TOWN OF OLD ORCHARD BEACH
ADULT USE MARIJUANA BUSINESS
FAQ 2023

Below is a list of frequently asked questions and answers. This is meant for information purposes only. Please refer to ordinances applicable to Adult Use Marijuana Businesses for official language.

1. When can I submit an adult use marijuana business license application?
Answer (A): Applications will be accepted by the Town only during the dates and times identified within the public notice posted by the Town. Applications will only be accepted by hand delivery. Applications will not be accepted by Town Staff in any manner (e.g., hand delivered, electronic, mail, fax) before or after the published dates and times.

2. What is required when I submit a license application?
A: The OOB adult use marijuana business license ordinance and adult use marijuana conditional use ordinances are the best resources to find out what information and documentation is required. Links to both ordinances are provided below. Also, OOB created a Process Guide to assist applicants, staff and the general public in understanding the notice, submissions, review, selection, and decision process for adult use marijuana businesses in OOB. The Process Guide is available on the Town's website Adult Use Marijuana page, at Town Hall, and can be emailed by request (see contacts below).

3. Do I need a license from the State before I apply for a license in OOB?
A: Yes, you need at least a conditional license from the State.

4. What is "determination of completeness"?
A: As part of initial license application consideration, the Town performs a determination of completeness review. The purpose of determination of completeness is to determine if the proposed location is allowed, to verify information submitted (e.g., State licenses, possession or entitlement of proposed location), perform background checks, and if a complete application with all the required information has been submitted.

5. What are merit criteria?
A: Merit criteria are specific criteria identified in the Marijuana Business Licensing. Part of the initial license selection process includes review of an applicant's responses to merit criteria and the documentation that supports the responses.

6. How are merit criteria points awarded?
A: The merit criteria review process awards points based on an applicant's response and supporting documentation to the merit criteria identified in the Marijuana Business Licensing ordinance. For each criteria met the applicant is awarded the entire point value. Applications with a response but with no supplemental documentation receive zero points. Applications with no response and no supplemental documentation receive zero points.

7. What if two or more applications have the highest merit criteria point total and a tied score?
A: If two or more applications meet all other initial license requirements and score a merit criteria point total tie, the applicants who are tied shall proceed to a public random lottery. The lottery will be hosted by the Council who will randomly select the applicant.

8. If I forgot to submit a document when I submitted my license application, can I submit this document on a later date?
A: Applications, supplemental documentation, and fees can only be submitted during the application acceptance period.

9. If my application is determined not complete, can I submit whatever it may be that was the cause of this determination?
A: Applicants are not allowed to submit new information or resubmit incomplete information during or after determination of completeness and merit criteria review.

10. After I submit the license, how long will it take the Town to decide?
A: Within 60 calendar days after closing of the application acceptance period, the License Administrator will conclude review and notify all applicants of the results. In the event of a merit criteria scoring tie, the tied applicants will proceed to a public random lottery held by Council on a to be determined date.

11. Which adult use marijuana business are allowed?
A: Adult Use Marijuana Stores.

12. How many adult use marijuana businesses are allowed?
A: Ordinances allow one adult use marijuana store.

13. What is an adult use marijuana store?
A: The ordinances define adult use marijuana stores as a facility licensed under this ordinance to purchase adult use marijuana, immature marijuana plants and seedlings from an Adult Use Cultivation Facility, to purchase adult use marijuana and adult use marijuana products from an Adult Use Products Manufacturing Facility and to sell adult use marijuana, adult use marijuana products, immature marijuana plants and seedlings to consumers.

14. Where are adult use marijuana businesses allowed?
A: Properties in the GB-1 Zoning District that have road frontage on Saco Ave. or road frontage on Ocean Park Rd. and are not within the 1,000 ft. sensitive use buffer area.

15. What are the sensitive use buffer areas?
A: The sensitive use buffer areas are identified in the adult use marijuana conditional use ordinance and include schools, childcare facilities, community centers, higher educational facilities, public outdoor recreational areas, church, synagogue or other house of religious worship, public libraries, amusement parks, and drug and alcohol rehabilitation centers.

16. Where do I submit a license application?

A: Applications are submitted to the License Administrator who is at Old Orchard Beach Town Hall, ground floor Code and Planning Office. Applications will be accepted by the Town only during the dates and times identified within the public notice posted by the Town. Applications will only be accepted by hand delivery.

17. How long before I know if my license application was selected?

A: Within 60 calendar days after the close of the application acceptance period The License Administrator will conclude license application review. The License Administrator will notify you shortly after review concludes.

18. What are the fees?

A: Town fees include a non-refundable license application fee of $500. This is required from all applicants. The adult use marijuana store fee is $7,500 annually. The store fee is only required from the applicant selected. There may be additional fees including costs associated with performing background checks and engineer review of proposals.

19. What is the initial license application process?

A:

1. Public notice of Town license acceptance. License Administrator provides public notice that the Town will accept new license applications. New license applications will be accepted up to 10 business days during the posted license period.
2. Applicants submit license applications, supporting documents, and fees. Applicants submit license applications, supporting documents, and fees in person to the License Administrator only during the posted license acceptance period.
3. Application acceptance period closes after 10 business days.
4. License review process begins. License Administrator and other Town Staff begin review for the purpose of determining completeness. License Administrator has up to 60 calendar days to conclude the determination of completeness review.
5. License Administrator and staff make determination of completeness, assign merit criteria points, and conclude review. The application selected by the License Administrator shall: have been determined complete; confirmed the business location is in apparent conformity with Old Orchard Beach Code of Ordinances Chapter 78, Sec. 78-803 and Sec. 78-1279 (5) a; scored the highest total points for merit criteria; and submitted the required fee. If there is a merit criteria scoring tie, the applicants who are tied shall proceed to the public random lottery before the selected license application can proceed.
6. Applicant selected. After conclusion of review the License Administrator will select the applicant. If a lottery is required, Council will host and randomly select the applicant.

20. Where can I find license applications?

A: License applications are available at the Code/Licensing Office at Town Hall and on the Town's website by clicking on Adult Use Marijuana Business License/Permit Process box under Citizen Action Center. They can be emailed upon request (see contact information below).

21. Where can I find OOB's adult use marijuana ordinances?
A: The adult use marijuana business license ordinance is available at Town Hall, may be requested through the contacts at the end of this guide, and on the Town's website by clicking on Adult Use Marijuana Business License/Permit Process box under Citizen Action Center.

A: The adult use marijuana conditional use ordinance is available at Town Hall, may be requested through the contacts at the end of this guide, and on the Town's website by clicking on Adult Use Marijuana Business License/Permit Process box under Citizen Action Center.

22. How can I find out when OOB will begin accepting license applications?
A: You can check the Town's website at https://www.oobmaine.com, contact staff listed below or check for the public notice in the Saco-Biddeford-OOB Courier weekly newspaper.

23. Do I need to own the property where I want to operate the business before I submit the initial license application?
A: No. Ownership is allowed, but in the event the applicant is not the owner, the license application must be accompanied by a notarized statement and consent from the owner of the property acknowledging that an Adult Use Marijuana Business may be located on the property. If the property is leased or rented, the license application must be accompanied by a copy of the signed lease or rental agreement pertaining to the property or structure in which the Adult Use Marijuana Business may be located. In addition to the above, the applicant shall provide the name and mailing address of the owner of record of the property or structure.

24. Who do I contact if I have questions?
A: Laurie Aberizk, License Administrative Assistant, (207) 937-5633; laberizk@oobmaine.com
Rick Haskell, License Administrator, (207) 937-5615; rhaskell@oobmaine.com
Jeffrey Hinderliter, Town Planner, (207) 937-5617; jhinderliter@oobmaine.com

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