

Chapter 78
Cannabis – Medicinal and Recreation
In the Town of Millington

History: Adopted by Mayor and Council of the Town of Millington by Resolution
_____ on _____.

§ 78 – 01. Definitions

Cannabis – all parts of any plant of the genus cannabis, whether growing or not, including: (1) the seeds of the plant; (2) the resin extracted from any part of the plant; and (3) any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction.

Cannabis Business- A business licensed or registered by the *Maryland Cannabis Administration* to operate in the cannabis industry.

Cannabis Consumer- An individual at least 21 years of age who purchases cannabis or cannabis products for personal use

Cannabis Products – Products that are composed of cannabis, cannabis concentrate, cannabis extract, or other ingredients and are intended for use or consumption, including edible products, oils, and tinctures.

Cannabis Dispensary – An entity licensed under the *Maryland Cannabis Administration* that acquires, possesses, repackages, transports, sells, distributes, or dispenses cannabis or cannabis products, including tinctures, aerosols, oils, and ointments, related supplies, and education materials for the use by qualifying patients, caregivers, or consumers through a storefront or through a delivery service, based on license type. This definition includes medical marijuana dispensaries.

Cannabis Micro Dispensary – An entity licensed under the *Maryland Cannabis Administration* to operate a delivery service.

Cannabis Grower – An entity licensed under the *Maryland Cannabis Administration* that (1) cultivates or packages cannabis and (2) is authorized by the *Administration* to provide cannabis to licensed dispensaries and registered independent testing laboratories.

Cannabis Growing Facility – An entity that cultivates, manufactures, packages, or distributes cannabis to licensed processors, licensed dispensaries, or registered independent testing laboratories.

Cannabis Processor – An entity licensed under the *Maryland Cannabis Administration* that (1) transforms cannabis into another product or an extract and packages and labels the cannabis product and (2) is authorized by the *Administration* to provide cannabis to licensed dispensaries and registered independent testing laboratories.

Cannabis Processing Facility – An entity licensed by the *Maryland Cannabis Administration* that: (a) transforms the cannabis into another product or extract; and (b) packages and labels cannabis.

Child Care Center – An agency, institution, or establishment that, for part or all of a day, or on a 24-hour basis on a regular schedule, and at least twice a week, offers or provides child care to children who do not have the same parentage except as otherwise provided for in law or regulations.

Independent Testing Laboratory – A facility, an entity, or a site that is registered with the *Maryland Cannabis Administration* to perform tests related to the inspection and testing of cannabis and products containing cannabis.

Maryland Cannabis Administration – As established as “*the Administration*” under §36-201 Maryland Alcoholic Beverages Article of the Maryland Annotated Code, or its successor agency.

On-Site Consumption Establishment – An entity licensed under the *Maryland Cannabis Administration* that allows cannabis to be consumed, smoked, vaped, or otherwise ingested, on premises.

P = Permitted Use

PC = Permitted Use with Conditions

SE = Special Exception Use

SC = Special Exception with Conditions

Use Description	AG	R-1	R-2	R-3	TC	L1
Cannabis - Growing	SE					
Cannabis – Processing						SE
Cannabis – Selling					PC	PC
Cannabis – On-Site Consumption					SC	SC
Cannabis – Independent Testing Lab						SC

§ 78 – 02. Cannabis Dispensary – Medical and Recreational

A cannabis licensed dispensary may be permitted by the Planning Commission with site plan approval and subject to the following conditions:

1. A cannabis dispensary shall be licensed and operate in accordance with State of Maryland regulations for such use pursuant to COMAR, Chapter 10 and Title 36 of the Alcoholic Beverages Articles of the Maryland Annotated Code.
2. All facilities and uses shall be located at least 500 feet from any public or private school, playground or recreation center, public park, or correctional facility;
3. No cannabis dispensary shall be located within 1,000 feet (measured from the closest portion of the affected properties) of another cannabis dispensary.
4. All aspects of use shall comply with Maryland Annotated Code;
5. It shall be prohibited for any dispensary to permit the consumption, smoking, vaping, or otherwise ingesting, cannabis or cannabis products on-site.
6. All lighting, including security lighting required by COMAR 10.62.10.05, shall be approved by the Planning Commission;
7. Shall not have an on-site physician for the purpose of issuing written certifications for medical cannabis; and
8. The use shall be limited to the sale of Cannabis and related products.
9. A licensed dispensary may not operate:
 - A. For more than 12 hours per day;
 - B. Past 10:00 PM or
 - C. Before 8:00 AM.

§ 78 – 03. Cannabis Micro Dispensary

A cannabis micro dispensary may be permitted by the Planning Commission with site plan approval and subject to the following conditions:

1. A cannabis micro dispensary shall be licensed and operate in accordance with State of Maryland regulations for such use pursuant to COMAR, Chapter 10 and Title 36 of the Alcoholic Beverages Articles of the Maryland Annotated Code.
2. A micro dispensary shall be located at least 500 feet from any public or private school, playground, or recreation center, public park, or correctional facility;
3. No micro dispensary shall be located within 1,000 feet (measured from the closest portion of the affected properties) of another cannabis dispensary;
4. All aspects of use shall comply with Maryland Annotated Code.
5. A micro dispensary may not operate a storefront or employ more than 10 employees;
6. A micro dispensary shall only deliver cannabis products within its authorized service area.

§ 78 – 04. Cannabis Growing Facility

A cannabis growing facility may be recommended by the Planning Commission for a special exception in the Agricultural District from the Board of Appeals and subject to the following conditions:

1. A cannabis growing facility shall be licensed and operate in accordance with State of Maryland regulations for such use pursuant to COMAR, Chapter 10 and Title 36 of the Alcoholic Beverages Articles of the Maryland Annotated Code.
2. A growing facility shall not be less than 500 feet from any dwelling, school, church, or other structure intended for human occupancy.
3. All aspects of use shall comply with Maryland Annotated Code;
4. The use shall be limited to the growing of Cannabis and related products.
5. All lighting, including security lighting required by COMAR 10.62.10.05, shall be approved by the Planning Commission;

§ 78 – 05. Cannabis Processing Facility

A Cannabis processing facility may be recommended by the Planning Commission for a special exception in the Light Industrial District from the Board of Appeals and subject to the following conditions:

1. A cannabis processing facility shall be licensed and operate in accordance with State of Maryland regulations for such use pursuant to COMAR, Chapter 10 and Title 36 of the Alcoholic Beverages Articles of the Maryland Annotated Code.
2. A processing facility shall not be less than 500 feet from any dwelling, school, church, or other structured intended for human occupancy.
3. All aspects of use shall comply with Maryland Annotated Code;
4. The used shall be limited to the processing of Cannabis and related products.
5. All lighting, including security lighting required by COMAR 10.62.10.05, shall be approved by the Planning Commission;

§ 78 – 06. Cannabis On-Site Consumption Establishment

A Cannabis on-site consumption establishment may be recommended by the Planning Commission for a special exception in the Town Center or Light Industrial District from the Board of Appeals and is subject to the following conditions:

1. A cannabis on-site consumption establishment shall be licensed and operate in accordance with State of Maryland regulations for such use pursuant to COMAR, Chapter 10 and Title 36 of the Alcoholic Beverages Articles of the Maryland Annotated Code.
2. Vaping and smoking are prohibited indoors but is allowed in approved outdoor areas like patios;
3. On-site establishments cannot make cannabis-infused preparations or products themselves;
4. On-site establishments cannot serve nor sell alcohol or tobacco products;
5. All lighting, including security lighting required by COMAR 10.62.10.05, shall be approved by the Planning Commission;

§ 78 – 07. Independent Testing Laboratory

An independent testing laboratory may be recommended by the Planning Commission for a special exception in the Light Industrial District from the Board of Appeals and is subject to the following conditions:

1. An independent testing laboratory shall be registered by the *Maryland Cannabis Administration* in accordance with COMAR 10.62.16.02.
2. Shall maintain accreditation;
3. Shall adopt standard operating procedures to test cannabis, cannabis concentrate, and any other products that are approved by the accrediting body and the Administration;
4. Must be independent from all other persons and entities involved in the cannabis industry;

§ 78 – 08. Signage

Advertising, marketing, and signage cannot:

1. Include false or misleading statements;
2. Include designs that are attractive to minors;
3. Display use of cannabis;
4. Promote cannabis use as an intoxicant, or be obscene; and
5. Target individuals under 21.

All signage must be approved by the Planning Commission through a Master Sign Plan.

§ 78 – 09. Complaints, Enforcement, and Inspections of Cannabis Businesses

In the event the Town receives any complaints, the complaint will be logged by the Town and a meeting scheduled with licensee to discuss complaint and remediation of complaint. Complaints may be directed to the "*Administration*".

The Town of Millington will require an annual business inspection as part of the license renewal. Any concerns must be addressed prior to reissuance of business license.