

Town of Anson

Controlled Substance Facilities Ordinance

Section 1. Title & Authority

This Ordinance shall be known as the “Town of Anson Controlled Substance Facilities Ordinance” and referred to herein as the “Ordinance”. This Ordinance is adopted pursuant to the Town of Anson’s Municipal Home Rule authority and Title 30-A M.R.S.A. Section 3001.

Section 2. Purpose

This Ordinance is intended to protect the health, safety and general welfare of residents of the Town of Anson by regulating the location and siting of opioid addiction treatment facilities in the Town of Anson, also called methadone clinics, which are facilities involved in the production and/or distribution of controlled substances.

This Ordinance does not regulate marijuana, including but not limited to its production, consumption and/or distribution. Please refer to the Town of Anson Recreational Marijuana Ordinance for additional information on marijuana regulations in the Town of Anson.

Section 3. Definitions

The following definitions have the literal meaning as they pertain to this Ordinance only:

- A. **FACILITY:** Means anything built for the support, shelter or enclosure of persons and/or goods for the purposes of dispensing and/or producing controlled substances to any individual or entity. This definition does not include licensed hospitals as defined in 36 M.R.S. §2891-A and/or pharmacies as defined in 32 M.R.S. § 13702-A.
- B. **CONTROLLED SUBSTANCE(s):** Means a controlled substance included in schedules II, III, IV or V of 21 United States Code, Section 812 or 21 Code of Federal Regulations, Section 1308, explicitly exempting marijuana and its derivatives.
- C. **SCHOOL:** Any public or private childcare center, preschool, elementary, middle, or secondary school as those terms are defined by 22 M.R.S. § 8301-A and 20-A M.R.S. § 1, respectfully.
- D. **MUNICIPAL RESTRICTED PROPERTY:** Any municipally owned athletic field, park, playground, recreational facility or other municipally owned property where children are the primary users and are designated as safe zones by the Town of Anson pursuant to 30-A M.R.S. § 3253.

Section 4. Restrictions

- A. Locations Restricted: A Facility may not be located within Two Thousand (2,000) feet of the property line of any pre-existing school and/or municipal restricted property, or any of the following locations, which may be amended from time to time:
 - a. *CenterPoint Community Church*
 - b. *First Congregational Church of North Anson*
 - c. *Methodist Church of North Anson*
- B. No facility governed by this Ordinance may be sited in the Shoreland Zone, Floodplain or Wetland.
- C. No more than one (1) Facility shall be located in the Town of Anson.

Section 5. Administration

- A. The Facility must be registered by the Code Enforcement Officer, confirming compliance with this Ordinance.
- B. The Town of Anson Code Enforcement Officer or their designee shall be responsible for the enforcement of this Ordinance, including conducting such reviews and inspections as are necessary to assure compliance with all other codes and ordinances, including but not limited to the Anson Site Plan Ordinance.
- C. The Facility shall be designed in such a way as to minimize the impact on neighboring properties and public services. At a minimum, the facility shall conform to the design provisions of the following sections of the Anson Site Plan Ordinance (2009, as amended).
- D. Any person or entity who violates any provision or requirement of this Ordinance shall be penalized in accordance with 30-A M.R.S. § 4452.
- E. Appeal of an action taken by the Code Enforcement Officer or Planning Board pursuant to this Ordinance shall be to the Superior Court in accordance with the Maine Rules of Civil Procedure Rule 80B.

Section 6. Exceptions

- A. For confidentiality and public safety reasons, no interior layout plans or details of security features for the Facility will be required to be submitted for site plan review and/or registration, except the minimum required for a building permit and as requested by local fire department and/or law enforcement.

Section 7. Severability

In the event that any section or any portion of this Ordinance shall be declared by any court of competent jurisdiction to be invalid for any reason, such decision shall not invalidate any other section or portion of this Ordinance. The provisions of this Ordinance are hereby declared to be severable.

Section 8. Effective Date

Notwithstanding any law to the contrary, this Ordinance shall take upon adoption at a town meeting of the Town of Anson.

ADOPTED: March 7, 2026