

**TOWN OF SOUTH THOMASTON, MAINE**  
**EMERGENCY MORATORIUM ON METHADONE TREATMENT FACILITIES**

The Town of South Thomaston, Maine (“South Thomaston”) hereby adopts an Emergency Moratorium Ordinance (the “Moratorium”) concerning Methadone-Treatment Facilities as follows:

**WHEREAS**, a Methadone Clinic presents the potential for new and unknown impacts, including public safety concerns, the adequacy of streets to additional traffic, the compatibility of methadone treatment facilities within existing residential and commercial zones; and the potential adverse health and safety effects of a methadone treatment facility on the community, and

**WHEREAS**, South Thomaston, under its home rule authority, and its police power, has authority to impose reasonable restrictions, conditions, and limitations on such a facility; and

**WHEREAS**, South Thomaston currently has no ordinances in place which would effectively regulate Methadone Clinics; and

**WHEREAS**, “medical” buildings are included in the Land Use Ordinance of South Thomaston; and

**WHEREAS**, the application of the Town’s existing Comprehensive Plan, Land Use Ordinance and other land use ordinances and regulations is inadequate to prevent the possibility of serious public harm from an inappropriately located Methadone Clinic; and

**WHEREAS**, a methadone treatment facility presents the potential for impacts different from those normally associated with a typical medical office, including traffic concerns, public safety concerns and concerns about compatibility with surrounding uses; and

**WHEREAS**, the Select Board are concerned that the location of a methadone treatment facility in a location not adequately served by roads and related infrastructure could cause a shortage or overburdening of public facilities, and

**WHEREAS**, South Thomaston needs a reasonable amount of time to study the land use implications of methadone treatment facilities and other types of facilities which might be classified as medical offices, but would not be appropriate in all locations where medical offices are currently allowed, and to develop reasonable regulations governing their location and operation; and

**WHEREAS**, during the period of this Moratorium, the Town will work on developing appropriate land use regulations concerning Methadone Clinics; and

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**WHEREAS**, the Select Board hereby directs the Planning Board and other groups and committees it may appoint to study the land use requirements of methadone treatment facilities and to consider what locations might be appropriate for such facilities; and

**WHEREAS**, the Select Board anticipates that related studies, review, reports, recommendations and draft ordinances shall require at least one hundred eighty (180 days from the date South Thomaston's voters first enact this Emergency Moratorium Ordinance;

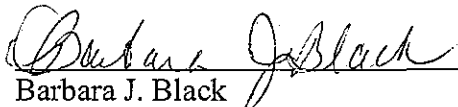
**NOW, THEREFORE**, the voters of the Town of South Thomaston, in town meeting assembled, hereby ordain:

1. **Methadone treatment facility defined.** As used in this Emergency Moratorium Ordinance, methadone treatment facility means a facility for outpatient detoxification and treatment of narcotic dependent persons which administers or dispenses methadone (methadone hydrochloride), LAAM (levo-alpha-acetyl-methadol) or similar drugs used to alleviate adverse physiological effects incident to withdrawal from continuous or sustained use of a narcotic drug.
2. **Acceptance, processing and acting upon applications prohibited.** During the time this Emergency Moratorium Ordinance is in effect, no officer, official, employee, office, board or agency of the Town of South Thomaston shall accept, process, approve, deny, or in any other way act upon any application for a methadone treatment facility.
3. **Location and operation prohibited.** During the time this Emergency Moratorium Ordinance is in effect, no person shall locate or operate a methadone treatment facility in South Thomaston.
4. **Applicability.** Notwithstanding anything to the contrary in 1 M.R.S.A. §302, this Ordinance applies to any application for a methadone treatment facility, whether or not such application had become a "pending proceeding" as defined in 1 M.R.S.A. §302 prior to the enactment of this Moratorium.
5. **Effective date and duration.** This Emergency Moratorium Ordinance takes effect on the date of enactment by town meeting vote and shall remain in effect for 180 days thereafter, unless earlier amended or repealed by a subsequent town meeting vote or unless extended by the South Thomaston Select Board.

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6. **Violation and Penalties.** Any person who violates Section 3 of this Emergency Moratorium Ordinance is subject to the penalties and remedies provided in 30-A M.R.S.A. §4452.
  
7. **Severability.** Should any section or provision of this Emergency Moratorium Ordinance be declared by any court to be invalid, such a decision shall not invalidate any other section or provision.

Attest: A true copy:

  
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Barbara J. Black  
Town Clerk of South Thomaston