcement Office, Fire Department, Police Department, and any other designated municipal authority, as may be required.
13. *Forfeiture of permit:* If a Registered Medical Cannabis Dispensary ceases operations for a period of 12 months, for any reason, the City will revoke the permit issued to the Registered Medical Cannabis Dispensary.
14. *Conditions:* The City Council shall be authorized to impose special conditions or constraints on a permit, in order to ensure compliance with the requirements of this article, address concerns about operations, and protect the public health, safety and welfare of the citizens of Caribou.

Section 1103 Suspension or Revocation of a Permit

The City Manager shall report to the City Council any findings that may warrant the suspension or revocation of a permit, and/or impact the decision to renew a permit pursuant to Section 1102(11). The City Council may, after providing required notice and conducting a public hearing, suspend or revoke any permit for the operation of a Registered Medical Cannabis Dispensary, on the grounds that continued operations could constitute a detriment to the public health, safety, or welfare of the citizens of Caribou, or would violate any State laws, local ordinances, policies or regulations.

Section 1104 Notice of Decision

The Caribou City Clerk shall notify the applicant in writing of the City Council's decision no later than fifteen (15) days after the date the decision was made. In the event that an applicant is denied a permit, the applicant shall be provided with the reasons for the denial in writing. The applicant may not reapply for a permit for a period of 30 days from the date an application has been denied.

Section 1105 Violations and Penalties

Whoever violates any of the provisions of this Article shall be punished by fines from \$100 up to \$2,500 per day, with lower fines assessed for first time violations and higher penalties assessed for subsequent and/or repeated violations. Fines will be assessed daily until the violation has been resolved to the satisfaction of the Code Enforcement Officer. Any violations not corrected within 15 days will be subject to higher daily fines and/or a decision by the Code Enforcement Office to issue a post against occupancy. After four notices of violation within a permit year, the permit will be referred to the City Council for possible permit suspension or revocation and/or the imposition of special conditions on the permit.

Section 1106 Separability

The invalidity of any provision of this Article shall not invalidate any other part.

Section 1107 Effective Date

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

Historical Note: Article XI was adopted on October 25, 2010.

ARTICLE XIII ADULT USE CANNABIS OPERATIONS

Section 1301: Purpose

The purpose of this article is to regulate adult use cannabis establishments as defined in this Article and by the State of Maine under the Adult Use Cannabis Act, MRSA Title 28-B, Subchapter 4.

Section 1302: Prohibition on adult use cannabis operations

Adult use cannabis operations are expressly prohibited in the City of Caribou.

Section 1303: Effective date; Duration

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

Section 1304: Violations and Penalties

This Article shall be enforced by the municipal officers or their designee(s). Violations of this Article shall be subject to the enforcement and penalty provisions of 30-A MRSA § 4452.

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.
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 ~~3200~~ 200 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)i)~~ ~~Within 300 feet of an adjoining Zone boundary line~~
 - ~~iii)ii)~~ 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.

MEMO

To: Caribou Planning Board
From: Tim St. Peter, Code Officer
Date: June 12, 2026
Re: Updates to the IPMC

Mr. Chair, Planning Board Members,

Presented here the changes to Chapter 4, Article 3 Property Maintenance Code. As part of the discussion and feedback from the Board on June 11th, the penalties were reworded to be consistent with state laws. While making those changes, I found it difficult and confusing to bring everything together while being concise as to the intent. I realized that it would be better to be placed directly in to the ordinance, vs being a section within the model code.

Wording matching the state law was added, and sections were renumbered. This wording directly references the state law and specifies the per day violation. The 10% fee for services to correct or abate was retained, but the minimum fee of \$50 was removed due to conflict with the state statute. Specific amounts were not added, as different amounts apply in different scenarios. Also added was language related to court cost if the City is the prevailing party.

ARTICLE III PROPERTY MAINTENANCE CODE

Sec. 4-301 Property Maintenance Code

The City of Caribou hereby adopts the 2024 edition of the International Property Maintenance Code, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the City of Caribou; providing for the issuance of permits and collection of fees therefor.

Sec. 4-302 Amendments

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(1) does ordain the following:

Section 1. The International Property Maintenance Code, 2015 edition, as adopted by the Caribou City Council in Ordinance 2017-2 is hereby repealed

Section 2. That the International Property Maintenance Code, 2024 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Caribou, in the State of Maine for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City Clerk City of Caribou are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this ordinance.

Section 3. The following sections are hereby revised:

Generally, to all section or any reference: Replace International Fire Code (IFC) with National Fire Protection Association (NFPA) 1 Fire Code.

Section 101.1. Insert: City of Caribou

~~Section 103.5. Insert: The minimum penalty for a specific violation is \$50 payable to the City. The fees for activities and services performed to correct or abate a violation shall be at a cost plus a 10% administrative fee payable to the City.~~

~~Section 112.4. Insert: \$25 and \$2,500~~

Section 302.4. Insert: 7 inches within the Urban Compact Zone

Section 304.14. Insert: May 1 and October 1

Section 602.2.

~~Section 602.3.~~

Section 602.4. ~~Strike : during the period of (date) to (date)~~~~Insert: October 1 and May 1~~

~~Section 4: Penalties: Except as otherwise provided by state statute, Any person, including but not limited to a landowner, the landowner's agent, or a contractor, who violates any provision of this Ordinance shall be liable for monetary civil penalties on a per-day basis for each day that the violation continues, in accordance with Title 30-A, Maine Revised Statutes, Section 4452, as amended.~~

~~The fees for activities and services performed to correct or abate a violation shall be at a cost plus a 10% administrative fee payable to the City.~~

~~If the City is the prevailing party in any legal or equitable action brought to enforce this Ordinance, the City shall be awarded reasonable attorney's fees, expert witness fees, and court costs in accordance with 30-A M.R.S. § 4452(3)(D).~~

Section ~~45~~. If another ordinance, or portion of ordinance, is found to conflict with the ordinances herewith that this ordinance shall supersede any other ordinance.

Section ~~56~~. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section ~~67~~. That nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Commented [TS1]: Section 103.5 has been removed. If this current language is still wanted, add to Section 107.3, inserting at the end of the paragraph or to Section 104.1.

Commented [TS2]: Moved to Section 108.4. No longer has amount listed in paragraph. See additional info.

Commented [TS3]: May consider removing dates. This currently would allow a landlord to not provide heat during cold weather in Sept. By removing Section 602.3 and 602.4, 602.2 would dictate that a landlord must maintain 65 degree as a minimum all year.