

**TOWN OF SHARPTOWN
ORDINANCE NO. 103**

**AN ORDINANCE OF THE TOWN OF SHARPTOWN AMENDING ZONING
ORDINANCE #19 BY AMENDING THE PROVISIONS THEREOF FOR THE
PURPOSES OF INCORPORATING AMENDMENTS TO REGULATE THE CANNABIS
BUSINESS TO INCLUDE THE GROWING, PROCESSING, DISPENSING, AND ON-
SITE CONSUMPTION ESTABLISHMENTS IN THE TOWN OF SHARPTOWN.**

WHEREAS, on May 3, 2023, the Governor of Maryland signed the Cannabis Reform Act into law, which allows for cannabis sales to adults 21 and older from licensed dispensaries and establishes a framework for adult-use cannabis sales; and

WHEREAS, the Cannabis Reform Act provides political subdivisions with the power to establish zoning requirements for and otherwise regulate cannabis subject to certain limitations to include on-site consumption establishments; and

WHEREAS, the Commissioners of Sharptown (the Town) are authorized by MD Code, Local Government § 4-204, as amended, to amend zoning regulations to assure the purposes set forth in MD Code, Local Government § 4-202(b) are satisfied;

WHEREAS, the Town deems it necessary, for the purpose of promoting the health, safety, or general welfare of the Town, to amend the zoning regulations;

WHEREAS, the Town has determined that the amendments to Sharptown Zoning Ordinance #19 of the Sharptown Code set forth below shall be adopted and set forth therein;

WHEREAS, the Planning and Zoning Commission reviewed the matter and provided a favorable recommendation on the amendments;

WHEREAS, the Town find that amendments to Sharptown Zoning Ordinance #19 are desirable to establish new provisions governing cannabis businesses in the Town;

NOW THEREFORE, be it enacted and ordained by the Commissioners of Sharptown that the Sharptown Zoning Ordinance #19 is amended by adding the following sections with language being adding *in italics* below in Section 1:

Section 1.

DEFINITIONS:

(Note: Added definitions are to be inserted in alphabetical order with the terms already defined)

CANNABIS: *The plant cannabis sativa l. And any part of the plant, including all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a*

delta-9-tetrahydrocannabinol concentration greater than 0.3% on a dry weight basis. Cannabis includes cannabis products. Cannabis does not include hemp or hemp products, as defined in § 14-101 of the agriculture article of the annotated code of Maryland.

CANNABIS ADMINISTRATION: The Maryland cannabis administration established under title 36 of the alcoholic beverages and cannabis article of the annotated code of Maryland.

CANNABIS BUSINESS: A business licensed or registered by the cannabis administration to operate in the cannabis industry. This includes, but is not limited to, a grower, processor, or dispensary, to include an on-site consumption establishment, licensed under title 36 of the alcoholic beverages and cannabis article of the annotated code of Maryland.

CANNABIS DELIVERY SERVICE: A cannabis licensee authorized to deliver cannabis in accordance with a cannabis micro license to operate a cannabis dispensary.

CANNABIS DISPENSARY: An entity licensed under title 36 of the alcoholic beverages and cannabis article of the annotated code of Maryland that acquires, possesses, repackages, transfers, repackages, transports, sells, distributes, or dispenses cannabis or cannabis products, including tinctures, aerosols, oils, and ointments, related supplies, and educational materials for use by qualifying patients, caregivers, or consumers through a storefront or through a delivery service, based on license type.

CANNABIS GROWER: An entity licensed under title 36 of the alcoholic beverages and cannabis article of the annotated code of Maryland that cultivates, or packages, cannabis and is authorized by the cannabis administration to provide cannabis to other cannabis licensees and registered independent testing laboratories.

CANNABIS MICRO LICENSE: A micro license issued in accordance with § 36-401(c)(2) of the alcoholic beverages and cannabis article of the annotated code of Maryland.

CANNABIS ON-SITE CONSUMPTION ESTABLISHMENT: An entity licensed under § 36-401(c)(4) of the alcoholic beverages and cannabis article of the annotated code of Maryland to distribute cannabis or cannabis products for on-site consumption other than consumption by smoking indoors.

CANNABIS PROCESSOR: a licensed entity 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.*

TOWN CENTER R-3

B. EXCLUSIONS: The following are not permitted in (R-3) Town Center

1. Mobile Homes.

2. *Cannabis Businesses.*

HIGHWAY COMMERCIAL H-1

C. USES PERMITTED BY SPECIAL EXCEPTION

1. Taverns/Bars
2. *Cannabis Businesses*

D. MINIMUM DEVELOPMENT STANDARDS:

11.

A. *A Cannabis Business may not locate within 500 feet of:*

- (1) *A pre-existing primary or secondary school in the state, or a licensed child care center or registered family child care home; or*
- (2) *A playground, recreation center, library, place of religious assembly or public park; or*
- (3) *Another cannabis business.*

B. *A cannabis on-site consumption establishment is prohibited within the town of Sharptown.*

C. *A cannabis business not enumerated as a permitted use in this ordinance is prohibited within the town of Sharptown.*

D. *The distance from a cannabis business to a place enumerated in subsection (a) of this section is to be measured from the front door or main entrance of the cannabis business, whichever is nearest the street abutting the site, to the front door or main entrance of the place enumerated in subsection (a) of this section. As to public parks and playgrounds, the distance shall be measured from the front door or main entrance of the cannabis business, whichever is nearest the street abutting the site, to the parcel boundary, in all directions, of the public park or playground.*

Conservation District C-1

B. EXCLUSIONS

1. *Cannabis Businesses.*

Section 2. It is the intention of the Town that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 3. It is further the intention of the Town that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise

unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

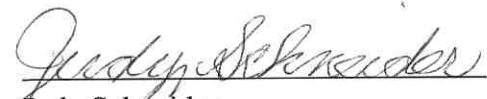
Section 4. This Ordinance shall take effect from and after the date of its final passage.

***[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]
[SIGNATURES APPEAR ON THE PAGE THAT FOLLOWS]***

AND BE IT FURTHER ENACTED AND ORDAINED BY THE COMMISSIONERS OF THE TOWN OF SHARPTOWN that this Ordinance shall take effect from and after the date of its final passage.

The above ordinance was introduced and read to the Commissioners of the Town of Sharptown, Maryland, at a meeting held on 21st day of January, 2025, and finally passed at a meeting held on the 3rd day of February, 2025, having been published as required by law.

ATTEST:


Judy Schneider
Clerk/Treasurer


Matthew V. Schneider,
President


Jerry L. Bennett,
Chairperson


Cecil B. Bradley,
Commissioner of Sharptown


George Henry
Commissioner of Sharptown


Mark A. Carroll
Commissioner of Sharptown