Code of Ordinances, City of Ellsworth

CHAPTER 14
LICENSES AND PERMITS

A true copy, attest:

Suzanne McLean
City Clerk

The FRIENDLY CITY
Ellsworth
Maine

HISTORICAL NOTE: ADOPTED OCTOBER 21, 1996; AMENDED JANUARY 27, 1997; AMENDED FEBRUARY 24, 1007; AMENDED MARCH 17, 1997; AMENDED JULY 21, 1997; AMENDED AUGUST 18, 1997; AMENDED NOVEMBER 16, 1998; REPEALED AND REPLACED AUGUST 20, 2007 (EFFECTIVE SEPTEMBER 1, 2007); AMENDED JUEN 16, 2008; AMENDED AUGUST 17, 2009; AMENDED DECEMBER 13, 2010; AMENDED OCTOBER 17, 2011; AMENDED APRIL 16, 2012 (EFFECTIVE JUNE 16, 2012); AMENDED SEPTEMBER 15, 2014; AMENDED MAY 16, 2016; AMENDED MAY 19, 2025; REPEALED AND REPLACED JULY 1, 2026.

CHAPTER 14
LICENSES AND PERMITS

ARTICLE 1 GENERAL PROVISIONS

101 APPLICABILITY; EFFECTIVE DATE

This Chapter 14 applies to commercial activities that require, pursuant to state law, licenses, permits, or other approvals of the City Council serving as the City's municipal officers.

This Chapter 14 is effective as of September 1, 2007.

102 LICENSE REQUIRED

No person may, without first obtaining a license from the applicable City administrator, engage in any activity requiring a license under this Chapter 14.

A business or activity may require more than one license under this Chapter 14, including a general business license as set forth in Article 3 and one or more of the activity-specific licenses set forth in Article 2.

Whenever a business or activity requires more than one license such that the business or activity is deemed a Class B establishment or a Class C establishment, the applicant may submit one written application and the administrator shall process the application in accordance with the requirements of Section 104, except that the activity-specific fees in Chapter 1, Article 3, and the activity-specific license requirements for each license type in Article 2 shall apply.

103 ADMINISTRATION

This Chapter 14 is administered by the City Council and the administrators identified in Appendix 14-A who are hereby expressly delegated the authority to process, review, and issue the licenses and approvals required by this Chapter 14.

104 PROCEDURES FOR ADMINISTERING LICENSES

104.1 Written Application. Any person required by this Chapter 14 to obtain a license must submit a written application as provided in Chapter 1, Section 208. The application must be accompanied by all applicable fees, as provided in Chapter 1, Article 3 (Fee Schedule and Special Fees).

104.2 Completeness Review; Department Head Review. The administrator shall review the license application for completeness in accordance with Chapter 1, Section 208. Upon receiving a complete application and prior to issuing the license, the administrator must obtain written recommendations for approval from City department heads with administrative oversight or expertise in the subject-matter of the application, including the Fire Chief, Police Chief, Code Enforcement Officer, and City Treasurer. The City department heads must base their recommendations on the applicable license review criteria set forth in this Chapter 14, including the general license review criteria in Section 105.

104.3 Inspections. When required by this Chapter 14, the City department heads named in Section 104.2 shall cause inspections to be made and a written report forwarded to the City administrator verifying that the premises to be used by the proposed activity complies with State plumbing and subsurface wastewater rules, the Maine Food Code, and the City Code,

including Chapter 4 (Fire Protection and Prevention), Chapter 5 (Public and Private Sewers), Chapter 33 (Floodplain Management), Chapter 43 (Trees) Chapter 56 (UDO), and Chapter 59 (Consumer Fireworks and Commercial Outdoor Public Fireworks/Pyrotechnics Display).

104.4 Public Notice and Hearing.

1. When required by this Chapter 14, the City Clerk shall schedule a public hearing in accordance with Chapter 1, Section 208.

2. For new license applications, the applicant or their authorized agent must be present at the public hearing. If the applicant or agent fails to attend, the administrator must deem the application incomplete and no action may be taken on the application until a new public hearing is scheduled.

3. For renewal license applications, the applicant and their authorized agent are not required to be present at the public hearing, unless the City administrator determines that:

   (a) The application is incomplete;

   (b) The premises are not in compliance with the City Code as required by Section 104.3;

   (c) The applicant has failed to pay all City personal property taxes, solid waste fees, or any other obligations owed to the City, excluding real estate taxes and water and sewer charges; or

   (d) The applicant is carrying out the activity pursuant to a license that has expired or has been suspended or revoked.

104.5 Decision; License Conditions. The City administrator may approve, approve with conditions, or deny the license application in accordance with Chapter 1, Section 208. Without limiting the foregoing sentence, the City administrator may impose conditions on any license reasonably necessary to ensure the protection of the public health, safety, and welfare, including conditions relating to insurance, parking, health and sanitation, hours of operation, permissible noise levels, and other public safety concerns.

104.6 Police and Fire Personnel Presence. As a condition of approval, the administrator may require the presence of City police or fire personnel before, during, or after an activity or event licensed pursuant to this Chapter 14, at the applicant's expense.

104.7 Term of License. Except as otherwise provided for by this Chapter 14, including in Appendix 14-A, or state law, or unless the license is issued for a lesser period, the term of all licenses and license renewals authorized under this Chapter 14 shall be for one year from the date of issuance and shall run concurrently.

104.8 License, Location Non-Transferable. No license issued under this Chapter 14 is assignable or transferable. No license shall apply to any location other than the location designated in the license application. When a business or enterprise is transferred or relocated, the prior owner's license shall immediately and automatically terminate unless otherwise provided by this Chapter 14 or state law and the new owner shall apply for a license in accordance with this Chapter 14. For the purposes of this Chapter 14, a new owner includes a business or enterprise formerly operated by a tenant or mortgagor, or in the case of a corporation, a new owner or a controlling interest in the corporation.

105 GENERAL LICENSE REVIEW CRITERIA

Prior to issuing a license under this Chapter 14, the City administrator must find that the proposed licensed activity complies with the following license review criteria:

105.1 Compliance with Applicable Law. The premises to be used by the proposed licensed activity complies with State plumbing and subsurface wastewater disposal rules, the Maine Food Code, and the City Code, including Chapter 4 (Fire Protection and Prevention), Chapter 5 (Public and Private Sewers), Chapter 33 (Floodplain Management), Chapter 43 (Trees) Chapter 56 (UDO), and Chapter 59 (Consumer Fireworks and Commercial Outdoor Public Fireworks/Pyrotechnics Display).

105.2 Arrearages Paid. The applicant has paid all City personal property taxes, solid waste fees, or any other obligations owed to the City, including arrearages owed by a prior owner of the affected premises, business, or enterprise, but excluding real estate taxes and water and sewer charges.

105.3 License-Specific Review Criteria. The proposed licensed activity complies with all applicable license-specific review criteria set forth in Article 2 and in other provisions of the City Code.

105.4 Permit, License Terms and Conditions. The proposed licensed activity complies with the terms and conditions of approval as specified in any other licenses, permits, or approvals granted under the City Code, including building permits and development permits. Additionally, for license renewal applications, the proposed licensed activity complies with the terms and conditions of the prior license issued for the activity or enterprise.

ARTICLE 2 ACTIVITY-SPECIFIC LICENSES

201 ADULT USE CANNABIS STORE (RETAIL)

201.1 State and City Licenses Required. No person shall operate any adult use cannabis store within the City without obtaining (a) a license in accordance with Article 1 and Section 201 and (b) an active license from the OCP pursuant to 28-B M.R.S.A Ch. 1. (Note that the State of Maine does not allow retail medical cannabis caregivers; therefore, medical cannabis caregivers are not permitted to apply for this license.)

201.2 Public Hearing. A public hearing is required prior to action on a new City license application or renewal application.

201.3 Licensing Documents. The following information shall be provided to the City Clerk as part of the initial and annual licensing process:

1. For new license applications, a conditional state license issued by the OCP to operate an adult use cannabis store.

2. For a renewal license, evidence of all State approvals or conditional approvals required to operate an Adult Use Cannabis Establishment.

201.4 Limit on Number of Adult Use Cannabis Store License. The administrator shall issue no more than three adult use cannabis store licenses under this Chapter 14. Licenses shall be awarded using the lottery procedures set forth in Appendix 14-B. After the first three licenses are issued, the same lottery procedures shall apply at such time that a license becomes available as a result of license non-renewal, abandonment, or revocation. All

persons or entities identified as the principal, partner, or member on the application are restricted to one application; applications that include persons or entities that are principals, partners, or members of another adult use cannabis store license applicant or licensee shall be denied.

A one-time conversion of an existing medical cannabis dispensary or a portion of an existing medical cannabis dispensary (such that the existing medical cannabis dispensary may continue operations within the same building as the adult use cannabis store),within the Cannabis Overlay Zone to an adult use cannabis store is allowed within the first year of the adoption of this ordinance, allowing for a one-time maximum of four (4) adult use cannabis stores. If the number of stores drops below three (3) and there are multiple applicants for each available license, a new lottery will be held to bring the number to no more than three (3).

201.5 Security Plan. An adult use cannabis store must have a security plan approved by and filed with the City Police Chief. The plan shall address means of preventing a continuing pattern of offenses against the public peace, drug-related criminal conduct within the premises of the adult use cannabis store or the immediate area surrounding the adult use cannabis store, and criminal conduct directly related to or arising from the operation of the adult use cannabis store. The policy shall include, at minimum, the following:

1. Devices or a series of devices, including a signal system interconnected with a radio frequency method such as cellular, private radio signals, or other mechanical or electronic device, to detect unauthorized intrusions.
2. The interior must be equipped with electronic monitoring, video cameras, and panic buttons.
3. Qualified security staff may be required by the City Police Chief.
4. The adult use cannabis store shall have a policy to consistently and systematically prevent loitering.
5. Surveillance records shall be kept for a minimum 30 days and be available to the City Police Chief upon request.
6. A service delivery plan.

201.6 Design Standards.

1. All glass windows and doors shall be opaque, tinted, or otherwise obscure view from outside the licensed premises.
2. All signage shall comply with Chapter 56, Article 12; Chapter 56, Section 827; and 28-B M.R.S.A Ch. 1, including limitations on advertising and marketing.

201.7 Performance Standards. An adult use cannabis store must comply with the requirements of Chapter 56, Section 827.

201.8 Operating Requirements. The licensee shall comply with the following requirements during the term of the license.

1. **Display of License.** The current license must be displayed at all times in a conspicuous location within the licensed premises.

2. **Hours of Operation.** An adult use cannabis store shall only operate between the hours of 7:00 AM and 10:00 PM.

3. **Location**.

(a) All licensed premises shall be at fixed, permanent locations. Licensees shall not be permitted to operate adult use cannabis stores in temporary locations such as mall kiosks, readily removal structures, single and doublewide trailers, or farm stands.

(b) Adult use cannabis stores shall only be located in zoning districts where such uses are permitted, including the Cannabis Overlay Zone, and shall not be located within 500 feet from the property line of an existing public or private school. For the purposes of this paragraph, "school" includes a public school, as defined in 20-A M.R.S.A. § 1(24), a private school, as defined in 20-A M.R.S.A.§ 1(22), a public preschool program, as defined in 20-A M.R.S.A. § 1(23-A), or any other educational facility that serves children from prekindergarten to grade 12.

(c) Adult use cannabis stores shall not be located within 1,000 feet of a drug-free zone designated by the City under 30-A M.R.S.A § 3253.

201.9 Incident Reporting. An adult use cannabis store shall submit to the City Police Chief a copy of the State of Maine incident report form on the next business day after the licensee discovers a violation of the requirements set out in the state rules applicable to the operation of an adult use cannabis store. The report must indicate the nature of the breach and the corrective actions taken by the adult use cannabis store.

201.10 Illegal Activity Reporting. Any suspected illegal activity involving the operation of an adult use cannabis store must be reported to the City Police Chief by the adult use cannabis store in a timely manner.

201.11 Employees. An adult use cannabis store shall semi-annually provide to the City Police Chief a list of all of its employees. Staff changes shall be reported to the City Police Chief or designee within 10 days of hiring.

201.12 Chemicals. An adult use cannabis store shall maintain a material safety data sheet file with the City Fire Chief for all chemical stored or used. The list of stored chemicals shall be reviewed and updated annually, and resubmitted to the City Fire Chief.

201.13 Unrestricted Access. The Code Enforcement Officer, Police Chief, or Fire Chief requesting access to the premises of an adult use cannabis store for the purpose of determining compliance with this Chapter 14 shall be given unrestricted access at reasonable times. Failure to cooperate with City inspectors may be grounds to revoke the adult use cannabis store license, as set forth in Chapter 1, Section 510.6.

201.14 Consumption. The consumption or inhalation of cannabis on or within the premises of an adult use cannabis store is prohibited. Cannabis social clubs are prohibited within the City.

201.15 Adult Use Cannabis Food Establishment. An adult use cannabis store must obtain a food establishment license from DHHS, pursuant to 22 M.R.S.A § 2167, and a victualer's license from the City, pursuant to Section 224.

201.16 Life Safety Inspection and Certification Required. No adult use cannabis store license shall be issued or renewed pursuant to this Chapter 14 until the Fire Chief has inspected

the premises and certified in writing to the reviewing authority that the premises are in compliance with the requirements of Chapter 4 (Fire Prevention and Protection).

201.17 Compliance with Other Laws. An adult use cannabis store must comply with all operating and other requirements of state and City law and regulation. To the extent the state has adopted or will adopt any stricter law or regulation governing adult use cannabis stores, the stricter law or regulation shall control and shall apply to the adult use cannabis store at the time of license renewal.

201.18 Suspension or Revocation of License. The procedures in Chapter 1, Section 510.6 shall apply to the suspension or revocation of an adult use cannabis store license. If the enforcement authority revokes a license, the City Clerk shall notify the OCP of such revocation.

STATE LAW REFERENCE—28-B M.R.S.A. CH. 1. (CANNABIS LEGALIZATION ACT).

202 AMUSEMENT ESTABLISHMENT

No person shall operate any amusement establishment within the City without first obtaining a license in accordance with Article 1 and this Section 202. No public hearing is required prior to action on a new license application or renewal application for an amusement establishment.

203 AMUSEMENT ESTABLISHMENT, SPECIAL

203.1 No person shall operate any special amusement establishment within the City without first obtaining a license in accordance with Article 1 and this Section 203. Any such establishment must also comply with the requirements of Chapter 37 (Special Amusement Permit).

203.2 Public Hearing. A public hearing is required prior to action on a new license application or renewal application.

204 ARCADE

No person shall operate an arcade for public patronage in the City without first obtaining a license in accordance with Article 1 and this Section 204. No public hearing is required prior to action on a new license application or renewal application for an arcade.

STATE LAW REFERENCE—30-A M.R.S.A. § 3981 (LICENSING RECREATIONAL BUSINESS ACTIVITIES); 28-A M.R.S.A. § 1054 (PERMIT FOR MUSIC, DANCING OR ENTERTAINMENT).

205 BUSINESS

No person shall directly or indirectly conduct any business, or activity or use in connection therewith, or operate any vehicle, premises, machine, or device, in whole or in part, for which a license is required under this Chapter 14 without first obtaining a license in accordance with Article 3.

206 CARNIVAL / CIRCUS

No person shall operate a carnival or circus within the City without first obtaining a license in accordance with Article 1, this Section 206, and 8 M.R.S.A. § 51. A carnival / circus license must be obtained no less than 24 hours prior to the commencement of the carnival or circus event. No public hearing is required prior to action on a new license application or renewal application for a carnival or circus.

STATE LAW REFERENCE—8 M.R.S.A. § 51 (CIRCUSES—EQUIPMENT; RULES AND REGULATIONS).

207 CLOSING-OUT SALE

207.1 License Required. No person shall hold a closing-out sale within the City without first obtaining a license in accordance with Article 1 and this Section 207. No public hearing is required prior to action on a new license application or renewal application for a closing-out sale.

207.2 Inventory. The application must contain a complete inventory of all items to be included in the sale. The applicant must affirm, in writing and under oath, to the City administrator that no merchandise will be included in the stock offered for sale unless the merchandise is in or at the place of business where the sale will take place when the sale opens. Any unusual purchases and additions to the stock of goods, wares, or merchandise made within 60 days before the filing of an application for a license is prima facie evidence that the purchases and additions were made in contemplation of the sale. If the applicant has been in the same business for which the sale is being conducted for less than two years of continuous operation in the City, the applicant must also affirm, in writing and under oath, that none of the merchandise was purchased before the sale opened for the purpose of selling and disposing of that merchandise at the sale.

207.3 Term of License. The license is valid for 60 days from the date of issuance, and may be extended for 60 additional days if the licensee provides an affidavit to the City administrator stating that all goods, wares, or merchandise listed in the inventory have not been disposed of within the original 60-day period.

207.4 License Issued; Records Preserved. The City administrator shall immediately issue the license upon compliance with this Chapter 14. The City shall preserve all applications for licenses and other papers filed in connection with an application under this Section 207 as a public record for five years.

207.5 Revocation; Prior Violations; Suspension. The enforcement authority shall revoke any license issued under this Section 207 if the licensee violates this Section 207, and the City administrator may refuse to issue another license to any applicant who has been adjudicated of violating this Section 207 before the date of application. If any person adjudicated of any violation of this Section 207 appeals the decision or sentence of the trial court, that person's license must be suspended while the appeal is pending in the appellate court.

207.6 Continuation of Business. After the termination date of the closing-out sale and any extension granted under Section 207.3, the licensee may not continue the business under the same or a different name, at the same location, or elsewhere in the City, contrary to the designation of the sale.

STATE LAW REFERENCE—30-A M.R.S.A. § 3781 ET SEQ. (CLOSING-OUT SALES).

208 CONSUMER FIREWORKS RETAIL SALES

208.1 License Required. No person shall operate any establishment or sell from any establishment consumer fireworks within the City without first obtaining a license in accordance with Article 1 and this Section 208.

208.2 Public Hearing. A public hearing is required prior to action on a new license application or renewal application.

208.3 License-Specific Standards. The license shall not be granted unless the applicant satisfies the following license-specific standards:

1. The applicant must be 21 years of age or older. The applicant must provide proof of age with birth date and one government issued picture identification as part of the license application.

2. The applicant must possess a federal permit to sell fireworks pursuant to 18 U.S.C. § 843. A current valid federal license to sell fireworks must accompany the license application.

3. A separate license is required for each location at which an applicant seeks to sell consumer fireworks.

208.4 State Fire Marshal License. The applicant must possess a state license to sell consumer fireworks pursuant to 8 M.R.S.A. § 223-A(3) prior to selling consumer fireworks within the City. Upon receipt of the state license, the applicant shall submit a copy of the current valid license to the City Fire Chief.

208.5 Fireworks within the City's Harbor Park and Marina Prohibited. No person shall use, possess, sell, possess with the intent to sell, or offer for sale any consumer fireworks within the City's harbor park and marina, as identified in Chapter 3, Section 801.

STATE LAW REFERENCE—8 M.R.S.A. § 223-A (SALE OF CONSUMER FIREWORKS).

209 DRIVEWAY / STREET OPENING

209.1 License Required. No person shall cause construction of a driveway within the City or grade, excavate, dig, or open along or upon any City street or road without first obtaining a license in accordance with Article 1 and this Section 209. The licensing requirements in this Section 209 apply to driveways and City streets only. State roads are subject to different rules through the MaineDOT.

209.2 City Administrator; Department Head Review. Any person required to obtain a license under this Section 209 shall apply to the CEO. The CEO shall act upon the license after consultation with the Highway Foreman, Public Works Director, Water and Wastewater Superintendents, and City Manager.

209.3 License-Specific Review Criteria. All work must comply with the following requirements:

1. The City's Highway Road Opening / Location Permit Policy.

2. The MaineDOT utility accommodation rules, codified at 17-229 CMR ch. 210, and all terms and conditions of a utility location permit issued under said rules.

3. The applicable provisions of Chapter 56, Article 9 (Street Design and Construction Standards).

4. Any other applicable state laws or rules and provisions of the City Code, including:

   (a) Work zone traffic control standards, as set forth in the Federal Highway Administration's Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD);

   (b) Occupational Safety & Health Administration (OSHA) trenching and excavation standards; and

   (c) The "Dig Safe Law," as set forth in 23 M.R.S.A. § 3360-A.

5. The licensee must notify the City administrator at least 48 hours in advance of the start of any work.

6. The licensee is solely responsible for timely completing all final restoration of the affected area, which must be restored to the satisfaction to the City administrator. If satisfactory restoration or repairs are not done in a timely fashion and upon reasonable notice to the licensee to do the same, the City will accomplish the final restoration at the licensee's cost.

7. The work shall be done in a manner that protects the safety and welfare of the traveling public.

210 JUNKYARD / AUTOMOBILE GRAVEYARD / AUTOMOBILE RECYCLING BUSINESS

210.1 License Required. No person shall operate or allow operation of a junkyard, automobile graveyard, or automobile recycling business, as those terms are defined in 30-A M.R.S.A. § 3751, without first obtaining a license in accordance with 30-A M.R.S.A. §§ 3751-3755.

210.2 Public Hearing. A public hearing is required prior to action on a new license application or renewal application.

211 LIQUOR (MALT, VINOUS, SPIRITS)

211.1 License Required. No person shall operate any establishment within the City which offers or allows alcoholic beverages for sale or consumption, either on or off the premises, without obtaining a license in accordance with Article 1 and this Section 211.

211.2 Public Hearing. A public hearing is required prior to action on a new license application or renewal application for any establishment where alcohol is proposed to be consumed on premises.

211.3 License-Specific Review Criteria. Applications for licenses to sell or serve alcohol may be denied on any of the following grounds:

1. The applicant or owner of the establishment has been convicted of a Class A, B, or C crime.

2. Noncompliance of the establishment or the premises with State plumbing and subsurface wastewater rules, the Maine Food Code, or the City Code.

3. There have been conditions of record regarding waste disposal, health or safety, or repeated traffic or parking violations on or in the vicinity of the establishment or premises, which were caused by employees or patrons.

4. There have been conditions of record caused by patrons or employees which unreasonably disturb, interfere with, or affect the ability of persons or businesses residing in the vicinity of the premises to use their property in a reasonable manner.

5. There have been repeated incidents of breaches of the peace, disorderly conduct, vandalism, or other violations of law in the vicinity of the establishment or premises, which were caused by employees or patrons.

6. The applicant has committed a violation of any provisions of Title 28-A M.R.S.A, or the Maine liquor enforcement rules and regulations.

7. Any other grounds for denial set forth in 28 M.R.S.A. § 653(2).

8. If the proposed use is within 300 feet of a public or private school, school dormitory, chapel, or parish house, unless one or more exceptions in 28-A M.R.S.A § 701 applies. The distance must be measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel, or parish house by the ordinary course of travel.

211.4 Investigation. The City Police Chief may cause an investigation to be made of the criminal record of the applicant, including its principal officers, shareholders, and members.

STATE LAW REFERENCE—28-A M.R.S.A. § 653 (LICENSES FOR SALE OF LIQUOR—HEARINGS; BUREAU REVIEW; APPEAL).

212 LODGING HOUSE

No person shall operate a lodging house in the City without first obtaining a license in accordance with Article 1. A public hearing is required prior to action on a new license application or renewal application for a lodging house.

213 MASS GATHERING

213.1 License Required. No person or group of persons may sponsor, promote, operate, or hold any mass gathering without first obtaining a license in accordance with Article 1 and this Section 213. No public hearing is required prior to action on a new mass gathering license application or renewal application.

Filing Deadline; Bond. The person or group of persons seeking a mass gathering license must file an application with the City Clerk's office no less than 45 days before the proposed commencement of the mass gathering event and secure a performance guarantee, in the form of a performance bond or event promotion surety, ensuring (i) prompt cleaning of the grounds after the close of the mass gathering event, (ii) compliance with applicable laws and license conditions, and (iii) prompt payment for all damages caused by an attendee or employee to public or private property in the vicinity resulting from or in connection with the event. The surety shall be to the benefit of the City, shall allow the City to draw on the funds if actions are not taken within three working days after the event, and shall be consistent with the provisions of Chapter 1, Section 511.

213.2 License-Specific Review Criteria.

1. The applicant must demonstrate, by means of a written descriptive plan, that adequate facilities will be provided at the site of the mass gathering event, in order to protect the health of the people who attend, including:

   (a) Adequate waste disposal and wastewater facilities;

   (b) Adequate firefighting equipment and personnel;

   (c) Adequate water supplies;

   (d) Adequate first aid facilities; and

   (e) Adequate communication facilities.

2. The applicant must provide at least 30 days' advance notice to City, county, and state officials, as named and instructed by the City Police Chief.

3. The applicant must file proof of authority from landowners whose property will be used in holding the mass gathering event.

4. The applicant must demonstrate, by filing a written descriptive plan, that adequate parking space will be available. Written permission from any property owner whose property will be used for parking must also be included.

213.3 Safety Personnel. As a condition of license approval, the City administrator may require that City Police Department or City Fire Department personnel be present before, during, or after the event, at the applicant's expense.

213.4 Exemptions. The following mass gatherings are exempt from the licensing requirements of this Section 213:

1. Mass gatherings sponsored and under the direct supervision of the City or the Ellsworth School Department.

2. Mass gatherings conducted as an auxiliary use to normal operation of a legally existing campground.

214 MEDICAL CANNABIS DISPENSARY

214.1 State and City Licenses Required. No person shall operate a medical cannabis dispensary within the City without first obtaining a license in accordance with Article 1 and Section 214.

214.2 Public Hearing. A public hearing is required prior to action on a new license application or renewal application.

214.3 Licensing Documents. The following information shall be provided to the City Clerk as part of the initial and annual licensing process:

1. State certificate of registration.

214.4 Limit on Number of Medical Cannabis Dispensary License. The administrator shall issue no more than one medical cannabis dispensary license under this Chapter 14.

214.5 Security Plan. A medical cannabis dispensary must have a security plan approved by and filed with the City Police Chief. The plan shall address means of preventing a continuing pattern of offenses against the public peace, drug-related criminal conduct within the premises of the medical cannabis dispensary or the immediate area surrounding the medical cannabis dispensary, and criminal conduct directly related to or arising from the operation of the medical cannabis dispensary. The policy shall include, at minimum, the following:

1. Devices or a series of devices, including a signal system interconnected with a radio frequency method such as cellular, private radio signals, or other mechanical or electronic device, to detect unauthorized intrusions.

2. The interior must be equipped with electronic monitoring, video cameras, and panic buttons.

3. Qualified security staff may be required by the City Police Chief.

4. The medical cannabis dispensary shall have a policy to consistently and systematically prevent loitering.

5. Surveillance records shall be kept for a minimum 30 days and be available to the City Police Chief upon request.

6. A service delivery plan.

214.6 Design Standards.

1. All glass windows and doors shall be opaque, tinted, or otherwise obscure view from outside the licensed premises.

2. All signage shall comply with Chapter 56, Article 12; Chapter 56, Section 817; and 22 M.R.S.A Ch. 558-C, including limitations on advertising and marketing.

214.7 Performance Standards. A medical cannabis dispensary must comply with the requirements of Chapter 56, Section 817.

214.8 Operating Requirements. The licensee shall comply with the following requirements during the term of the license.

1. **Display of License.** The current license must be displayed at all times in a conspicuous location within the licensed premises.

2. **Hours of Operation.** A medical cannabis dispensary shall only operate between the hours of 7:00 AM and 10:00 PM.

3. **Location**.

(a) All licensed premises shall be at fixed, permanent locations. Licensees shall not be permitted to operate a medical cannabis dispensary in a temporary location such as a mall kiosk, a readily removal structure, a single or doublewide trailer, or a farm stand.

(b) A medical cannabis dispensary shall only be located in zoning districts where such uses are permitted and shall not be located within 500 feet from the property line of an existing public or private school. For the purposes of this paragraph, “school” includes a public school, as defined in 20-A M.R.S.A. § 1(24), a private school, as defined in 20-A M.R.S.A.§ 1(22), a public preschool program, as defined in 20-A M.R.S.A. § 1(23-A), or any other educational facility that serves children from prekindergarten to grade 12.

(c) A medical cannabis dispensary shall not be located within 1,000 feet of a drug-free zone designated by the City under 30-A M.R.S.A § 3253.

(d) It is prohibited to co-locate an office that can issue a physician’s written certification from the same premise as a medical cannabis dispensary.

214.9 Incident Reporting. A medical cannabis dispensary shall submit to the City Police Chief a copy of the State of Maine incident report form on the next business day after the licensee discovers a violation of the requirements set out in the state rules applicable to the operation of a medical cannabis dispensary. The report must indicate the nature of the breach and the corrective actions taken by the medical cannabis dispensary.

214.10 Illegal Activity Reporting. Any suspected illegal activity involving the operation of a medical cannabis dispensary must be reported to the City Police Chief by the medical cannabis dispensary in a timely manner.

214.11 Anti-Diversion Policy. A medical cannabis dispensary shall have an anti-diversion policy designed to prevent diversion of medical cannabis for non-medical uses approved by and filed with the City Police Chief.

214.12 Employees. A medical cannabis dispensary shall semi-annually provide to the City Police Chief a list of all employees. Staff changes shall be reported to the City Police Chief within 10 days of hiring.

214.13 Chemicals. A medical cannabis dispensary shall maintain a material safety data sheet file with the City Fire Chief for all chemical stored or used. The list of stored chemicals shall be reviewed and updated annually and resubmitted to the City Fire Chief.

214.14 Unrestricted Access. The Code Enforcement Officer, Police Chief, or Fire Chief requesting access to the premises of a medical cannabis dispensary for the purpose of determining compliance with this Chapter 14 shall be given unrestricted access at reasonable times. Failure to cooperate with City inspectors may be grounds to revoke the medical cannabis dispensary license, as set forth in Chapter 1, Section 510.6.

214.15 Handling of Product.

1. Prepared cannabis must be kept under double lock and inventoried daily by two qualified employee cardholders.

2. Quantities of prepared cannabis must be weighted, logged in, and signed out by two qualified employee cardholders.

214.16 Consumption. The consumption or inhalation of cannabis on or within the premises of a medical cannabis dispensary is prohibited.

214.17 Medical Cannabis Food Establishment. A medical cannabis dispensary must obtain a food establishment license from DHHS, pursuant to 22 M.R.S.A § 2167, and a victualer's license from the City, pursuant to Section 224.

214.18 Life Safety Inspection and Certification Required. No medical cannabis dispensary license shall be issued or renewed pursuant to this Chapter 14 until the Fire Chief has inspected the premises and certified in writing to the reviewing authority that the premises are in compliance with the requirements of Chapter 4 (Fire Prevention and Protection).

214.19 Compliance with Other Laws. A medical cannabis dispensary must comply with all operating and other requirements of state and City law and regulation. To the extent the state has adopted or will adopt any stricter law or regulation governing medical cannabis dispensaries, the stricter law or regulation shall control and shall apply to the medical cannabis dispensary at the time of license renewal.

214.20 Suspension or Revocation of License. The procedures in Chapter 1, Section 510.6 shall apply to the suspension or revocation of a medical cannabis dispensary license. If the enforcement authority revokes a license, the City Clerk shall notify the OCP of such revocation.

STATE LAW REFERENCE—22 M.R.S.A. CH. 558-C. (MAINE MEDICAL USE OF CANNABIS ACT).

215 MOBILE VENDING UNIT

215.1 No person shall operate any mobile vending unit without first obtaining a license in accordance with Article 1 and this Section 215. No public hearing is required prior to action on a new license application or renewal application for a mobile vending unit.

215.2 Mobile vending units parked in one spot for seasonal sales must include in license renewal applications a date for removal of the vehicle upon the close of the season. This removal will be subject to inspection by the CEO. If the date for removal is not adhered to, it shall constitute a violation of this Chapter 14.

215.3 A license may not be issued if the mobile vending unit will inconvenience public travel.

215.4 If it is the intent of the mobile vending unit to set up business in one particular location, the City administrator will require a notarized statement of approval from the landowner.

STATE LAW REFERENCE—30-A M.R.S.A. § 3931 (LUNCH WAGONS).

216 PARADE

No person shall engage in, participate in, aid, form, or start any parade without first obtaining a license from the City Police Chief in accordance with Chapter 27 (Parade Ordinance). The applicant must provide at least 30 days' advance notice of any proposed parade to the City Police Chief. No public hearing is required prior to action on a new license application or renewal application for a parade.

217 POLE AND WIRE PERMIT

No person shall install or construct utility above or below ground, along, or upon City streets or roads without first obtaining a permit in accordance with 35-A M.R.S.A § 2503. No public hearing is required prior to action on a new license application or renewal application for a pole and wire permit.

The City Council designates the City Manager as the licensing authority for the issuance of pole and wire permits for facilities located on, over, and under the surface of applicable public ways in the City. All such permits shall be issued in accordance with 35-A M.R.S.A. §§ 2501-2520.

STATE LAW REFERENCE—35-A M.R.S.A. CH. 25 *(*REGULATION OF FACILITIES IN THE PUBLIC WAY).

218 SEWER HOOK-UP

No person shall install or connect building sewers or discharge water or wastes into the public sewer system without first obtaining a sewer connection permit in accordance with Chapter 5 (Public and Private Sewers).

219 STREETS, USE OF

No person engaged in the sale of goods, wares, or merchandise shall deposit, pile, place, or display for purposes of sale or cause or permit to be deposited, piled, placed, or displayed for the purpose of sale, any such goods, wares, or merchandise upon or overhanging any sidewalk or street without first obtaining a license in accordance with Article 1, this Section 219, and Chapter 11 (Use of Streets).

220 TAXICABS, TAXI DRIVERS, AND TAXI STANDS

No person shall operate any business or vehicle intended for the transport or livery of persons for a fee within the City without first obtaining a license in accordance with Chapter 8 (Taxicab Ordinance). All drivers of taxicabs shall obtain a driver's license in accordance with Chapter 8. No parking space in the City shall be used exclusively as a taxi stand unless the owner of the taxicab shall first obtain a permit in accordance with Section 412 of Chapter 7 (Traffic Code).

221 TOWING SERVICE

No person shall operate any business or vehicle intended for the transport of other vehicles for a fee within the City without first obtaining a license in accordance with Article 1 and this Section 221. No public hearing is required prior to action on a new application or renewal application for a towing license.

222 TRANSIENT SELLER

222.1 License Required. No transient seller shall operate in the City without first obtaining a license in accordance with Article 1 and this Section 222. No public hearing is required prior to action on a new license application or renewal application for a transient seller.

222.2 Term of License. A transient seller license shall be valid for 30 days from the date of issuance, and the validity of such license may be extended for an additional 30 days if so approved by the City administrator.

222.3 License-Specific Review Criteria. Prior to issuing a license, the administrator must find that the proposed licensed activity complies with the following requirements:

1. The applicant must provide a statement containing: name of company, goods or services being sold, number of sellers in the City, names of sellers, and length of time to be in the area, along with a copy of any applicable state licenses.
2. The administrator must obtain written recommendations for approval from the City Police Chief and the City Fire Chief.
3. If it is the intent of the transient seller to set up business in one particular location, the City will require a notarized statement of approval from the landowner.

222.4 Exemptions. This Section 222 shall not apply to:

1. Off-premises consumption of alcohol for a fee.
2. Persons selling by lists, catalog, or merchandise for future delivery.
3. Persons selling fish, farm, dairy, orchard, or garden products of their own production.
4. Persons selling bark, wood, manure, or forest products.
5. Persons selling newspapers or religious literature.

223 TREE WORK

No person shall remove, cut, prune, plant, or cause root disturbance without obtaining a license in accordance with Article 1 and this Section 223. No public hearing is required prior to action on a new license application or renewal application for tree work.

224 VICTUALER'S

224.1 **License Required.** Except as provided in Section 224.2, no person shall operate any business preparing or serving, or intending to prepare or serve, food for consumption on or off the premises without first obtaining a license in accordance with Article 1 and this Section 224. A public hearing is required prior to action on a new victualer's license application or renewal application.

224.2 **Exemption.** Charitable, religious, or fraternal organizations holding breakfasts, dinners, or suppers on an itinerant basis are exempt from the licensing requirement of this Section 224 but remain subject to inspections pursuant to Article 1.

224.3 **Life Safety Inspection and Certification Required**. No victualer's license shall be issued or renewed pursuant to this Chapter 14 until the Fire Chief has inspected the premises and certified in writing to the reviewing authority that the premises are in compliance with the requirements of Chapter 4 (Fire Prevention and Protection).

ARTICLE 3 GENERAL BUSINESS LICENSES

301 BUSINESS LICENSE REQUIRED

301.1 **License Required.** It shall be unlawful for any person to operate a business or to conduct a special event without first obtaining a business license from the City. The requirement to obtain a business license is in addition to any other activity-specific license, permit, or other approval required by Chapter 14 and the City Code. Non-business enterprises conducting business-like activities on a regular basis are required to obtain a business license in accordance with this Article 3.

301.2 **Exception.** No business license is required for fundraising activities sponsored by schools, churches, athletic groups, or nonprofit organizations.

301.3 **No Public Hearing.** No public hearing is required prior to action on a new business license application or renewal application.

302 GENERAL REQUIREMENTS

302.1 Business licenses shall be processed and issued in accordance with the procedures for administering licenses in Section 104.

302.2 A separate business license must be obtained for each branch establishment or location where a business is conducted.

302.3 When more than one business is operated, transacted, or practiced in the same location by the same person, then only one business license shall be required for such business.

302.4 When more than one business is operated, transacted, or practiced in one location by a person other than the primary person, a separate business license shall be required for each person conducting such business.

302.5 No licensee shall be allowed to operate in any congested area where the business activity or operations may impede or inconvenience the public.

302.6 The proposed business activity shall not adversely affect public safety or impede or inconvenience traffic flow.

302.7 As a condition of any license granted under this Chapter 14, the administrator may require a performance guarantee, in accordance with Chapter 1, Section 511.

302.8 No business activity shall be conducted in an area of the City where such activity is prohibited by the UDO.

302.9 For special events, only the sponsor of the primary event shall be required to obtain a business license unless the City administrator determines that all vendors participating in the special event must obtain business licenses to protect the general safety, health, and welfare of the public.

302.10 Every sponsor of a special event shall post its business license in a conspicuous location during all hours of the special event.

302.11 Life Safety Inspection and Certification Required. No business license shall be issued or renewed pursuant to this Chapter 14 until the Fire Chief has inspected the premises and certified in writing to the reviewing authority that the premises are in compliance with the requirements of Chapter 4 (Fire Prevention and Protection).

303 NO EXCLUSIVE RIGHT TO PUBLIC LOCATION

No holder of a business license shall have any exclusive right to any location in a public street.

ARTICLE 4 DEFINITIONS

For purposes of this Chapter 14, the following terms have the following meanings:

Adult Use Cannabis Store: A retail facility licensed by OCP to purchase adult use cannabis, immature cannabis plants and seedlings from a cultivation facility, to purchase adult use cannabis and adult use cannabis products from a products manufacturing facility and to sell adult use cannabis, adult use cannabis products, immature cannabis plants, seedlings, and other products to consumers.

Alcoholic Beverage: All liquors, including wine, beer, and spirits.

Amusement Establishment: Live music, dancing, entertainment, exhibition, performances, shows, or diversions, other than sexual contact for pecuniary benefit, which is prohibited by Chapter 45.

Amusement Establishment, Special: Live music, dancing, entertainment, exhibition, performances, and shows, including diversions that include the offering of alcoholic beverages, other than sexual contact for pecuniary benefit, which is prohibited by Chapter 46.

Arcade: A building or area containing pinball, video, bagatelle games, pool and billiards, and the like. “Bagatelle games” are coin-operated device involving the rolling of balls into scoring areas.

Automobile Graveyard: “Automobile graveyard,” as defined in 30-A M.R.S.A. § 3752(1).

Automobile Recycling Business: “Automobile recycling business,” as defined in 30-A M.R.S.A. § 3752(1-A).

Bed and Breakfast: *Refer to “Lodging House.”*

Boarding Home: *Refer to “Lodging House.”*

Branch Establishment: A division of a business or other organization.

Business: Any trade, calling, profession, or occupation, which on a regular basis provides goods or services within the corporate limits of the City.

Cannabis: The leaves, stems, flowers and seeds of a cannabis plant, whether growing or not. "Cannabis" includes cannabis concentrate but does not include hemp, as defined in 7 M.R.S.A. § 2231(1-A)(D), or a cannabis product.

Class A Establishment: An establishment requiring a special amusement establishment, lodging house, liquor, or victualer's license.

Class B Establishment: An establishment requiring a combination of three of the following licenses: special amusement establishment, lodging house, liquor, and victualer's. Combinations may include:

- Lodging house, liquor, victualer's
- Lodging house, liquor, special amusement establishment
- Lodging house, victualer's, special amusement establishment
- Victualer's, liquor, special amusement establishment

Class C Establishment: An establishment requiring a combination of two of the following licenses: special amusement establishment, lodging house, liquor, and victualer's. Combinations may include:

- Special amusement establishment and liquor
- Special amusement establishment and lodging house
- Special amusement establishment and victualer's
- Lodging house and liquor
- Lodging house and victualer's
- Liquor and victualer's

Closing-Out Sale: Any sale of a stock of goods, wares, or merchandise by a retail establishment under the designation of "closing-out sale," "going out of business sale," "discontinuance of business sale," "entire stock must go," "must sell to the bare walls," or other designation that states, either directly or by implication, that the intent of the seller is to dispose of the entire stock of goods with a view of permanently terminating further business after that disposal is complete. This definition does not include liquidation sales by public auction of not more than three days duration conducted by a licensed auctioneer; sales conducted or made by sheriffs, constables, collectors of taxes, executors, guardians, conservators, receivers, assignees under voluntary assignments for the benefit of creditors or insurers; or sales by any other person required by law to sell personal property.

Conditions of Record: A formal written complaint or written notice of violation issued by the enforcement authority.

Consumer Fireworks: "Consumer Fireworks," as defined in 8 M.R.S.A. § 221-A(1-A).

Eating Establishment: Refer to "Victualer's."

Exhibition: A public showing for which a fee may or may not be charged.

Highway: Any public way.

Highway Opening: *Refer to "Street Opening."*

Hotel: *Refer to "Lodging House."*

Inn or **Innkeeper:** *Refer to "Lodging House."*

Itinerant Vendor: *Refer to "Transient Seller."*

Junkyard: "Junkyard," as defined in 30-A M.R.S.A. § 3752(4).

Live Music: People performing live in a musical capacity.

Lodging House: A place providing sleeping accommodations, with or without meals, for a fee, including a bed and breakfast, boarding house, hotel, inn, or motel.

Lunch Wagon: An establishment selling foods of any sort for consumption on or off premises, mobile in design.

Mass Gathering: An outdoor event where more than 250 persons are reasonably expected to attend, including festivals, exhibitions, amusement shows, fairs, theatrical performances, music concerts, parades, or other similar activity.

Medical Cannabis Cultivation Facility: A not-for-profit facility limited to the acquisition and possession of medical cannabis; cultivation or growing of medical cannabis; manufacturing of medical cannabis; and delivering, transporting, and transferring of medical cannabis to a medical cannabis retail facility.

Medical Cannabis Dispensary: A not-for-profit entity registered with the OCP 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 registered caregivers of those patients. A medical cannabis dispensary may consist of a medical cannabis cultivation facility, a medical cannabis retail facility, or a combination of the two.

Medical Cannabis Food Establishment: A dispensary that prepares goods containing cannabis for medical use by a qualifying patient.

Medical Cannabis Retail Facility: A not-for-profit facility limited to acquisition and possession of medical cannabis; the selling, supplying, or dispensing of medical cannabis and paraphernalia or related supplies and educational materials to qualifying patients who have designated the medical cannabis retail facility to dispense medical cannabis for their medical use and to registered caregivers of those qualifying patients.

Medical Use: The acquisition, possession, cultivation, manufacture, use, delivery, transfer, or transportation of cannabis or paraphernalia relating to the administration of cannabis to treat or alleviate a qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition.

Mobile Vending Unit: Any vehicle, including a lunch wagon, fixed mobile vending unit, roaming vending unit, or food truck, that is used for the sale of any prepared food. This definition includes a restaurant operating for a temporary period in connection with a fair, carnival, circus, or public exhibition, or in a seasonal capacity.

Non-Business: Any schools, churches, athletic groups, non-profit organizations, persons fulfilling work under a warranty, or professionals performing work within their profession, on an itinerant basis, within the City limits who are licensed by the State of Maine.

Premises: Any building, room, structure, mobile unit, or area wherein or whereat the activity takes place.

Public Exhibition: *Refer to "Exhibition."*

Qualified Employee Cardholder: A principal officer, board member, or employee of a medical cannabis dispensary who has been issued and possesses a valid registry identification card from the OCP.

Qualifying Patient: An individual who has been a resident of the state for at least 30 days and who possesses a valid written certification regarding medical use of cannabis in accordance with 22 M.R.S.A. Ch. 558-C.

Regular Basis: At least once a month.

Special Amusement Establishment: *Refer to "Amusement Establishment, Special."*

Special Event: An event that is operated as a temporary activity in a temporary structure or outside, including a circus, fair, carnival, festival, religious revival, political rally, vehicle show and display, swap meet, rodeo, and similarly recognized temporary activities. "Special event" does not include wedding and funeral ceremonies, elections, private yard sales, fundraising car washes, or activities such as retail sales promotions conducted under an existing business license that could otherwise be lawfully conducted in accordance with the provisions of the City Code, including in the zoning district where such activities take place.

Street Opening or **Highway Opening**: A method of excavation and destruction of pavement and its associated gravel surface (shoulders) within a public way.

Taxicab: A vehicle used for the conveyance of persons for a fee.

Taxicab Driver: A person with an active Maine driver's license and legally permitted to operate a taxicab through the City.

Taxicab Stand: A parking place within and along the shoulder of a public road right- of-way, designated specifically and reserved for the temporary parking of taxicabs for the purpose of loading and unloading passengers and their property.

Traffic Trip Generation: Number of vehicles that visit a location in a peak hour.

Transient Seller: A person who provides goods or services for a fee with no business office or fixed location within the City passing through or by the City with only a brief stay.

Tree Work: Any removal, cutting, pruning, planting, or root disturbance of City trees.

Vendor: A person who promotes or exchanges goods or services for money.

Victualer: A provider of prepared food, of any sort, for public consumption, either on or off premises, for a fee.

STATE LAW REFERENCE—22 M.R.S.A. CH. 558-C (MAINE MEDICAL USE OF CANNABIS ACT); 28-B M.R.S.A. CH 1 (CANNABIS LEGALIZATION ACT); 30-A M.R.S.A. CH. 183 (ECONOMIC REGULATION).

APPENDIX 14-A
LICENSE TERMS AND ADMINISTRATORS

Type of License	License Term	City Administrator
Adult Use Cannabis Store	One Year	City Council
Amusement Establishment	One Year	City Clerk
Amusement Establishment, Special	One Year	City Council
Arcade	One Year	City Clerk
Business	One Year	CEO
Carnival / Circus	One Time	City Manager
Class A Establishment	One Year	City Council
Class B Establishment	One Year	City Council
Class C Establishment	One Year	City Council
Closing-Out Sale	60 Days	City Manager
Closing-Out Sale—Extension	60 Days	City Manager
Consumer Fireworks Retail Sales	One Year	City Council
Driveway / Street/Road Opening Permit	30 Days	CEO
Junkyard/Automobile Graveyard/Automobile Recycling Business	One Year	City Council
Liquor	One Year	City Council
Lodging House	One Year	City Council
Mass Gathering	Per Day	CEO
Medical Cannabis Dispensary	One Year	City Council
Mobile Vending Unit	One Year	City Clerk
Parade	One Time	City Police Chief
Pole/Wire Permit	One Time	City Manager
Sewer Hook-up	One Time	Wastewater Superintendent
Streets, Use of	One Time	City Manager
Taxicab / Taxi Driver / Taxi Stand	One Year	City Clerk
Towing Service	One Year	City Clerk
Transient Seller	30 Days	City Clerk
Tree Work	One Time	Tree Warden
Victualer's	One Year	City Council

APPENDIX 14-B
ADULT USE CANNABIS STORE LICENSING LOTTERY

The number of adult use cannabis store local licenses shall be limited to three (3) adult use cannabis stores. Local licenses shall be awarded subject to the lottery process found in Appendix 14-B of this Chapter. Applications received within 30 days of May 14, 2026 that meet the license and application requirements shall be eligible to participate in a lottery drawing to determine which applicant(s) will be awarded any available local license. If there are three or less applicants for adult use cannabis store local licenses a lottery will not be required. When an adult use cannabis store local license remains or becomes available, the same 30-day application window and evaluation process shall apply.

Lottery Procedures

Applicants for an adult use cannabis store local license will have a 30-day window starting April 14, 2026 to submit applications.

In the event the City Council approves more than three (3) applications, all completed and approved applications will be assigned a unique identification number which will be sent to each applicant and posted on the City's website.

The City Manager and/or designees will draw the numbers.

The City will utilize a raffle drum and numbered balls to conduct the lottery. A numbered ball will be placed in the raffle drum for each unique identification number assigned to an approved application.

The lottery drawing will take place on the Monday following City Council conditional approval of the local licenses, at 6:30PM in the Council Chambers.

The City will prove out the numbered balls prior to the lottery, meaning it will confirm each numbered ball is present and ready for the lottery. The proving process will begin at 12:30PM, in the Council Chambers, on the day of the lottery. The proving process will involve the City Manager and/or designees calling out the number of each ball and staff checking off its presence on paper lists. This will confirm that all the required balls for the lottery are present and none are missing. The balls will be placed in buckets as they are proved out. The buckets will remain in the Council Chambers, in plain sight of all present or watching, until the lottery is complete.

The public is welcome to observe the proving process and the lottery in person, or remotely by watching on the City's livestream.

At 5:00PM, the balls for the lottery will be placed into the raffle drum. The drum will be turned no fewer than three times to sufficiently mix up the numbered balls. The City Manager and/or designees shall reach into the drum, mix the balls around before drawing one, or turn the drum again at any time during the lottery.

The first ball will be drawn from the drum and the ascribed number on the ball read aloud. The number will be recorded on paper by two different staff members. This first draw of three will be for the license invitation.

The order in which the remaining numbered balls are drawn will establish the waitlist order. A numbered ball will be drawn from the drum and read aloud, until the drum is empty.

The signed off lists will be posted on the City's website by the following business day. The lists will show the order in which the numbered balls were drawn. It will not have information about the applicant's name

or proposed location. Due to the number of applications and the time involved in transcribing the lottery results to the application lists, this information will not be posted until the week following the lottery.

Information about an applicant's assigned identification number will not be present at the lottery. The City will not be able to verify or confirm any names or addresses associated with the unique identification numbers at the time of the lottery. This ensures the lottery is conducted "blind".

The City will not be able to take or respond to audience questions or comments during the lottery. The audience is welcome to observe but not participate in the process of drawing numbers. The City reserves the right to remove an audience member if they are disruptive to the lottery process. Anyone removed may still observe the lottery remotely.

Lottery winners will receive a written invitation, from the City, to proceed with the licensing process in order to obtain a final local license.

APPENDIX 14-C
MUNICIPAL LICENSE AND PERMIT FEES

For the ease of use for the reader, this Municipal License and Permit Fees schedule is provided. The official table is in Chapter 1, Article 6 of the City Code. Where a discrepancy between this Appendix 14-C and Chapter 1, Article 6 exists, Chapter 1, Article 6 prevails.

Municipal License and Permit Fees	Amount ($)	Explanatory Note
Adult Use Cannabis Store	10,000.00	Per year
Amusement Establishment	40.00	Per year
Amusement Establishment, Special	40.00	Per year
Arcade—12 devices or less	25.00	Per year
Arcade—More than 12 devices	40.00	Per year
Business	20.00	Per year
Business—Renewal	10.00	Per year
Carnival / Circus	110.00	Per day
Class A Establishment	120.00	Per year
Class B Establishment	95.00	Per year
Class C Establishment, small	75.00	Per year
Class C Establishment, medium	115.00	Per year
Class C Establishment, large	150.00	Per year
Closing-Out Sale	10.00	Valid for 60 days
Closing-Out Sale—Extension	10.00	Valid for additional 60 days
Consumer Fireworks Retail Sales	500.00	Per year
Driveway Opening	None	Valid for 30 days
Street/ Road Opening	*See* Chapter 14, Section 209	Valid for 30 days; fee is the greater of the base fee or 10% of total impact value, per City's Highway Road Opening / Location Permit Policy
Junkyard / Automobile Graveyard / Automobile Recycling Business—Within 100 feet from highway	200.00	Per year
Junkyard / Automobile Graveyard / Automobile Recycling Business—100 or more feet from highway	75.00	Per year
Liquor	50.00	Per year
Lodging House, other than bed & breakfast	60.00, plus $3.00 per room	Per year
Lodging House—Bed & Breakfast, less than 5 rooms	35.00	Per year
Lodging House—Bed & Breakfast, 5 to 14 rooms	50.00	Per year
Lodging House—Bed & Breakfast, 15 or more rooms	60.00, plus $3.00 per room	Per year

Municipal License and Permit Fees	Amount ($)	Explanatory Note
Mass Gathering	110.00	Per day
Medical Cannabis Dispensary	1,000.00	Per year
Mobile Vending Unit	65.00	Per year
Parade	0.00	Per event
Pole / Wire Permit	8.00	One-time filing fee
Sewer Hook-up	*See* Article 5	
Taxicab	40.00	Per taxi, per year
Taxi Driver	25.00	Per driver, per year
Taxi Stand	110.00	Per space, per year
Towing Service	110.00	Per year
Transient Seller	110.00	Valid for 30 days
Tree Work	25.00	Per event
Victualer's	75.00	Per year
Victualer's—Off-Premises Consumption	35.00	Per event