

# Town of Anson

## NEEDLE EXCHANGE PROGRAM, NEEDLE DISPOSAL SITES AND MEDICAL SUPERVISED INJECTION SITES

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### Section 1. Authority

This ordinance is enacted pursuant to Title 30-A M.R.S.A. Section 3001.

### Section 2. Purpose

- A. The Town of Anson supports the concept of harm reduction through hypodermic syringe exchange as a benefit to the health threat incurred by spreading disease such as HIV and Hepatitis C through the sharing of needles during drug use;
- B. The regulation of needle exchange programs and disposal sites is necessary to ensure that such programs operate in conformity with state law, demonstrate a plan and implementation for injection drug users to seek treatment for substance abuse, and require the removal of syringe litter from public and private property;
- C. The purpose of this chapter is to protect the health, safety and welfare of the public and of the use of the environment by regulating needle exchange programs, and medically supervised injection sites within the Town of Anson.

### Section 3. Definitions

The following words shall have the meanings ascribed to them unless the text requires or specifies a different meaning:

FACILITY: A building or area within a building, which is permanent structure, having one or more floors and a roof, which is used for the housing or enclosure of persons or property.

MEDICALLY SUPERVISED INJECTION SITE: Medically supervised facilities designed to provide a hygienic environment in which individuals are able to consume controlled substances intravenously without a prescription.

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.

MOBILE NEEDLE EXCHANGE: Refers to needle and syringe exchange programs conducted through a variety of delivery methods to include but not limited to: mobile vans, cars, motorcycles or mopeds, and backpacked pedestrians. The delivery of program services in any way except in a fixed facility.

NEEDLE EXCHANGE PROGRAM (NEP): A sterile needle and needle exchange program authorized by the Maine CDC that meet the requirements established by state law Title 22 M.R.S.A. Ch. 252-A

TOWN: The Town of Anson, Maine.

## **Section 4. Restrictions**

- A. No needle exchange program (NEP) shall operate within the Town of Anson, unless licensed by the Maine Center for Disease Control and Prevention.
- B. No medically supervised injection sites are permitted in the Town of Anson.
- C. No more than one (1) Needle Disposal Site shall be located in the Town of Anson.

## **Section 5. Enforcement, Violations and Penalties**

- A. This ordinance shall be enforced by the Anson Code Enforcement Officer.
- B. Except as otherwise provided by state law, anyone found guilty of violating any provision of this ordinance shall be subject to a fine of not less than \$100 nor more than \$1,000 to be recovered for the use of the Town of Anson and shall be subject to such other legal and equitable remedies as may be available to the Town. Each day such violation occurs shall constitute a new and separate offense.

## **Section 6. Severability**

If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

## **Section 7. 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