



AGENDA
Committee of the Whole
Monday, June 12, 2017 – 5:30 p.m.
City Council Chambers, City Hall 10th Floor

Council Member Spitzley, Chairperson
Council Member Wood, Vice Chair

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - May 15, 2017
 - May 22, 2017
4. **Public Comment on Agenda Items (Up to 3 Minutes)**
5. **Presentation:**
 - CADL Annual Report Presentation(15 minutes)

{CLOSED SESSION}

1. Ratification of Wage Reopener Agreement in the CCLP Non-Supervisory Unit 2015 – 2019 Collective Bargaining Agreement

{RECONVENE}

6. **Discussion/Action:**
 - A.) RESOLUTION - Ratification of Wage Reopener Agreements in the CCLP Non-Supervisory Unit 2015 – 2019 Collective Bargaining Agreement
 - B.) DISCUSSION - FY2017 3rd Quarter General Fund Status Report and Vacancy Report
 - C.) DISCUSSION – Ordinance Amendments; Chapter 1300 Regulation and Licensing of Medical Marihuana Establishments

7. Adjourn

The City of Lansing's Mission is to ensure quality of life by:

- I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors
- II. Securing short and long term financial stability through prudent management of city resources.
- III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.
- IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.
- V. Facilitating regional collaboration and connecting communities



MINUTES
Committee of the Whole
Monday, May 15, 2017
City Council Chambers

CALL TO ORDER

Council Vice President Wood called the meeting to order at 5:32 p.m.

PRESENT

Councilmember Brown Clarke
Councilmember Kathie Dunbar
Councilmember Tina Houghton
Councilmember Adam Hussain
Councilmember Patricia Spitzley-excused
Councilmember Jody Washington
Councilmember Carol Wood
Councilmember Jessica Yorko

OTHERS PRESENT

Sherrie Boak, Council Staff
Angie Bennett, Finance Director – arrived at 5:34 p.m.
Joseph Abood, Chief Deputy City Attorney
Eric Brewer, Council Internal Auditor

Public Comment

No public comment.

Minutes

No action on the minutes, and moved to next meeting.

Discussion/Action:

FY 2017 3RD Quarter General Fund Status Report and Vacancy Factor

Ms. Bennett was not present, and after waiting, Council Member Wood moved the meeting to the next agenda item.

RESOLUTION – Fiscal Year 2017/2018 Budget and Policies

Council Member Wood referenced the proposed amendments, and went through the amendments nothing the following:

Common Ground Support – (\$10,000)

Sister City Support – (\$20,000)

Finance Department Contractual Services (\$150,000)

Finance Department Contractual Service into a Control Account \$100,000

Council Member Yorko stepped away from the meeting at 5:36 p.m.

Fire Department Miscellaneous Expenses (\$30,000)

OP TFR FLI – (\$100,000)

Groesbeck OP TRF 583 Fund (\$283,389)

Groesbeck Municipal Expenditure Back into Parks at \$283,389

One Code Enforcement Officer for Commercial Corridor and Signs \$121,000

Neighborhood Grant Program \$15,000

EDC Contract (\$26,000)

EDC Grant for Façade \$100,000

Council Member Yorko returned to the meeting at 5:38 p.m.

Council Member Wood then referred the Committee to the suggested budget policies amendments. Those included the addition of the description on the Code Enforcement for commercial properties, mention of the Pension and Retiree Health Care Study spoke to any changes with Groesbeck Golf Course and lastly an item on the proposed façade grants.

Ms. Bennett distributed answers to earlier budget questions. Council Member Houghton asked about the potential duplicate in the budget for the IT software item. Ms. Bennett confirmed they were not duplication, IT position data analytics is a City wide, and the Fire Department software in the Fire budget is for data analytics in the Fire Department to gather data. Council Member Wood stated opinion it was a duplicate because Fire and IT are both paying dollars for the technology. Ms. Bennett stated that the software is funded in the fire budget, and it is ongoing maintenance in the IT budget. She continued by admitting that in the past the department purchased their own software, however in the last round of technology improvement, programs were purchased under bond funds, and IT handles ongoing maintenance and implementation. The software analysis will look at statistical information from Fire such as the repetition of fire calls, types of calls, areas, and look for patterns.

Council Member Brown Clarke reminded Ms. Bennett and the Committee that the Fire Chief had admitted they would have a cost savings of about \$50,000-\$100,000 in allocated unspent dollars, could that not be contribute to maintain the Fire Marshall and the analytic program. Ms. Bennett acknowledged it is a possibility to use the fund balance in next year, and any residuals will go to the reserve.

Council Member Brown Clarke stated to the Committee she felt there was an awkward position with the potential for the future administration it would be hard to approve any amendments to the proposed budget.

MOTION BY COUNCIL MEMBER BROWN CLARKE TO APPROVE THE BUDGET AS IT WAS ORIGINALLY PRESENTED.

Council Member Wood pointed out that if there are no amendments, then there are no funds for an additional code enforcement officer, and the contract will proceed with LEPFA for Groesbeck Golf Course.

Mr. Abood asked to speak on the Budget Policies, but was informed they were not part of the discussion at this time.

MOTION FAILED 3-4.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE BUDGET WITH THE AMENDMENTS AS READ BY COUNCIL MEMBER WOOD.

Council Member Hussain confirmed his decision for the motion by stating he was doing it in support of the commercial corridors and listening to the cities constituents.

Council Member Wood added to the discussion that the amendments would only affect \$210,000 out of the \$120 million general fund budget.

Council Member Washington provided her opinion that the residents she has spoken to do not support Sister Cities, Faith Based Initiatives, way finding signage, the transfer of Groesbeck Golf Course and she did not support subsidizing the market.

Ms. Bennett provided her opinion that that new code compliance position would offer another officer, however the commercial code does not allow a lot of enforcement, and it will add to structural costs, but not address what Council is looking for. She then made an appeal on the proposed cuts including Downtown Lansing way finding signage, the LEDC contract reduction, Groesbeck golf course which believed would free up funds from the Park Millage to use for improvements to the other City parks.

Council Member Hussain clarified that his concerns is the commercial corridors, not limited to the buildings, but signage, broken windows, and nuisances. Currently it was confirmed to him that there are 7 officers and 3 premise officers, who are doing a great job, but his belief is they need help and support. Council Member Washington supported the request also.

Council Member Wood stated her opinion that the amendments address the needs of a code officer, façade grants, and asking for the accountability for the study by FHT. These topics came from talking with the public. She added that the public and the Park Board have also spoken on not turning over Groesbeck Golf Course. Council Member Wood referred back to Ms. Bennett's comments on a code for the new commercial code enforcement officer to use, and answered that there is an International Property Maintenance Code that can be used for residential and commercial properties, and Council was also told when the LFD took over Code Enforcement, that this would provide more opportunities to go into commercial properties.

Ms. Bennett voiced her concern on the amendment that took \$50,000 from the FHT report lowering it to \$100,000 and put the \$50,000 into a budget control account.

Council Member Brown Clarke noted to the Committee that they should consider that when passing the budget, some funds may not stay where proposed because of the new administration entering in January 1, 2018. Council Member Wood acknowledged the comment, but also pointed out that there is 6 months of the budget passed before that action happens. Any contracts can be signed before January 1, 2018 tying the City to some of the proposed actions. Council Member Washington against stated her objection to LEPFA managing Groesbeck Golf Course, and added that once that contract is signed, the new administration may never bring it back.

Mr. Abood spoke on the topic of the proposed funds into a Budget Control Account, stating that from the legal perspective the City Attorney Office would have an issue with the control budget account as described. The Act is strict and the Charter speaks to the Council role in the matter of the budget.

Council Member Houghton asked about asking LEDC to handle the proposed new item of the Façade Grants if there is also an amendment to cut funds from them. Council Member Wood reminded the Committee that they have been told in the past that the reason for the request by LEDC for \$100,000 was because the Radisson was no longer paying, and that those funds were sent onto the LEAP contract. By reducing that \$100,000 by \$26,000, the Council Committee will work with LEAP to generate a policy resolution to describe the area and requirements for the implementation of the Corridor Façade Grants by August 1, 2017. This would allow for 10-12 grants. Council Member Washington also noted that she was informed that LEAP stated they would administer this with no charge and are supportive of the grants. Council Member Houghton spoke in opposition to reducing the item. Council Member Wood stated they would still have funds, so the consensus was to take the EDC Contract for Façade Grant from \$100,000 to \$74,000.

Council Member Hussain spoke in support of the façade grant change, and removing Groesbeck Golf Course from a proposed LEPFA management.

Council Member Yorko asked the Administration for an update on why LEPFA would manage the course since was not present at the meeting at Foster when the business plan was presented. Ms. Bennett went through the reasoning for the proposal.

Council Member Washington stepped away from the meeting 6:26 p.m.

She highlighted that LEPFA can bring more to Groesbeck Golf Course because of their current operations; they will market it and work on future management. Over time this would bring the subsidy down.

In regards to the proposed decrease of \$100,000 from the Downtown Lansing request for way finding signs, Council Member Dunbar reminded everyone that the Downtown is a neighborhood also, and the signs would not just direct to locations, but to features along the way to someone's destination.

Council Member Washington returned to the meeting at 6:28 p.m.

She continued by confirming that in the 2016 budget Council granted funds for the study and creation of the way finding signs. She spoke in opposition to cutting the \$100,000 in funds. Council Member Dunbar then spoke on the proposed changes to the on a code officer position which she questioned if the Committee was looking for a Code Officer or a Premise Officer, because they each have separate roles. The corridors, signage cannot be regulated if they are unsightly but only if a safety hazard. So she questioned again if adding a Commercial Corridor Code Officer would address what they are trying to address. Council Member Wood noted her understanding that a code officer can do premise work, and the difference is will they also be able to go inside a building. Regarding the signage, the hopes are this new position can address abandoned signs.

Council Member Houghton spoke in support of the proposed funds for the way finding signs which were designed in coordination with LCC and the State of Michigan. She also supported keeping funds with Sister Cities. Council Member Washington stated her opinion that Sister Cities should be self-supporting. She continued into a discussion on Groesbeck Golf Course changes and the recently known proposed road through Ormond Park. Council Member Washington was opposed to the road through Ormond Park and the move to LEPFA of Groesbeck, but supported the amendments for a new Commercial Code Officer.

Council Member Brown Clarke referenced the missing vacancy report from HR, and asked if there was an open position currently in Code. Council Member Wood stated her

understanding there was a part time position open. Council Member Brown Clarke encourages that position to be filled an address only commercial.

Council Member Hussain spoke in support of downtown funding, but not the requested \$100,000 for wayfinding signs.

Council Member Yorko spoke in support of the amendment for the façade grant funding for all areas and interested in the reduction out of the Sister Cities and Common Ground. Council Member Wood encouraged the Downtown to approach their businesses for assessments to cover the signage.

As for Sister Cities, Council Member Wood pointed out that they had survived on \$20,000 so there was no reason to increase it another \$20,000.

Council Member Washington suggested that since it appeared to be no support for the new code officer, she would be willing to put those funds into the façade improvement program.

COUNCIL MEMBER HUSSAIN WITHDREW HIS MOTION.

The Committee took a vote on each proposed amendment.

Common Ground Support – (\$10,000) – MOTION FAILED 4-3

Sister City Support – (\$20,000) - MOTION FAILED 4-3

Finance Department Contractual Services \$50,000 - MOTION FAILED 4-3

Fire Department Miscellaneous Expenses (\$30,000)- MOTION CARRIED 6-1

OP TFR FLI – (\$100,000) – MOTION FAILED 3-4

Groesbeck OP TRF 583 Fund TO LEPFA (\$283,389) MOTION FAILED 4-3

Groesbeck Municipal Expenditure Back into Parks at \$283,389

One Code Enforcement Officer for Commercial Corridor and Signs \$121,000

Neighborhood Grant Program \$15,000 – MOTION CARRIED 5-2

EDC Grant for Façade \$74,000 – MOTION CARRIED 6-1

During the vote there was discussion Council Member Dunbar admitted she was struggling with removing funding of Groesbeck to LEPFA. Council Member Wood stated her concern they could sign the contract before the new Mayor in 1/1/2018, and it would obligate the new Mayor. Mr. Abood agreed that after 1/1/2018 if the new Mayor changed anything it would be a breach of contract. Council Member Washington reiterated that Council had heard the Park Board did not support it, and there was no information provided when the Mayor presented the budget. There needs to be more time to investigate, speak to the current employees, and see a study. Council Member Yorko noted her opinion that she did not support the City operating a golf course. Council Member Brown Clarke reminded the Committee that LEPFA admitted they had put their plan together hastily, and maybe there needs to be more discussion on alternative funding, and LEPFA could work with the Park Board. Fiscally Council cannot talk about the challenges without the look at taking items off the books. The discussion on the Groesbeck Golf Course and LEPFA continued with the Committee including their understanding that no one has spoken to the neighborhood. Council Member Brown Clarke suggested waiting another year for the FY2018/19 budget, and the Park Board can work on an RFP for a study, and Council Member Washington agreed on an RFP, but also did not want to enter into an agreement now 6 months before the new Mayor. The Committee went through the proposed figures of operating the course currently which is \$984,000, and they want \$75,000 for a concrete pad for a pavilion, and they want \$283,389 for LEPFA to manage it. The discussion ended on the amendments and the vote was taken on the rest of the budget.

Council Member Brown Clarke asked to be recused from the 54-A District Court Budget due to her family financially benefiting.

TO RECUSE COUNCIL MEMBER BROWN CLARKE FROM THE 54-A DISTRICT COURT BUDGET. MOTION CARRIED 7-0.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE DISTRICT COURT BUDGET. MOTION CARRIED 6-0.

Council Member Dunbar asked to be recused from the HRCS Budget their services funder her employer.

MOTION BY COUNCIL MEMBER HOUGHTON TO RECUSE COUNCIL MEMBER DUNBAR FROM THE HRCS BUDGET. MOTION CARRIED 6-0.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE HRCS BUDGET. MOTION CARRIED 6-0.

Council Member Yorko asked to be recused from the HRCS Budget because budget supports the services with her employer, the Ingham County Health Department.

MOTION BY COUNCIL MEMBER HOUGHTON TO RECUSE COUNCIL MEMBER YORKO FROM THE HRCS BUDGET. MOTION CARRIED 6-0.

COUNCIL MEMBER WASHINGTON RESCINDED HER MOTION TO APPROVE THE HRCS BUDGET. MOTION CARRIED 6-0.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE HRCS BUDGET. MOTION CARRIED 5-0.

MOTION BY COUNCIL MEMBER WASHINGTON TO APPROVE THE BALANCE OF THE FY2017 BUDGET. MOTION CARRIED 6-1.

Adjourn

Adjourned at 8:20 p.m.

Respectfully Submitted by,

Sherrie Boak, Recording Secretary

Lansing City Council

Approved by Committee on



MINUTES
Committee of the Whole
Monday, May 22, 2017
City Council Chambers

CALL TO ORDER

Council Vice President Wood called the meeting to order at 5:30 p.m.

PRESENT

Councilmember Brown Clarke
Councilmember Kathie Dunbar
Councilmember Tina Houghton- arrived at 5:33 p.m.
Councilmember Adam Hussain
Councilmember Patricia Spitzley-excused
Councilmember Jody Washington
Councilmember Carol Wood
Councilmember Jessica Yorko-excused

OTHERS PRESENT

Sherrie Boak, Council Staff
Eric Brewer, Council Internal Auditor
Jim Smiertka, City Attorney
Randy Hannan, Mayors Executive Assistant
Doris Witherspoon, Planning & Neighborhood Development
Todd Heywood
Linda Vail, Ingham County Health Department
Brian Jackson, Deputy City Attorney
Sam Inglot
Loretta Stanaway

Minutes

MOTION BY COUNCIL MEMBER BROWN CLARKE TO APPROVE THE MINUTES FROM MAY 1, 2017 AS PRESENTED. MOTION CARRIED 6-0.

MOTION BY COUNCIL MEMBER BROWN CLARKE TO APPROVE THE MINUTES FROM MAY 8, 2017 AS PRESENTED. MOTION CARRIED 6-0.

Public Comment

Mr. Inglot spoke in support of the ordinance amendments to Section 622 and acknowledged his role on the Ingham Community Health Center's Ad Hoc Committee on Needle Exchanges.

Ms. Stanaway spoke in support of the 622 ordinance change.

Presentations

CDBG Annual Action Plan Update – Planning & Neighborhood Development

Council Member Wood recapped for the Committee that during the budget process, the Council gets the Action Plan for the CDBG and passed before the Council budget is passed. Ms. Witherspoon confirmed that they do not have funding yet and will need Council approval before the documents are submitted. HUD has extended the deadline to August 16, 2017 and will require another 14 day public comment period, but not public hearing. Ms. Witherspoon also confirmed that there has already been 3 public hearings and one 30 day public comment period. Council Member Wood asked if the City is in jeopardy of losing any funds. Ms. Witherspoon confirmed and stated those risks are being felt nationwide.

Ordinance Amendment – Chapter 622, Section 622.01 –Drug Paraphernalia

Council Member Wood referred everyone to the report by the Ingham County Task Force in their packet, and the recent version of the Ordinance labeled Draft 3, dated May 21, 2017.

Mr. Heywood spoke as the Vice Chair of the Community Health Center Board and Chair of the Ad Hoc Task Force. Mr. Heywood made the Committee aware of their 10 month process and diligent work on research of needle exchanges and the issues facing the City of Lansing community. Mr. Heywood asked the Committee to approve the amendments the Task Force proposed which would allow the exclusion of drug paraphernalia distributed by Federal, State, County or Local Governmental Agencies from the Ordinance.

Ms. Vail provided a history on the risk of dirty syringes, and the high HIV rates and opioid epidemic. She cited a story from 2015 where after an outbreak of HIV newly diagnosed cases, they were decreased after free needles were offered so they did not have to use used syringes. The Community Health is educating so that the perception is not that if they are free, it is okay to inject drugs, but that the opioids, heroin and other drugs are highly addictive.

Council Member Brown Clarke asked Ms. Vail for detail on the program structure. Ms. Vail admitted they do not have anything set in stone, but do know that they will not distribute at any government owned site because the users do not feel comfortable going there for them. The first steps with these changes made by the County and the City were the first steps, so the group will now focus on the path to get there, and have even talked about a mobile concept to service in multiple locations on multiple dates.

Council Member Wood referred the Committee to the amendments in the ordinance which were found on page 5, line 11-15; “ nor include drug paraphernalia sold, offered for sale, or given away by a Federal, State or local governmental agency, including a County Health Department or a nonprofit corporation designated by the County Health Department, to prevent the transmission of infectious agents.” She then asked Ms. Vail if the Ad Hoc Group would look to implementation or if it would be the Health Department. Ms. Vail stated the AD Hoc has transitioned into an Implementation Group which does include members from the Health Department.

Discussion/Action:

RESOLUTION – Temporary Relocation of the Polling Place for Ward 1, Precinct 4 for the August 8, 2017 City Primary Election

Mr. Jackson presented to the Committee that the Clerk’s office was informed recently during their preparation for the August Primary that Fairview School will not be available due to construction. Therefore they have acquired Pattengill for that one election, and the voters will

be back at Fairview for the General Election. Notifications will be sent to those affected voters before each election.

MOTION BY COUNCIL HOUGHTON TO APPROVE THE RESOLUTION FOR THE TEMPORARY RELOCATION OF THE POLLING PLACE FOR WARD 1, PRECINCT 4 FOR THE AUGUST 8, 2017 CITY PRIMARY ELECTION. MOTION CARRIED 6-0.

RESOLUTION– Application and Setting of a Public Hearing for Renaming Lansing City Hall as “David C. Hollister City Hall”

Mr. Hannan noted the Mayor is proposing this renamed in recognizing former Mayor Hollister for all the roles he has played in the City and the State level.

MOTION BY COUNCIL MEMBER BROWN CLARKE TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR THE RENAMING OF LANSING CITY HALL AS DAVID C. HOLLISTER CITY HALL. MOTION CARRIED 6-0.

Other

Council Member Wood referenced a “Late Item” in the Council packet for the meeting at 7 p.m. regarding the Lansing Taxi Authority and asked Mr. Hannan to provide details on the request.

Mr. Hannan stated that in 2015 the City of Lansing and East Lansing formed the Greater Lansing Taxing Authority, however the recent Michigan legislation that passed in 2016 and took effect March 2017, strips the GLTA of local governance to do any regulating. The GLTA was able to do back ground checks, conduct checks, and now that is no longer subject to do as a local community, but regulated by the State through LARA. The new law did include a “grandfather clause”, that stated the GLTA Articles of Incorporation remain in effect for the next 4years, however the same law prohibits the local governance from any enforceable laws. With this, the GLTA would exist in name only. The GLTA met in April and decided the best path was to dissolve the authority since they will have no role, and the agencies will be self-enforcing. Council Member Wood asked Mr. Smiertka if the original resolution will need to be repealed. Mr. Smiertka confirmed it would, along with other procedures to dissolve the Authority.

MOTION BY COUNCIL MEMBER BROWN CLARKE TO MOVE THE LATE ITEM THAT WAS PRESENTED ON DISSOLUTION THE GREATER LANSING TAXI AUTHORITY (GLTA). MOTION CARRIED 6-0.

Council Member Wood then introduced her recommendations for the Urban Garden Ordinance that was passed on May 15, 2017. This Ordinance was going to be presented for reconsideration at the Council meeting at 7:00 p.m. The changes she stated were added after speaking to the City Attorney, and these would address her concerns on the Medical Marihuana issues. At the May 15, 2017 meeting Mr. Abood had stated the changes were not necessary, and Council Member Brown Clarke as Chairperson of the Committee on Development and Planning also met with Law before passage and was told they were not necessary. Council Member Wood stated she approached Mr. Smiertka with her suggestions and he had amended the Ordinance that was now in front of the Committee for reconsideration.

The Committee reviewed the suggestions by Council Member Wood which appeared on page 11 lines 7-10 and lines 17-20. Mr. Smiertka confirmed he had made the suggestions to the Ordinance to make it clear to the reader, so nothing in the ordinance could be construed by the State Marihuana Acts, but he added that other than clarity, it was not necessary. The Act

states they can only grow in an industrial area, and the second Act is the original Michigan Medical Marihuana Act which has a definition that states it has to be in a closed locked facility with extensive locks, and security devices, and to operate as a primary care giver the product is only available for qualified patients. That Act would pre-empt any growing.

Council Member Brown Clarke explained to the Committee and public that the reason the suggested language was not initially in there was the ordinance outlines and speaks to it must comply with Michigan Law, and therefore it was not added because there was an understanding there was not issue, but because they knew there were existing perimeters.

Council Member Washington spoke in support of the suggestions, noting that the constituents she spoke to did not want the ordinance to allow for marihuana.

Council Member Hussain spoke in support to the suggested changes, and acknowledged it was not necessary but provides clarification.

Council Member Wood concluded the discussion by stating to the Committee that if the Committee is comfortable with the suggestions they would need to take action at the Council meeting on the reconsideration of them and she will ask for immediate effect.

Council Member Dunbar asked for the reconsideration also includes the correction to page 10, line 25 to be changed to "a space used for a growing of plants." Council Staff was directed to make the change and provide at the Council Meeting for reconsideration.

Adjourn

Adjourned at 6:19 p.m.

Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council
Approved by Committee on

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and the Capitol City Labor Program, Inc. Non-Supervisory Unit, have negotiated wage increases for 2017 and 2018 pursuant to a wage reopener agreement contained in the existing collective bargaining agreement (the "agreement") for the period covering July 1, 2015 through June 30, 2019, which is summarized in the agreement approved by the parties; and

WHEREAS, the Union membership ratified this agreement on May 25, 2017; and

WHEREAS, the Mayor recommends the agreement be approved;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby ratifies the agreement of the parties for the 2017 and 2018 wage increases between the City of Lansing and the Capitol City Labor Program, Inc. Non-Supervisory Unit.

Approved for placement on the City Council
Agenda:

Jim Smiertka, City Attorney

Date



Virg Bernero, Mayor

OFFICE OF THE MAYOR

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RECEIVED
2017 APR 28 PM 2:58
LANSING CITY CLERK

TO: City Clerk Chris Swope
FROM: Mayor Virg Bernero
DATE: April 28, 2017
RE: FY 2017 3rd Quarter General Fund Status Report

Pursuant to Section 7-110 of the City Charter, attached please find the General Fund Status Report for third quarter of Fiscal Year 2017.

General Fund Status Report – FY 2017 3rd Quarter

Please see accompanying summary detail (page 3)

Revenues

In total, General Fund revenues collected through the third quarter of Fiscal Year 2017 (July – March) were higher than the average of the past three years' third quarter collection rates, as a percentage of year-end amounts, at 71.8% compared to 68.9%.

- The vast majority of **Property Taxes** are collected in the first month of the fiscal year. At the end of the third quarter of the fiscal year, they were higher as a percentage of budget, at 101.3%, compared to the average of the past three year's third quarter collection rates of 98.1%. Part of the difference was due to a change in timing recognition of certain infrastructure fee agreement receipts. Additionally, State reimbursement of phased-out personal property taxes for the current and two previous years was received in the second quarter and exceeded purposefully-conservative budget estimates. It should be noted that property tax collections normally exceed budget at this time of year, but are subject to tax appeals and other adjustments throughout the year.
- As a percentage of budget, **Income Tax** collections were higher than the average collection rate for the past three years, at 61.8% of budget, compared to 55.9%. It should be noted that income tax revenues fluctuate from previous trends due to timing differences in remittances; however, the trend is consistent with that of the past several quarters.
- **State Revenue Sharing** was higher than the past three years' average trend, as Fire Protection/Bad Driver Fees, received once per year, were \$413,000 higher than anticipated. State Revenue Sharing and Fire Protection/Bad Driver fees are dependent on State revenue collections.
- Although **Charges for Services** were higher in total, dollar-wise, than same period last fiscal year, they were somewhat lower than collection rates from the average of the same period for the last three years, at 62.8% of budget compared to 67.2% in prior years. The lower collection rate is attributable to a combination of ambulance revenues, code compliance inspection fees, and citywide administrative fund fees which, like the overall trend, are all higher than last year, but each being slightly lower when compared to the three-year average percentage of year-end collections. Charges for Services make up only 7% of General Fund revenues.
- In total, **Licenses and Permits** revenues were slightly lower than the average collection rate of the same period for the last three years as a percentage of year-end totals, at 47.4% of budget, compared to 48.8%. Licenses and permits make up only 1.5% of General Fund revenues.
- Collection rates for **Fines and Forfeiture** for the third quarter were lower as a percentage of year-end totals for the average of the last three years, at 49.9% of the budget compared to 68.1%, due to reductions in traffic tickets and penal case revenues.

General Fund Status Report – FY 2017 3rd Quarter

Please see accompanying summary detail (page 3)

Revenues continued

- The City's **Return on Equity** payment from the Board of Water and Light (BWL) for the third quarter of the fiscal year exceeded budgetary expectations at 53% of the budget, compared to 50.6%.
- As a category, **Interest and Rents** were on par with previous years' trends. Interest revenue is posted as investments mature, the timing of which varies from year-to- year.
- **Other Revenues** were higher as of the third quarter-end, at 96.8%, compared to previous years' averages of 45.7% due to the sale of fire station #43.

Expenditures

In total, taking into account the vacancy factor, expenditures for General Fund operating departments (excluding debt service and transfers to other funds) were within the budgetary target -- at 70.3% as of March 31, compared to a budgetary target (taking into account the timing of payroll dates) of 72.6%. All departments were within budgetary targets as of March 31, with the exception of the City Clerk's Office, due to timing of elections; and the Financial Empowerment Center, due to supplies for events. Budget adjustments may be needed for those two departments, depending on reimbursements and grant amounts received.

Summary

For the third quarter of the fiscal year, total General Fund revenues were ahead of budgetary expectations, and overall, expenditures were within budgetary expectations.

General Fund Status Report – FY 2017 (as of March 31, 2017)

Revenues	Annual Budget	Actual as of 3/31/17	Percent of Budget	Avg. Percent of Year-End Actuals as of March 31 FY 2014 - 2016
Property Taxes	\$ 38,952,000	39,443,402	101.3%	98.1%
Income Taxes	33,150,000	20,503,201	61.8%	55.9%
Revenue Sharing	15,655,900	8,999,687	57.5%	53.8%
Licenses & Permits	1,652,500	783,289	47.4%	48.8%
Charges for Services	9,153,500	5,749,966	62.8%	67.2%
Fines & Forfeitures	2,960,100	1,476,399	49.9%	68.1%
Interest & Rent	38,500	19,361	50.3%	50.4%
Return on Equity	22,000,000	11,651,819	53.0%	50.6%
Other Revenue	437,500	423,485	96.8%	45.7%
Total Revenues	\$ 124,000,000	\$ 89,050,607 ⁽¹⁾	71.8%	68.9%
Less: Addition to Reserves	(58,586)			
	<u>\$ 123,941,414</u>			

Expenditures	Annual Budget	Actual as of 3/31/17	Percent of Budget	3/31/17 Budgetary Target
Council	\$ 675,800	\$ 458,954	67.9%	74.0%
Internal Audit	202,200	106,171	52.5%	73.6%
Courts	6,247,400	4,462,856	71.4%	73.8%
Mayor's Office	1,050,200	768,033	73.1%	73.7%
Media Center	415,600	279,831	67.3%	73.6%
Financial Empowerment Center	182,100	153,344	84.2%	74.1%
Clerk's Office	1,018,700	795,438	78.1%	77.2%
Planning & Neighborhood Development	1,091,500	759,151	69.6%	75.3%
Finance	5,163,800	3,439,955	66.6%	73.9%
Human Resources	2,139,000	1,607,976	75.9%	75.9%
Attorney's Office	1,880,700	1,237,623	65.8%	73.5%
Vacancy Factor	(800,000)			
Police	38,952,900	27,356,593	70.2%	72.1%
Fire	33,612,300	23,468,976	69.8%	72.2%
Public Service	11,032,712	7,908,299	71.7%	71.7%
Human Relations & Community Service	1,249,200	778,632	62.3%	73.6%
Parks & Recreation	7,893,900	5,154,293	65.3%	74.1%
Subtotal - Departmental Budgets	\$ 112,008,012	\$ 78,736,127	70.3%	72.6%
Human Services & City Supported Agencies	\$ 2,044,702	\$ 1,598,754	78.2%	
Library Lease	165,000	108,481	65.7%	
Debt Service	1,045,200	74,965 ⁽²⁾	7.2%	
Transfers	8,678,500	8,518,047	98.2%	
Subtotal - Non-departmental Budgets	11,933,402	10,300,247 ⁽¹⁾		
Total General Fund	<u>\$ 123,941,414</u>	<u>\$ 89,036,373</u>		

Please see Pages 1 and 2 for an explanation of revenues and expenditures.

⁽¹⁾ Note: Year-to-date revenue is greater than expenditures at this time of year, as property taxes, accounting for 31% of General Fund revenues, are collected at the beginning of the year. Property taxes include delinquent amounts that will be reimbursed by the counties upon settlement. Property tax collections exceed budget at this time of year, but are subject to tax appeals and other adjustments throughout the year.

⁽²⁾ The majority of General Fund debt service is paid in the fourth quarter of the fiscal year.



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Support Review

Review Date: June 5, 2017

Subject: Reconciliation of Vacant Positions reported on Vacancy Factor Report for 3rd Quarter for Fiscal Year 2017

Executive Summary

The Vacancy Factor Report is believed to be material accurate based on the number of vacant positions listed based on my review of the records provided by the Administrative staff for the 3rd quarter of Fiscal Year 2017 because of the following reconciliations listed below.

A reconciliation was able to validate **filled positions** count contained on the Position Control Number Report (System Generated) to the individual employees contained on the Personnel Report (System Generated) by Position Control Number group and General Ledger Key.

A reconciliation was able to be performed to validate **available or vacant positions** count contained on the Position Control Report (System Generated) to the count reported directly on the Vacancy Factor Report (Ad Hoc). This was also supported by the fact the Personnel Report (System Generated) did not contain any individuals employees employed within the **available or vacant positions** within Personnel Report for the Position Control Number group and General Ledger Key contained on the Position Control Number Report (System Generated).

Purpose and Scope of Review

The purposes and scope of this review was to establish the overall understanding of how the Vacancy Factor Report was compiled by the Finance Department and Human Resource Department. In addition, verifying the numbers of vacant positions reported on the Vacancy Factor Report.

Background of Process Compiling Vacancy Factor Report by Administration Staff

The Finance and Human Resource Department compiles the numbers contained on the Vacancy Factor Report by:

(Step 1) A Position Control Number Report or PCN Report is run within the IFAS or Financial System. This report contains information of all the Budgeted, Filled, and Available positions by count based on the Position Control Number group. This report does not provided individual employees names, as it is financial in nature and used as the primary document by the Finance Department for the Compiling the Vacancy Factor Report.

(Step 2) the Finance Department uses the preceding quarter Vacancy Factor Report and updates the report based on new PCN Report for positions no longer showing as vacant and/or additions of positions that did not appear on the prior Vacancy Factor Report.

(Step 3) After updated the Vacancy Factor report is provided to the Human Resources Department for their review for any notable exceptions that results from payroll timing or known exceptions for employees on long-term leave and indicates positions where temporary employment arrangements are being used to carry out duties the recruitment/hiring phase.

(Step 4) After the review and update by Human Resources Department, the Vacancy Factor Report is provided to Finance department to estimate and add the unspent amounts resulting from vacancies. These amounts are added and/or updated that include wages and “variable” fringe benefits (those benefits that begin and cease with a position being filled) for those positions that are not offset by temporary employment arrangements or overtime of current staff.

(Step 5) After the estimated amounts have been added by the Finance Department the Vacancy Factor report is sent again to Human Resources to add the hiring status to the report. This is a new step within the past year.

Methodology Used in Reconciliation of Vacant Positions Reported

Two documents were requested and received from the Finance Department. The two documents requested and received were the Position Control Number report run as of 3-31-2017. In addition, the Personnel Report was requested and received that was run as of 3-31-2017. The Personnel Report listed the individual employees by their Position Control Number along with their General Ledger Key assigned. The Personnel Report had some redacted information because of the nature of information contained on this report. Consequently, enough information was provided to perform reconciliation to the Position Control Number report as described below.

(Step 1) The Position Control Number Report was linked to the Personnel Report provided by the PCN group and the General Ledger Key that was contained on both reports.

(Step 2) A query was created that showed all the Position Control Number Report information and the employees that matched the Position Control Number Group and the GL Key from the Personnel Report provided.

(Step 3) This query was stratified into three buckets. **(1st Bucket) All Filled with Head Count** which represents the Position Control Number filled count matched the number of individual employed under that Position Control Number group. An example would be Position Control number group of **CAPTAIN4** within the General Ledger Key of **1013520** had indicated 30 positions budgeted and filled on the PCN report and contained 30 or more individual names on the Personnel Report provided. Thus, all positions indicated on the PCN report were accounted for on the Personnel Report provided for the PCN group. **(2nd Bucket) Positions Available for PCN Type** which represents some positions are available or vacant within the Position Control number group. An example would be Position Control number group **CCOFICER** within the General Ledger Key **1013535** of had 8 positions budgeted and 7 positions filled and 1 available or vacant. The Personnel Report provided contained 7 individual names for this Position Control number group within the General Ledger Key. **(3rd Bucket) No Positions Filled for PCN Type** which represents no employee appeared to be employed within the Position Control number group and GL key group. An example would be Position Control number group of **COMMINVT** within the General Ledger Key of **1012500** had one budgeted position, but contained no individual name on the Personnel Report provided and one available or vacant position within the PCN report.

(Step 4) Reconciliation the buckets of **Positions Available from PCN Type** and **No Positions Filled for PCN Type** to the Vacancy Position indicated on the Vacancy Factor report and additional information provided by Finance Department staff. An example would be the **CCOFICER** that was represented in the **Positions Available for PCN Type** bucket was reconciled to the Vacancy Factor Report that listed one vacant position for the Code Compliance Officer for the Fire Department.

Findings and/or Noted Discrepancies

94 Vacant Positions Reconciled to Vacancy Factor Report

- 91 Vacant Positions were directly linked to the Position Control Number Report. In addition, these positions were found to contain no individual employees within the Personnel Report by Position Control Number group and GL key.
- 2 Vacant Positions listed on the Vacancy Factor Report were not contained on the PCN report because of being new positions that had not been set up and thus not reflected on the PCN report. **(Note 1 Below)**
- 1 Vacant Position was included on the Vacancy Factor Report in error by the Finance Department. **(Note 2 Below)**

8 Vacant Positions Contained on the PCN Report Were Excluded from Vacancy Factor Report

- 4 Vacant Positions resulted from being excluded because of being District Court Positions. **(Note 3 Below)**
- 3 Vacant Positions resulted from being excluded because of being seasonal employees. **(Note 4 Below)**
- 1 Vacant Position resulted from being excluded because position being under a permanent employment contract. **(Note 5 Below)**

Other Items of Note

- Maintenance Worker position appeared as being overfilled on the PCN report as negative one. This is due to being overfilled because of employee being out due to worker comp. **(Note 6 Below)**
- 800 filled positions on the PCN report were directly linked to 805 employee last names contained on the Personal Report. **(Note 7 Below)**

Notes

(Note 1) NEIGHBORHOOD OMBUDSMAN and LANDSCAPE MANGER did not appear on the Position Control Report. Per Finance “Response: These two were new positions for which PCN’s had not yet been set up. (PCN is for new positions are typically set up at the time the position is being filled for the first time.)

(Note 2) DETECTIVE IIB appeared as a -1 available position on the Position Control Report. Per Finance “Response: It appears that the frontloading of the DETECT2B was mistaken for a vacancy. That was in error – it should not have been listed on the Vacancy Factor report. (It is listed in error, but does not affect dollar amount, as it was listed as being offset by overtime.)”

(Note 3) CHIEF PROBATION OFFICER, COURT OFFICER/LAW CLK LICENSED, COURT OFFICER/LAW CLERK, PT COLLECTIONS OFFICER appeared as 4 available positions on the Position Control Report. Per Finance, these were not included on the vacancy factor report because of being District Court positions.

(Note 4) PT PARKING REVENUE COLLECTOR appeared as 3 available positions on the Position Control Report. Per Finance, these were not included on the vacancy factor report because of being seasonal employees.

(Note 5) ASSESSOR appeared as 1 available position on the Position Control Report. Per Finance, this was not included on the vacancy factor report because the Assessor is under an employment contract that is “permanent” contract arrangement.

(Note 6) MAINTENANCE WORKER 200 appeared as -1 available position on the Position Control Report. Per Finance “The MANTWKR2 position shows as an overfill, due to an employee being out on workers comp. It is not on the vacancy report, as there is no vacancy.”

(Note 7) 800 Position filled on the Positon Control Number Report by Position Control Number group and GL key was directly linked to 805 employee last names contained on the Personal Report. *Note – Count of LNAME Contains Duplicates (Employees in more than one PCN) Because of Transfers or Promotions for example.*

Appendices Detail

Overview – Provides narrative of PCN Report Process

PCN Report File Layout – Provides Data Layout of Output of PCN Report

Personnel Report File Layout – Provides Data Layout of Output of Personnel Report

PCN To Personnel Head Count – Provides detail of Reconciliation Items

3rd Quarter Vacancy Factor Report – Provides Reconciliation Item to Vacancy Factor Report

Draft 3rd Quarter Vacancy Factor Report – Vacancy Factor Report Provided by Finance Department

Overview

Please note that the personnel budgeting report lists all allocations to various account codes. As a result, **an employee may show multiple times**. The “Percent” column shows that allocation, so for count of positions, that column should be divided by 100 (ex. Employee charged 50% to Account A = 50 and 50% to Account B = 50; $50+50=100\% / 100 = 1$)

Explanation of the PCN report process:

1. PCN report is run in the IFAS system by Finance
2. Using the preceding quarter vacancy report, Finance updates the positions on the report (removal of positions no longer showing as vacant; addition of positions that did not show on the prior report).
3. HR reviews the report for any notable exceptions that results from payroll timing or known exceptions for employees on long-term leave and indicates positions where temporary employment arrangements are being used to carry out duties during the recruitment/hiring phase.
4. Estimated unspent amounts resulting from vacancies are added/updated on the report, including wages and “variable” fringe benefits (those benefits that begin and cease with a position being filled) for those positions that are not offset by temporary employment arrangements or overtime (see * note below) as follows:
 - For “new” vacant positions where a vacancy date can easily be determined (only 1-2 positions to a PCN), the unspent amount for that quarter is entered accordingly, using budgeted wages/variable fringe benefits from personnel projections used for that budget year.
 - For “new” vacant positions where a vacancy date cannot easily be determined (several positions to a PCN), the unspent amount for that quarter is entered using mid-pay scale wage and typical variable benefits for that position for $\frac{1}{2}$ of the quarter.
 - For positions that showed on the previous report, the wages/benefits as noted above are entered for the full quarter. (Please note that a position showing on consecutive vacancy reports may not be the result of the same termination – as noted previously, a position can be filled with another becoming vacant, but for estimated-unspent-amount reporting purposes, it is assumed to be the same.)
5. HR adds the hiring status to the report (new step within the past year).

* Note: As noted previously, temporary employment arrangements and/or overtime usually do not completely offset the unspent amount of the position. However, those are shown as fulling offsetting the unspent position amounts so as not to overstate amounts that offset the vacancy factor (i.e., to be conservative). On the other hand, $\frac{1}{2}$ quarter estimates for new vacancies where there are multiple positions for a PCN and assumption of a position being the same can be on the aggressive (or conservative) side for the estimates. However, those factors offset each other and have proven to be a sound methodology. The final “test” is the budget amendment at year-end where the vacancy factor is distributed amount departments (vacancy factor is eliminated, and departmental personnel budgets where vacancies occurred are reduced), and there has never been a time since the above process was established where the year-end analysis found the vacancy factor report to be overstated.

PCN Report File Layout

Field #	Field Name	Example Data	Relationship
1	Position	ACCTGCLK	
2	Position Description	ACCOUNTING CLERK	
3	PCN	ACCTGCLK	Primary
4	GL Key	1013810	Secondary
5	Object	702000	
6	Union	T580CTP	
7	Budgeted	1	
8	Filled	1	
9	Available	0	

Appears Report Can be Run Point in Time

Personnel Report File Layout

Field #	Field Name	Example Data	Relationship
1	ID		
2	LNAME	DOE	
3	FNAME		
4	PCN	DRIVRWKR	Primary
5	DEPARTMENT	PUBLIC SERVICE	
6	BARG #	16	
7	BARG_UNIT	UAW FULL TIME	
8	HRLY RATE		
9	INDX_KEY		
10	POSITION	DRIVRWKR	
11	KEY	1013611	Secondary
12	OBJECT	704000	
13	PERCENT	100	
14	HEALTH PLAN		
15	HEALTH DESCR		
16	HEALTH CDH		
17	DENTAL PLAN		
18	DENTAL DESCR		
19	DENTAL CDH		
20	LIFE PLAN		
21	LIFE DESCR		
22	LIFE CDH		
23	DISABL PLAN		
24	DISABL DESCR		
25	DISABL CDH		
26	LONGEVITY		
27	MERIT		
28	FICA RATE	0.062	
29	MEDI RATE	0.0145	
30	RETIREMENT SYSTEM		
31	WORK COMP CODE	5509	
32	WORK COMP DESCRIPTION	Street/Road	
33	CHECK DIST CODE	456	
34	CKDIST DESC	PS OM STR MT 2	
35	POSITION DESCRIPTION	DRIVER WORKER 300	
36	LEVEL	U0300	
37	LEVEL DESC	UAW 300	
38	STEP		
39	STEP DESC		
40	BIRTHDATE		
41	AGE		
42	SSN	XXXXXXXX	
43	VISION PLAN		
44	VISION DESCR		
45	VISION CDH		

Appears Report Can be Run Point in Time

PCN TO PERSONNEL HEAD COUNT

Sum Budgeted	Sum Filled	Sum Available	Sum CountofLName
897	800	97	805

PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	Personnel Report			
ID	Position	Position Description	PCN	GL Key	Object	Union	Budgeted	Filled	Available	CountofLNAME	Category	Recon #	Notes
1	ACCTGCLK	ACCOUNTING CLERK	ACCTGCLK	1013810	702000	T580CTP	1	1	0	1	All Filled with Head Count		
2	ACCTGCLK	ACCOUNTING CLERK	ACCTGCLK	5853641	702000	T580CTP	2	2	0	2	All Filled with Head Count		
3	ACCTGMGR	ACCOUNTING MANAGER	ACCTGMGR	1012710	702000	T214SUP	1	1	0	1	All Filled with Head Count		
4	ACTANT31	ACCOUNTANT 31	ACTANT31	1012710	702000	T580CTP	1	1	0	1	All Filled with Head Count		
5	ACTANT34	ACCOUNTANT 34	ACTANT34	1012710	702000	T580CTP	1.65	0	1.65	0	No Position Filled for PCN	1	Finance/Accounting - Accountants (2 Vacant): Net of ACTANT34 Two Lines
6	ACTANT34	ACCOUNTANT 34	ACTANT34	5266305200	702000	T580CTP	0.35	0	0.35	0	No Position Filled for PCN	1	Finance/Accounting - Accountants (2 Vacant): Net of ACTANT34 Two Lines
7	ACTOPRSP	ACCOUNTING AND OPERATIONS SPEC	ACTOPRSP	1013611	704000	T580CTP	4	4	0	4	All Filled with Head Count		
8	ADMAST05	ADMINISTRATIVE ASSISTANT V	ADMAST05	1013501	702000	IAFF	2	2	0	2	All Filled with Head Count		
9	ADMAST28	ADMINISTRATIVE ASSISTANT 28	ADMAST28	1012720	702000	T580CTP	3	2	1	2	Position Available for PCN Type	7	Finance/Accounting - Administrative Assistant (1 Vacant)
10	ADMAST28	ADMINISTRATIVE ASSISTANT 28	ADMAST28	1013251	702000	T580CTP	1	1	0	1	All Filled with Head Count		
11	ADMAST28	ADMINISTRATIVE ASSISTANT 28	ADMAST28	1013535	702000	T580CTP	1	1	0	1	All Filled with Head Count		
12	ADMAST28	ADMINISTRATIVE ASSISTANT 28	ADMAST28	1013810	702000	T580CTP	1	1	0	1	All Filled with Head Count		
13	ADMAST28	ADMINISTRATIVE ASSISTANT 28	ADMAST28	5903670	702000	T580CTP	1	1	0	1	All Filled with Head Count		
14	ADMAST28	ADMINISTRATIVE ASSISTANT 28	ADMAST28	6453603	702000	T580CTP	2	2	0	2	All Filled with Head Count		
15	ADMAST29	ADMINISTRATIVE ASSISTANT 29	ADMAST29	1012730	702000	T580CTP	1	0	1	0	No Position Filled for PCN	5	Finance/Accounting - Administrative Assistant (1 Vacant)
16	ADMAST29	ADMINISTRATIVE ASSISTANT 29	ADMAST29	1013140	702000	T580CTP	1	1	0	1	All Filled with Head Count		
17	ADMAST29	ADMINISTRATIVE ASSISTANT 29	ADMAST29	5266305200	702000	T580CTP	1	1	0	1	All Filled with Head Count		
18	ADMSECTY	ADMINISTRATIVE SECRETARY	ADMSECTY	1012101	702000	COUNCIL	1	1	0	1	All Filled with Head Count	35	City Council - Adminstrative Secretary - (1 Filled) as of 3-31-2017
19	ADMSECTY	ADMINISTRATIVE SECRETARY	ADMSECTY	7602201	702000	COUNCIL	1	1	0	1	All Filled with Head Count		
20	ADMSPC27	ADMINISTRATIVE SPECIALIST	ADMSPC27	1013810	702000	T580CTP	1	1	0	1	All Filled with Head Count		
21	ADMSPC30	ADMINISTRATIVE SPECIALIST 30	ADMSPC30	1012710	702000	T580CTP	1	0	1	0	No Position Filled for PCN	3	Finance/Accounting - Administrative Specialist (1 Vacant)
22	ADMSPC30	ADMINISTRATIVE SPECIALIST 30	ADMSPC30	1013501	702000	T580CTP	1	1	0	1	All Filled with Head Count		
23	ADMSPC30	ADMINISTRATIVE SPECIALIST 30	ADMSPC30	6433623	702000	T580CTP	1	1	0	1	All Filled with Head Count		
24	ADMSPC31	ADMINISTRATIVE SPECIALIST 31	ADMSPC31	1013201	702000	T214NS	1	0	1	0	No Position Filled for PCN	27	Police - Administrative Specialist (1 Vacant)
25	ASGOPSUP	GOLF OPERATIONS SUPERVISOR	ASGOPSUP	5843851	702000	T580SUP	1	1	0	1	All Filled with Head Count		
26	ASOMSUPT	ASSIST O&M SUPERINTENDENT	ASOMSUPT	1013611	704000	NBSUP	1	0	1	0	No Position Filled for PCN	55	Public Service/O&M - Assistant O&M Superintendent (1 Vacant)
27	ASRECORD	ENVIROMENTAL SPECIALIST	ASRECORD	1013611	704000	T580CTP	1	1	0	1	All Filled with Head Count		
28	ASSESSOR	ASSESSOR	ASSESSOR	1012720	702000	EXEC	1	0	1	0	No Position Filled for PCN	NA	Per Finance "not vacant: Assessor under employment contract. Does not show on vacancy report, because it's a "permanent" contract arrangement." (Excluded from Vacancy Factor Report)
29	ASTATY36	ASSISTANT CITY ATTORNEY 36	ASTATY36	1012900	702000	T214NS	3	2	1	2	Position Available for PCN Type	9 & 39	City Attorney's Office - Assistant City Attorney (1 Vacant) & (3 Filled) as of 3-31-2017
30	ASTATY39	ASSISTANT CITY ATTORNEY 39	ASTATY39	1012900	702000	T214NS	1	1	0	1	All Filled with Head Count	39	City Attorney's Office - Assistant City Attorney (3 Filled) as of 3-31-2017
31	ASTCTADM	ASSISTANT COURT ADMINISTRATOR	ASTCTADM	7602201	702000	DCTNB	1	1	0	1	All Filled with Head Count		
32	ASTCTENG	ASSISTANT CITY ENGINEER	ASTCTENG	6453603	702000	T214SUP	2	2	0	2	All Filled with Head Count		
33	ASTFIRCF	ASSISTANT FIRE CHIEF	ASTFIRCF	1013501	702000	NBSUP	2	2	0	2	All Filled with Head Count		
34	ASTPLMGR	ASSISTANT PLANNING MANAGER	ASTPLMGR	1012620	702000	T214SUP	1	1	0	1	All Filled with Head Count		
35	ATGARSUP	ASSIST SHIFT GARAGE SUPERVISOR	ATGARSUP	6433623	702000	T580SUP	2	1	1	1	Position Available for PCN Type	69	Public Service/Fleet - Assistant Shift Garage Supervisor (1 Vacant)
36	BATCHF06	BATTALION CHIEF VI	BATCHF06	1013520	702000	IAFF	3	3	0	3	All Filled with Head Count		
37	BLDINSPC	BUILDING INSPECTOR	BLDINSPC	2492610	702000	T580CTP	3	3	0	3	All Filled with Head Count		
38	BLDINSUP	BUILDING INSPECTOR SUPERVISOR	BLDINSUP	2492610	702000	T214SUP	1	1	0	1	All Filled with Head Count		
39	BLDMTMGR	BUILDING MAINTENANCE MANAGER	BLDMTMGR	1013140	702000	T580SUP	1	0	1	0	No Position Filled for PCN	16	Public Service/Facilities - Building Maintenance Manager (1 Vacant)
40	BLDOFMGR	BUILDING OFFICIAL MANAGER	BLDOFMGR	2492610	702000	T214SUP	1	1	0	1	All Filled with Head Count		
41	BLDSERSU	BUILDING SERVICES SUPERVISOR	BLDSERSU	1013140	702000	T580SUP	1	1	0	1	All Filled with Head Count		
42	BOKPRDC4	BOOKKEEPER/DCIV	BOKPRDC4	7602201	702000	DCTNB	1	1	0	1	All Filled with Head Count		
43	BPTMANGR	BUSINEES PERMITS TECH MANAGER	BPTMANGR	6453603	702000	T214SUP	1	1	0	1	All Filled with Head Count		
44	BUDCTSUP	BUDGET CONTROL SUPERVISOR	BUDCTSUP	1013201	702000	T580SUP	1	1	0	1	All Filled with Head Count		
45	BUDGETAN	BUDGET ANALYST	BUDGETAN	1012710	702000	T580CTP	1	0	1	0	No Position Filled for PCN	2	Finance/Accounting - Budget Analyst (1 Vacant)

PCN TO PERSONNEL HEAD COUNT

PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	Personnel Report			
ID	Position	Position Description	PCN	GL Key	Object	Union	Budgeted	Filled	Available	CountOfLNAME	Category	Recon #	Notes	
46	CABLEMGR	CABLE ACCESS MANAGER	CABLEMGR	1012310	702000	MAYORAL	1	1	0	1	All Filled with Head Count			
47	CAPTAIN4	CAPTAIN IV	CAPTAIN4	1013520	702000	IAFF	30	30	0	30	All Filled with Head Count			
48	CAPTAIN4	CAPTAIN IV	CAPTAIN4	1013540	702000	IAFF	2	2	0	2	All Filled with Head Count			
49	CAPTAIN4	CAPTAIN IV	CAPTAIN4	1013580	702000	IAFF	1	1	0	1	All Filled with Head Count			
50	CAPTAIN6	CAPTAIN VI	CAPTAIN6	1013201	702000	FOPSUP	1	0	1	0	No Position Filled for PCN	NA	Offset CAPTAIN6: Net Two Lines (0 Vacant)	
51	CAPTAIN6	CAPTAIN VI	CAPTAIN6	1013212	702000	FOPSUP	1	2	-1	2	Position Available for PCN Type	NA	Offset CAPTAIN6: Net Two Lines (0 Vacant)	
52	CAPTAIN6	CAPTAIN VI	CAPTAIN6	1013240	702000	FOPSUP	1	1	0	1	All Filled with Head Count			
53	CAPTAIN6	CAPTAIN VI	CAPTAIN6	1013251	702000	FOPSUP	1	1	0	1	All Filled with Head Count			
54	CCOFICER	CODE COMPLIANCE OFFICER	CCOFICER	1013535	702000	T580CTP	8	7	1	7	Position Available for PCN Type	23	Fire - Code Compliance Officer (1 Vacant)	
55	CCTRPROG	COMMUNITY CENTER PROGRAMMER	CCTRPROG	1013831	702000	T580SUP	3	3	0	3	All Filled with Head Count			
56	CEMATWK2	CEMETERY MAINTANCE WORKER 200	CEMATWK2	1013611	704000	UAW	1	1	0	1	All Filled with Head Count			
57	CEMATWK4	CEMETERY MAINT WORKER 400	CEMATWK4	5163842	706000		0	0	0	0	No Position Filled for PCN	NA	No budgeted and/or Filled (0 Vacant)	
58	CFDPATNY	CHIEF DEPUTY CITY ATTORNEY	CFDPATNY	1012900	702000	NBSUP	1	1	0	1	All Filled with Head Count			
59	CFINFOFF	CHIEF INFORMATION OFFICER	CFINFOFF	6303130	702000	EXEC	1	1	0	1	All Filled with Head Count			
60	CFMAINT5	CHIEF OF MAINTENANCE/ALARM V	CFMAINT5	1013510	702000	IAFF	1	1	0	1	All Filled with Head Count			
61	CFPROBOF	CHIEF PROBATION OFFICER	CFPROBOF	7602201	702000	DCTNB	1	0	1	0	No Position Filled for PCN	NA	Per Finance, "District Court" (Excluded from Vacancy Factor Report)	
62	CFTRAIN6	CHIEF OF TRAINING VI	CFTRAIN6	1013540	702000	IAFF	1	1	0	1	All Filled with Head Count			
63	CHEMIST0	CHEMIST	CHEMIST0	5903670	702000	T580CTP	1	0	1	0	No Position Filled for PCN	72	Public Service/WWTP - Chemist (1 Vacant)	
64	CITYCLRK	CITY CLERK	CITYCLRK	1012400	702000	ELECTED	1	1	0	1	All Filled with Head Count			
65	CLERKS22	CLERK 22	CLERKS22	1012800	702000	T580CTP	1	0	1	0	No Position Filled for PCN	8	Human Resources - Clerk (1 Vacant)	
66	CLERKS22	CLERK 22	CLERKS22	6423150	702000		0	0	0	0	No Position Filled for PCN	NA	No budgeted and/or Filled (0 Vacant)	
67	CLERKS23	CLERK 23	CLERKS23	1013810	702000	T580CTP	1	1	0	1	All Filled with Head Count			
68	CLERKS23	CLERK 23	CLERKS23	1013831	702000		0	0	0	0	No Position Filled for PCN	NA	No budgeted and/or Filled (0 Vacant)	
69	CLERKS24	CLERKS 24	CLERKS24	1013221	702000	T580CTP	2	0	2	0	No Position Filled for PCN	28	Police - Clerks (3 Vacant)	
70	CLERKS24	CLERKS 24	CLERKS24	1013611	704000	T580CTP	1	1	0	1	All Filled with Head Count			
71	CLERKS25	CLERK 25	CLERKS25	1012730	702000		0	0	0	0	No Position Filled for PCN	NA	No budgeted and/or Filled (0 Vacant)	
72	CLERKS25	CLERK 25	CLERKS25	1013221	702000		0	0	0	0	No Position Filled for PCN	NA	No budgeted and/or Filled (0 Vacant)	
73	CLERKS25	CLERK 25	CLERKS25	1013240	702000	T580CTP	2	1	1	1	Position Available for PCN Type	28	Police - Clerks (3 Vacant)	
74	CLERKS25	CLERK 25	CLERKS25	1013535	702000	T580CTP	1	0	1	0	No Position Filled for PCN	21	Fire - Clerk (1 Vacant)	
75	CLERKS25	CLERK 25	CLERKS25	2492610	702000	T580CTP	1	1	0	1	All Filled with Head Count			
76	CMDEVCRD	COMMUNITY DEVELOPMENT COORD	CMDEVCRD	5266305200	702000	T580SUP	0.2	0.2	0	1	All Filled with Head Count			
77	CMDEVCRD	COMMUNITY DEVELOPMENT COORD	CMDEVCRD	5266905200	702000	T580SUP	0.5	0.5	0	1	All Filled with Head Count			
78	CMDEVCRD	COMMUNITY DEVELOPMENT COORD	CMDEVCRD	6366902016	702000	T580SUP	0.3	0.3	0	1	All Filled with Head Count			
79	CNTRTMGR	CONTRACT MANAGER	CNTRTMGR	1012500	702000	T580CTP	2	2	0	2	All Filled with Head Count			
80	COLOFFCR	COLLECTIONS OFFICER	COLOFFCR	7602201	702000	T580DCT	1	1	0	1	All Filled with Head Count			
81	COMINDAP	COMMERCIAL/INDUSTRIAL APPRAISR	COMINDAP	1012720	702000	T580CTP	3	2	1	2	Position Available for PCN Type	6	Finance/Assessing - Commercial/Industrial Appraiser (1 Vacant)	
82	COMMINVT	COMMISSION INVESTIGATOR	COMMINVT	1012500	702000	T214NS	1	0	1	0	No Position Filled for PCN	13	HRCS - Commission Investigator (1 Vacant)	
83	CONCLMBR	COUNCIL MEMBER	CONCLMBR	1012101	702000	ELECTED	6	6	0	6	All Filled with Head Count			
84	CONCPRES	COUNCIL PRESIDENT	CONCPRES	1012101	702000	ELECTED	1	1	0	1	All Filled with Head Count			
85	CONVPRES	COUNCIL VICE PRESIDENT	CONVPRES	1012101	702000	ELECTED	1	1	0	1	All Filled with Head Count			
86	COURTADM	COURT ADMINISTRATOR	COURTADM	7602201	702000	DCTNB	1	1	0	1	All Filled with Head Count			
87	CRMRESAN	CRIME RESEARCH ANALYST	CRMRESAN	1013240	702000	T580CTP	2	2	0	2	All Filled with Head Count	43	Police - Crime Research Analyst (1 Filled) as of 3-31-2017	
88	CRMRETEC	CRIME RESEARCH TECHNICIAN	CRMRETEC	1013212	702000		0	0	0	0	No Position Filled for PCN	NA	No budgeted and/or Filled (0 Vacant)	
89	CRTRECDR	COURT RECORDER	CRTRECDR	7602201	702000	DCTNB	3	3	0	3	All Filled with Head Count			
90	CSWRKCOR	CASEWORK COORDINATOR DCT	CSWRKCOR	7602201	702000	T580DCT	1	1	0	1	All Filled with Head Count			
91	CTOFLCKL	COURT OFFICR/LAW CLK LICENSED	CTOFLCKL	7602201	702000	DCTNB	2	1	1	1	Position Available for PCN Type	NA	Per Finance "District Court" (Excluded from Vacancy Factor Report)	
92	CTOFLCLK	COURT OFFICER/LAW CLERK	CTOFLCLK	7602201	702000	DCTNB	3	2	1	2	Position Available for PCN Type	NA	Per Finance "District Court" (Excluded from Vacancy Factor Report)	
93	CTRELSEC	COURT RECORDER/LEGEL SECRETARY	CTRELSEC	7602201	702000	DCTNB	1	1	0	1	All Filled with Head Count			
94	CTYATTNY	CITY ATTORNEY	CTYATTNY	1012900	702000	EXEC	1	1	0	1	All Filled with Head Count			
95	CTYENGNR	CITY ENGINEER	CTYENGNR	6453603	702000	NBSUP	1	1	0	1	All Filled with Head Count			
96	CTYTREAS	CITY TREASURER/INCOME TAX ADM	CTYTREAS	1012730	702000	EXEC	1	1	0	1	All Filled with Head Count			
97	CUSTOWKR	CUSTODIAL WORKER 100	CUSTOWKR	1013140	706000	UAW	1	1	0	1	All Filled with Head Count			
98	CUSTOWKR	CUSTODIAL WORKER 100	CUSTOWKR	5903670	706000		0	0	0	0	No Position Filled for PCN	NA	No budgeted and/or Filled (0 Vacant)	
99	CUSTSREP	CUSTOMER SERVICE REP	CUSTSREP	5853641	702000	T580CTP	3	3	0	3	All Filled with Head Count			
100	DATCOMSP	DATA COMMUNICATIONS SPECIALIST	DATCOMSP	6303130	702000	T580CTP	2	2	0	2	All Filled with Head Count			
101	DCTDCMGR	DCT DEPUTY CIVIL MANAGER	DCTDCMGR	7602201	702000	DCTNB	1	1	0	1	All Filled with Head Count			
102	DCTJUDGE	DISTRICT COURT JUDGE	DCTJUDGE	7602201	702000	JUDGE	4	4	0	4	All Filled with Head Count			

PCN TO PERSONNEL HEAD COUNT

PCN Report ID	PCN Report Position	PCN Report Position Description	PCN Report PCN	PCN Report GL Key	PCN Report Object	PCN Report Union	PCN Report Budgeted	PCN Report Filled	PCN Report Available	Personnel Report CountOfLNAME	Category	Recon #	Notes
103	DEPASSOR	DEPUTY ASSESSOR	DEPASSOR	1012720	702000	T580SUP	1	1	0	1	All Filled with Head Count	38	Finance/Assessing - Deputy Assessor (1 Filled as of 3-31-2017)
104	DETECT2B	DETECTIVE IIB	DETECT2B	1013240	702000	FOPNS	23	25	-2	25	Position Available for PCN Type	32	Police - Detective (1 Vacant): Net of DETECT2B Two Lines Per Finance "it appears that the frontloading of the DETECT2B was mistaken for a vacancy. That was in error - it should not have been listed on the Vacancy Factor report. (It is listed in error, but does not affect dollar amount, as it was listed as being offset by overtime.)"
105	DETECT2B	DETECTIVE IIB	DETECT2B	7324017105	702000	FOPNS	1	0	1	0	No Position Filled for PCN	32	Police - Detective (1 Vacant): Net of DETECT2B Two Lines "it appears that the frontloading of the DETECT2B was mistaken for a vacancy. That was in error - it should not have been listed on the Vacancy Factor report. (It is listed in error, but does not affect dollar amount, as it was listed as being offset by overtime.)"
106	DETENOFF	DETENTION OFFICER	DETENOFF	1013224	702000	T580CTP	13	10	3	10	Position Available for PCN Type	31A	Police - Detention Officers (3 Vacant)
107	DEVELMGR	DEVELOPMENT MANAGER	DEVELMGR	5265305200	702000	NBSUP	0.4	0.4	0	1	All Filled with Head Count		
108	DEVELMGR	DEVELOPMENT MANAGER	DEVELMGR	5266905200	702000	NBSUP	0.4	0.4	0	1	All Filled with Head Count		
109	DEVELMGR	DEVELOPMENT MANAGER	DEVELMGR	6366902016	702000	NBSUP	0.2	0.2	0	1	All Filled with Head Count		
110	DIRCTRHR	DIRECTOR OF HUMAN RESOURCES	DIRCTRHR	1012800	702000	EXEC	1	1	0	1	All Filled with Head Count		
111	DIRHRCS0	DIRECTOR OF HRCS	DIRHRCS0	1012500	702000	EXEC	1	1	0	1	All Filled with Head Count		
112	DPCFSTAF	DEPUTY CHIEF OF STAFF	DPCFSTAF	1012300	702000	EXEC	1	1	0	1	All Filled with Head Count		
113	DPCLERK2	DEPUTY CLERK 2	DPCLERK2	7602201	702000	T580DCT	16	16	0	16	All Filled with Head Count		
114	DPCLERK3	DEPUTY CLERK 3	DPCLERK3	7602201	702000		1	1	0	1	All Filled with Head Count		
115	DPCTCLRK	DEPUTY CITY CLERK	DPCTCLRK	1012400	702000	MAYORAL	1	1	0	1	All Filled with Head Count		
116	DPCTYATY	DEPUTY CITY ATTORNEY	DPCTYATY	1012900	702000	NBSUP	1	1	0	1	All Filled with Head Count		
117	DPDRHRCS	DEPUTY DIRECTOR OF HRCS	DPDRHRCS	1012500	702000	NBUSUP	1	1	0	1	All Filled with Head Count		
118	DPPBSDIR	DEPUTY PUBLIC SERVICE DIRECTOR	DPPBSDIR	6453603	702000	NBUSUP	1	0	1	0	No Position Filled for PCN	54	Public Service/Eng - Deputy Public Service Director (1 Vacant)
119	DPTREASR	DEPUTY CITY TREASURER	DPTREASR	1012730	702000	T580SUP	1	1	0	1	All Filled with Head Count	36	Finance/Treasury - Deputy City Treasurer (1 Filled) as of 3-31-2017
120	DRCTRPND	DIRECTOR OF PND	DRCTRPND	1012601	702000	EXEC	0.5	0.5	0	1	All Filled with Head Count		
121	DRCTRPND	DIRECTOR OF PND	DRCTRPND	5853640	702000	EXEC	0.5	0.5	0	1	All Filled with Head Count		
122	DRIVRWKR	DRIVER WORKER 300	DRIVRWKR	1013611	704000	UAW	30	26	4	26	Position Available for PCN Type	59	Public Service/O&M - Driver Workers (4 Vacant)
123	EEOPSPEC	EQUAL OPPORTUNITY SPECIALIST	EEOPSPEC	1012500	702000	T580CTP	1	1	0	1	All Filled with Head Count		
124	ELCINSPC	ELECTRICAL INSPECTOR	ELCINSPC	2492610	702000	T580CTP	1	1	0	1	All Filled with Head Count		
125	ELCINSUP	ELECTRICAL INSPECTOR SUPERVISR	ELCINSUP	2492610	702000	T214SUP	1	1	0	1	All Filled with Head Count		
126	ELTCCORD	ELECTION SUPERVISOR	ELTCCORD	1012400	702000	T580SUP	1	1	0	1	All Filled with Head Count		
127	ELCTRICN	ELECTRICIAN	ELCTRICN	1013140	702000	T580SUP	1	1	0	1	All Filled with Head Count		
128	ELECFACW	ELECTRICAL FACILITY CTRL WKR	ELECFACW	1013140	706000	UAW	1	1	0	1	All Filled with Head Count		
129	ELECTECH	ELECTRICAL TECHNICIAN	ELECTECH	5903670	702000	T580CTP	1	0	1	0	No Position Filled for PCN	73	Public Service/WWTP - Electrical Technician (1 Vacant)
130	ELNLICLK	ELECTION AND LICENSING CLERK	ELNLICLK	1012400	702000	T580CTP	2	2	0	2	All Filled with Head Count		
131	EMBEPAAD	EMPLOYEE BENEFITS/PAYROLL ADM	EMBEPAAD	1012800	702000	T580CTP	0.7	0.7	0	1	All Filled with Head Count		
132	EMBEPAAD	EMPLOYEE BENEFITS/PAYROLL ADM	EMBEPAAD	6503911	702000	T580CTP	0.3	0.3	0	1	All Filled with Head Count		
133	ENGINAST	ENGINEERING ASSISTANT	ENGINAST	6453603	702000	T580CTP	1	1	0	1	All Filled with Head Count		
134	ENGINR36	ENGINEER 36	ENGINR36	6453603	702000	T214NS	4	4	0	4	All Filled with Head Count		
135	ENGTEC32	ENGINEERING TECHNICIAN 32	ENGTEC32	6453603	702000	T580CTP	1	1	0	1	All Filled with Head Count		
136	ENGTEC34	ENGINEERING TECHNICIAN 34	ENGTEC34	6453603	702000	T580SUP	1	0	1	0	No Position Filled for PCN	53	Public Service/Eng - Engineering Technician (1 Vacant)
137	ENGTECHN	ENGINEER TECHNICIAN	ENGTECHN	6453603	702000	T580CTP	1	1	0	1	All Filled with Head Count		
138	EQPOPWK4	EQUIPMENT OPERATOR WORKER 400	EQPOPWK4	1013611	704000	UAW	8	7	1	7	Position Available for PCN Type	64	Public Service/O&M - Equipment Operator (1 Vacant)
139	EQPOPWK5	EQUIPMENT OPERATOR WORKER 500	EQPOPWK5	1013611	704000	UAW	6	6	0	6	All Filled with Head Count		
140	ERGMGTCTF	EMERGENCY MANAGEMENT CHIEF	ERGMGTCTF	1013580	702000	IAFF	1	1	0	1	All Filled with Head Count		
141	ERGMGTSP	EMERGENCY MANAGEMENT SPECIALIS	ERGMGTSP	1013580	702000	T580CTP	1	1	0	1	All Filled with Head Count		
142	FACMTWKR	FACILITY MAINT WORKER 400	FACMTWKR	1013140	706000	UAW	7	5	2	5	Position Available for PCN Type	17	Public Service/Facilities - Building Maintenance Worker (2 Vacant)
143	FFTRAINE	FIRE FIGHTER TRAINEE	FFTRAINE	1013520	702000		1	2	-1	2	Position Available for PCN Type	26	Per Finance "netted against FIRFIGTR"
144	FIELDTEC	FIELD TECHNICIAN	FIELDTEC	5903679	702000	T580CTP	1	1	0	1	All Filled with Head Count		
145	FINDRCTR	FINANCE DIRECTOR	FINDRCTR	1012710	702000	EXEC	1	1	0	1	All Filled with Head Count		
146	FINEMPOF	FINANCIAL EMPOWERMENT OFFICE	FINEMPOF	1012320	702000	MAYORAL	1	1	0	1	All Filled with Head Count		
147	FINGRTEC	FINGERPRINT TECHNICIAN	FINGRTEC	1013221	702000	T580CTP	1	1	0	1	All Filled with Head Count		

PCN TO PERSONNEL HEAD COUNT

PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	Personnel Report			
ID	Position	Position Description	PCN	GL Key	Object	Union	Budgeted	Filled	Available	CountOfLNAME	Category	Recon #	Notes	
148	FIRENG02	ENGINEER II	FIRENG02	1013520	702000	IAFF	30	30	0	30	All Filled with Head Count			
149	FIRFIGTR	FIREFIGHTER	FIRFIGTR	1013501	702000	IAFF	-1	0	-1	0	No Position Filled for PCN	26	Fire - Firefighters (5 Vacant) & (Offset PCN Report for FIRFIGTR & FFTRAINE)	
150	FIRFIGTR	FIREFIGHTER	FIRFIGTR	1013520	702000	IAFF	96	89	7	89	Position Available for PCN Type	26	Fire - Firefighters (5 Vacant) & (Offset PCN Report for FIRFIGTR & FFTRAINE)	
151	FIRMARS6	FIRE MARSHALL VI	FIRMARS6	1013530	702000	IAFF	1	1	0	1	All Filled with Head Count			
152	FLDOPSUP	FIELD OPERATIONS SUPERVISOR	FLDOPSUP	5903671	702000	T580SUP	1	0	1	0	No Position Filled for PCN	70	Public Service/WWTP - Field Operations Supervisor (1 Vacant)	
153	FLEETSUP	FLEET SUPERVISOR	FLEETSUP	6433623	702000	T580SUP	1	1	0	1	All Filled with Head Count			
154	FORPKMGR	FORESTRY & PARKS MANAGER	FORPKMGR	1013611	704000	T214SUP	1	0	1	0	No Position Filled for PCN	56	Public Service/O&M - Forestry & Parks Manager (1 Vacant)	
155	FRSTWKR4	ARBORIST 400	FRSTWKR4	1013611	704000	UAW	6	4	2	4	Position Available for PCN Type	58	Public Service/O&M - Arborist (1 Vacant) Offset two lines (Per Finance "Note: Personnel Report shows 4 filled; difference = timing of last pay")	
156	FRSTWKR5	ARBORIST 500	FRSTWKR5	1013611	704000	UAW	4	5	-1	4	Position Available for PCN Type	58	Public Service/O&M - Arborist (1 Vacant) Offset two lines (Per Finance "Note: Personnel Report shows 4 filled; difference = timing of last pay")	
157	GISADMIN	IT APPLIC/GIS ADMINISTRATOR	GISADMIN	6303130	702000	T580CTP	1	1	0	1	All Filled with Head Count			
158	GRENSKPR	GREENSKEEPER 400	GRENSKPR	1013611	704000	UAW	1	1	0	1	All Filled with Head Count			
159	GRNSKPR5	GREENSKEEPER 500	GRNSKPR5	5843851	706000	UAW	1	1	0	1	All Filled with Head Count			
160	HELWELAD	HEALTH & WELLNESS ADMINISTRATR	HELWELAD	1012800	702000	T580CTP	0.25	0.25	0	1	All Filled with Head Count			
161	HELWELAD	HEALTH & WELLNESS ADMINISTRATR	HELWELAD	6503916	702000	T580CTP	0.75	0.75	0	1	All Filled with Head Count			
162	HMISPFAN	HMIS PERFORMANCE ANALYST	HMISPFAN	1012710	702000	T214NS	1	1	0	1	All Filled with Head Count			
163	HRSPEC34	HUMAN RESOURCES SPECIALIST 34	HRSPEC34	1012800	702000	T580CTP	2.8	3	-0.2	3	Position Available for PCN Type	NA	Offset HRSPEC34: Net Two Lines (0 Vacant)	
164	HRSPEC34	HUMAN RESOURCES SPECIALIST 34	HRSPEC34	6503916	702000	T580CTP	0.2	0	0.2	0	No Position Filled for PCN	NA	Offset HRSPEC34: Net Two Lines (0 Vacant)	
165	HSREHAGT	HOUSING REHABILITATION AGENT	HSREHAGT	5266305200	702000	T580CTP	1	0	1	0	No Position Filled for PCN	44	PND/Development - Housing Rehabilitation Agent (1 Vacant)	
166	INDRSUP	INDUSTRIAL SURVEILLANCE SUPERV	INDRSUP	5903679	702000	T580SUP	1	0	1	0	No Position Filled for PCN	74	Public Service/WWTP - Industrial Surveillance Supervisor (1 Vacant)	
167	INFOTMGR	INFORMATION TECHNOLOGY MANAGER	INFOTMGR	6303130	702000	T580SUP	1	0	1	0	No Position Filled for PCN	49	IT - Information Technology Manager (1 Vacant)	
168	INSPECT3	INSPECTOR III	INSPECT3	1013530	702000	IAFF	2	0	2	0	No Position Filled for PCN	25	Fire - Inspector (1 Vacant) Net of INSPECT3 & INSECT4 Two Lines	
169	INSPECT4	INSPECTOR IV	INSPECT4	1013530	702000	IAFF	2	3	-1	3	Position Available for PCN Type	25	Fire - Inspector (1 Vacant) Net of INSPECT3 & INSECT4 Two Lines	
170	INSTRTec	INSTRUMENTATION TECHNICIAN	INSTRTec	5903670	702000	T580CTP	1	1	0	1	All Filled with Head Count			
171	INTAXAUD	INCOME TAX AUDITOR	INTAXAUD	1012730	702000	T580CTP	1	1	0	1	All Filled with Head Count			
172	INTAXTEC	INCOME TAX EXAMINER TECHNICIAN	INTAXTEC	1012730	702000	T580CTP	3	3	0	3	All Filled with Head Count			
173	INTERDEV	INTERNET DEVELOPER	INTERDEV	1013130	702000		0	0	0	0	No Position Filled for PCN	NA	No budgeted and/or Filled (0 Vacant)	
174	LABRELS	LABOR RELATIONS SPECIALIST	LABRELS	1012800	702000	NBNS	0.8	0.8	0	1	All Filled with Head Count			
175	LABRELS	LABOR RELATIONS SPECIALIST	LABRELS	6503916	702000	NBNS	0.2	0.2	0	1	All Filled with Head Count			
176	LABREMGR	LABOR RELATIONS MANAGER	LABREMGR	1012800	702000	NBSUP	1	1	0	1	All Filled with Head Count			
177	LABSUPER	LABORATORY SUPERVISOR	LABSUPER	5903670	702000	T580SUP	1	0	1	0	No Position Filled for PCN	71	Public Service/WWTP - Laboratory Supervisor (1 Vacant)	
178	LABTECHN	LABORATORY TECHNICIAN	LABTECHN	5903670	702000	T580CTP	2	2	0	2	All Filled with Head Count			
179	LANDARCH	LANDSCAPE ARCHITECT	LANDARCH	1013810	702000	T580CTP	1	0	1	0	No Position Filled for PCN	20	Parks & Recreation - Landscape Architect (1 Vacant)	
180	LDATENOF	LEAD DETENTION OFFICER	LDATENOF	1013224	702000	T580CTP	3	3	0	3	All Filled with Head Count			
181	LDHOUSIN	LEAD HOUSING INSPECTOR	LDHOUSIN	1013535	702000	T580SUP	1	1	0	1	All Filled with Head Count			
182	LDPKTECH	LEAD PARKING TECHNICIAN	LDPKTECH	5853642	706000	UAW	2	2	0	2	All Filled with Head Count			
183	LEGISAUD	LEGISLATIVE AUDITOR	LEGISAUD	1012120	702000	COUNCIL	1	1	0	1	All Filled with Head Count	34	City Council - Internal Auditor (1 Filled) as of 3-31-2017	
184	LEISRMGR	LEISURE & SPECIAL REC MANAGER	LEISRMGR	1013830	702000	NBSUP	1	1	0	1	All Filled with Head Count			
185	LFSPTCO	LIFETIME SPORTS COORDINATOR	LFSPTCO	1013832	702000	T580SUP	1	1	0	1	All Filled with Head Count			
186	LGASTCON	LEGAL ASSISTANT CONFIDENTIAL	LGASTCON	1012900	702000	NBNS	1	1	0	1	All Filled with Head Count			
187	LGASTLIT	LEGAL ASSISTANT LITIGATION	LGASTLIT	1012900	702000	T214NS	1	0	1	0	No Position Filled for PCN	11	City Attorney's Office - Legal Assistant (1 Vacant)	
188	LGLADVSR	LEGAL ADVISOR	LGLADVSR	1012900	702000	T214NS	1	0	1	0	No Position Filled for PCN	10	City Attorney's Office - Legal Advisor (1 Vacant)	
189	LGLSEC27	LEGAL SECRETARY 27	LGLSEC27	1012900	702000	T214NS	1	0	1	0	No Position Filled for PCN	12	City Attorney's Office - Legal Secretary (1 Vacant)	
190	LIEUTEN5	LIEUTENANT V	LIEUTEN5	1013201	702000	FOPSUP	1	1	0	1	All Filled with Head Count			
191	LIEUTEN5	LIEUTENANT V	LIEUTEN5	1013212	702000	FOPSUP	1	0	1	0	No Position Filled for PCN	NA	Net of LIEUTEN5 Two Lines (0 Vacant)	
192	LIEUTEN5	LIEUTENANT V	LIEUTEN5	1013224	702000	FOPSUP	1	1	0	1	All Filled with Head Count			
193	LIEUTEN5	LIEUTENANT V	LIEUTEN5	1013240	702000	FOPSUP	1	2	-1	2	Position Available for PCN Type	NA	Net of LIEUTEN5 Two Lines (0 Vacant)	
194	LIEUTEN5	LIEUTENANT V	LIEUTEN5	1013251	702000	FOPSUP	4	4	0	4	All Filled with Head Count			
195	LINTRDEV	LEAD INTERNET DEVELOPER	LINTRDEV	1013130	702000		0	0	0	0	No Position Filled for PCN	NA	No budgeted and/or Filled (0 Vacant)	
196	LSPRTSUP	LIFETIME SPORTS SUPERVISOR	LSPRTSUP	1013832	702000	T580SUP	1	1	0	1	All Filled with Head Count			

PCN TO PERSONNEL HEAD COUNT

PCN Report ID	PCN Report Position	PCN Report Position Description	PCN Report PCN	PCN Report GL Key	PCN Report Object	PCN Report Union	PCN Report Budgeted	PCN Report Filled	PCN Report Available	Personnel Report CountOfLNAME	Category	Recon #	Notes
197	MAGISCLK	MAGISTRATE'S CLERK	MAGISCLK	7602201	702000	T580DCT	1	1	0	1	All Filled with Head Count		
198	MAGISTR	MAGISTRATE	MAGISTR	7602201	702000	DCTNB	1	1	0	1	All Filled with Head Count		
199	MANTWKR2	MAINTENANCE WORKER 200	MANTWKR2	1013611	704000	UAW	1	2	-1	2	Position Available for PCN Type	NA	Per Finance "The MANTWR@ position shows as an overfill, due to an employee being out on workers comp. It is not on the vacancy report, at there is no vacancy"
200	MANTWKR2	MAINTENANCE WORKER 200	MANTWKR2	5853642	706000	UAW	1	1	0	1	All Filled with Head Count		
201	MANTWKR3	MAINTENANCE WORKER 300	MANTWKR3	1013611	704000	UAW	2	2	0	2	All Filled with Head Count		
202	MANTWKR4	MAINTENANCE WORKER 400	MANTWKR4	1013611	704000	UAW	2	2	0	2	All Filled with Head Count		
203	MATALRSP	MAINTENANCE ALARM SPECIALIST	MATALRSP	1013510	702000	IAFF	1	1	0	1	All Filled with Head Count		
204	MATALSP4	MAINTENANCE ALARM SPECIALIST 4	MATALSP4	1013510	702000	IAFF	2	2	0	2	All Filled with Head Count		
205	MAYOR000	MAYOR	MAYOR000	1012300	702000	ELECTED	1	1	0	1	All Filled with Head Count		
206	MECHANIC	MECHANIC	MECHANIC	6433623	706000	UAW	20	17	3	17	Position Available for PCN Type	66	Public Service Fleet - Mchanics (3 Vacant)
207	MECINSPC	MECHANICAL INSPECTOR	MECINSPC	2492610	702000	T580CTP	1	1	0	1	All Filled with Head Count		
208	MECINSUP	MECHANICAL INSPECTOR SUPERVISR	MECINSUP	2492610	702000	T214SUP	1	1	0	1	All Filled with Head Count		
209	MYROFMGR	MAYOR'S OFFICE MANAGER	MYROFMGR	1012300	702000	MAYORAL	1	1	0	1	All Filled with Head Count		
210	NETWKADM	NETWORK ADMINISTRATOR	NETWKADM	6303130	702000	T580SUP	1	0	1	0	No Position Filled for PCN	51	IT - Network Administrator (1 Vacant)
211	NRESCORD	NEIGHBORHOOD RESOURCE COORDINT	NRESCORD	1012601	702000	T214NS	1	1	0	1	All Filled with Head Count		
212	OFFMGR30	OFFICE MANAGER 30	OFFMGR30	1012101	702000	COUNCIL	1	1	0	1	All Filled with Head Count		
213	OFFMGR30	OFFICE MANAGER 30	OFFMGR30	1012601	702000	T580SUP	1	1	0	1	All Filled with Head Count		
214	OMSUPERT	O&M SUPERINTENDENT	OMSUPERT	1013611	704000	NBSUP	1	1	0	1	All Filled with Head Count		
215	OPSERCLK	OPERATIONAL SERVICES CLERK	OPSERCLK	1012710	702000		0	0	0	0	No Position Filled for PCN	NA	No budgeted and/or Filled (0 Vacant)
216	PAYRTECH	PAYROLL TECHNICIAN	PAYRTECH	1012800	702000	T580CTP	0.8	0.8	0	1	All Filled with Head Count		
217	PAYRTECH	PAYROLL TECHNICIAN	PAYRTECH	1013201	702000	T580CTP	1	1	0	1	All Filled with Head Count		
218	PAYRTECH	PAYROLL TECHNICIAN	PAYRTECH	6503911	702000	T580CTP	0.2	0.2	0	1	All Filled with Head Count		
219	PBSDIRCT	PUBLIC SERVICE DIRECTOR	PBSDIRCT	6453603	702000	EXEC	1	1	0	1	All Filled with Head Count		
220	PERMTSUP	PERMITS SUPERVISOR	PERMTSUP	6453603	702000	T214SUP	1	1	0	1	All Filled with Head Count		
221	PKGENWKR	PARKING ENFORCEMENT WORKER 300	PKGENWKR	5853642	706000	UAW	4	4	0	4	All Filled with Head Count		
222	PKGMTWKR	PARKING MAINT WORKER 200	PKGMTWKR	1013611	704000	UAW	1	0	1	0	No Position Filled for PCN	62	Public Service/O&M Parking Maintenance Worker (1 Vacant)
223	PKGOPSUP	PARKING OPERATIONS SUPERVISOR	PKGOPSUP	5853640	702000	T580SUP	1	1	0	1	All Filled with Head Count		
224	PKGRVCOL	PARKING REVENUE COLLECTOR	PKGRVCOL	5853642	706000	UAW	4	3	1	3	Position Available for PCN Type	47	PND/Parking - Parking Revenue Collector (1 Vacant)
225	PKRECDIR	PARKS & RECREATION DIRECTOR	PKRECDIR	1013810	702000	EXEC	1	1	0	1	All Filled with Head Count		
226	PKSGARDR	PARKS WORKER/GARDENER 400	PKSGARDR	1013611	704000	UAW	1	1	0	1	All Filled with Head Count		
227	PKSMTWK2	PARKS MAINT WORKER 200	PKSMTWK2	1013611	704000	UAW	1	1	0	1	All Filled with Head Count		
228	PKSMTWK4	GROUND & MAINTENANCE WRK 400	PKSMTWK4	1013611	704000	UAW	5	4	1	4	Position Available for PCN Type	61	Public Service/O&M - Parks Maintenance Worker (1 Vacant)
229	PKSMTWK4	GROUND & MAINTENANCE WRK 400	PKSMTWK4	1013824	706000		0	0	0	0	No Position Filled for PCN	NA	No budgeted and/or Filled (0 Vacant)
230	PKSOPWKS	PKS EQUIPMENT OPERATOR	PKSOPWKS	1013611	704000	UAW	1	0	1	0	No Position Filled for PCN	57	Public Service/O&M - Parks Operator Worker (1 Vacant)
231	PLANTENG	PLANT ENGINEER	PLANTENG	5903670	702000	T214SUP	1	1	0	1	All Filled with Head Count		
232	PLMINSPC	PLUMBING INSPECTOR	PLMINSPC	2492610	702000	T580CTP	1	1	0	1	All Filled with Head Count		
233	PLMINSUP	PLUMBING INSPECTOR SUPERVISOR	PLMINSUP	2492610	702000	T214SUP	1	1	0	1	All Filled with Head Count		
234	PLNREVSU	PLAN REVIEW SUPERVISOR	PLNREVSU	2492610	702000	T214SUP	1	0	1	0	No Position Filled for PCN	48	PND/Building Safety - Plan Review Supervisor (1 Vacant)
235	PLNTSUPT	PLANT SUPERINTENDENT	PLNTSUPT	5903670	702000	NBSUP	1	1	0	1	All Filled with Head Count		
236	PLOPSU33	PLANT OPERATIONS SUPERVISOR 33	PLOPSU33	5903670	702000	T580SUP	5	4	1	4	Position Available for PCN Type	75	Public Service/WWTP - Plant Operations Supervisor (1 Vacant)
237	PLTMASUP	PLANT MAINTENANCE SUPERVISOR	PLTMASUP	5903670	702000	T580SUP	1	1	0	1	All Filled with Head Count		
238	PLUMBSUP	PLUMBING SUPERVISOR	PLUMBSUP	1013140	702000	T580SUP	1	1	0	1	All Filled with Head Count		
239	POLCHIEF	POLICE CHIEF	POLCHIEF	1013201	702000	EXEC	1	1	0	1	All Filled with Head Count		
240	POLOFFCR	POLICE OFFICER 1	POLOFFCR	1013201	702000	FOPNS	1	0	1	0	No Position Filled for PCN	33	Police - Police Officers (3 Vacant): Net of 10 Lines
241	POLOFFCR	POLICE OFFICER 1	POLOFFCR	1013212	702000	FOPSUP	1	1	0	1	All Filled with Head Count	33	Police - Police Officers (3 Vacant): Net of 10 Lines
242	POLOFFCR	POLICE OFFICER 1	POLOFFCR	1013224	702000	FOPNS	2	2	0	2	All Filled with Head Count	33	Police - Police Officers (3 Vacant): Net of 10 Lines
243	POLOFFCR	POLICE OFFICER 1	POLOFFCR	1013225	702000	FOPNS	1	1	0	1	All Filled with Head Count	33	Police - Police Officers (3 Vacant): Net of 10 Lines
244	POLOFFCR	POLICE OFFICER 1	POLOFFCR	1013240	702000	FOPNS	6	7	-1	8	Position Available for PCN Type	33	Police - Police Officers (3 Vacant): Net of 10 Lines
245	POLOFFCR	POLICE OFFICER 1	POLOFFCR	1013251	702000	FOPNS	113	110	3	109	Position Available for PCN Type	33	Police - Police Officers (3 Vacant) Net of 10 Lines
246	POLOFFCR	POLICE OFFICER 1	POLOFFCR	7325146203	702000	FOPNS	5	0	5	0	No Position Filled for PCN	33	Police - Police Officers (3 Vacant): Net of 10 Lines
247	POLOFFDF	POLICE OFFICER DIFFERENTIALPAY	POLOFFDF	1013240	702000	FOPNS	5	4	1	4	Position Available for PCN Type	33	Police - Police Officers (3 Vacant): Net of 10 Lines
248	POLOFFDT	POLICE OFFICER DETECTIVE PAY	POLOFFDT	1013240	702000	FOPNS	1	4	-3	4	Position Available for PCN Type	33	Police - Police Officers (3 Vacant): Net of 10 Lines
249	POLOFFTR	POLICE OFFICER CERT TRAINEE	POLOFFTR	1013251	702000	FOPNS	1	4	-3	4	Position Available for PCN Type	33	Police - Police Officers (3 Vacant): Net of 10 Lines
250	POLTEC26	POLICE TECHNICIAN 26	POLTEC26	1013221	702000	T580CTP	2	2	0	2	All Filled with Head Count		

PCN TO PERSONNEL HEAD COUNT

PCN Report ID	PCN Report Position	PCN Report Position Description	PCN Report PCN	PCN Report GL Key	PCN Report Object	PCN Report Union	PCN Report Budgeted	PCN Report Filled	PCN Report Available	Personnel Report CountOfLNAME	Category	Recon #	Notes
251	PRKNGMGR	PARKING MANAGER	PRKNGMGR	5853640	702000	T580SUP	1	0	1	0	No Position Filled for PCN	46	PND/Parking - Parkign Manager (1 Vacant)
252	PRMISOFF	PREMISE OFFICER	PRMISOFF	1013535	702000	T580CTP	3	3	0	3	All Filled with Head Count		
253	PRNCRECR	PRINCIPAL RECRUITER	PRNCRECR	1012800	702000	T580CTP	1	1	0	1	All Filled with Head Count		
254	PROBOFCR	PROBATION OFFICER	PROBOFCR	7602201	702000	T580DCT	4	4	0	4	All Filled with Head Count		
255	PRODTAST	PRODUCTION ASSISTANT	PRODTAST	1012310	702000	MAYORAL	1	1	0	1	All Filled with Head Count		
256	PROPTMGR	PROPERTY MANAGER	PROPTMGR	1013140	702000	T580SUP	1	1	0	1	All Filled with Head Count		
257	PTAQUPRG	PT AQUATIC PROGRAMMER	PTAQUPRG	1013831	702000	T580PT	1	0	1	0	No Position Filled for PCN	19	Parks & Recreation - Part-Time Aquatics Programmer (1 Vacant)
258	PTCLRK22	PARTTIME CLERK 22	PTCLRK22	1012500	702000	T580PT	1	0	1	0	No Position Filled for PCN	14	HRCs - Part-Time Clerk (1 Vacant)
259	PTCLRK22	PARTTIME CLERK 22	PTCLRK22	1013831	702000	T580PT	1	0	1	0	No Position Filled for PCN	18	Parks & Recreation - Part-Time Clerk (1 Vacant)
260	PTCLRK23	PARTTIME CLERK 23	PTCLRK23	1013831	702000	T580PT	2	2	0	2	All Filled with Head Count		
261	PTCLRK25	PT CLERK 25	PTCLRK25	1013501	702000	T580PT	1	1	0	1	All Filled with Head Count		
262	PTCLRK25	PT CLERK 25	PTCLRK25	1013535	702000	T580PT	2	0	2	0	No Position Filled for PCN	22	Fire - Part-Time Clerks (2 Vacant)
263	PTCMMKCO	PT COMMUNICATIONS MARKETING CO	PTCMMKCO	1013831	702000	T580PT	1	1	0	1	All Filled with Head Count	40	Parks & Recreation - Part-Time Communications & Dev Coord. (1 Filled as of 3-31-2017)
264	PTCOLOFC	PT COLLECTIONS OFFICER	PTCOLOFC	7602201	702000		1	0	1	0	No Position Filled for PCN	NA	Per Finance "District Court" (Excluded from Vacancy Factor Report)
265	PTCTRPRG	PT COMMUNITY CENTER PROGRAMMR	PTCTRPRG	1013831	702000		3	3	0	3	All Filled with Head Count	41	Parks & Recreation - Part-Time Comm. Center Programmers (2 Filled) as of 3-31-2017
266	PTCUSTRP	PT CUSTOMER SERVICE REP	PTCUSTRP	1012730	702000		2	2	0	2	All Filled with Head Count	37	Finance/Treasury - Part-Time Customer Service Rep - (1 Filled) as of 3-31-2017
267	PTLNCLK	PT ELECTION & LICENSING CLERK	PTLNCLK	1012400	702000	T580PT	1	1	0	1	All Filled with Head Count		
268	PTINTXAU	PT INCOME TAX AUDITOR	PTINTXAU	1012730	702000	T580PT	1	0	1	0	No Position Filled for PCN	4	Finance/Treasury - Part-Time Auditor (1 Vacant)
269	PTPRMSOF	PT PREMISE OFFICER	PTPRMSOF	1013535	702000	T580PT	2	1	1	1	Position Available for PCN Type	24	Fire - Part-Time Premise Officer (1 Vacant)
270	PTPRRVCL	PT PARKING REVENUE COLLECTOR	PTPRRVCL	5853642	706000		15	12	3	9	Position Available for PCN Type	NA	Per Finance "not included on vacancy report: many are seasonal" (Excluded from Vacancy Factor Report)
271	PTPRRVCL	PT PARKING REVENUE COLLECTOR	PTPRRVCL	5853650	707000		5	5	0	4	Position Available for PCN Type	NA	Per Finance "not included on vacancy report: many are seasonal" (Excluded from Vacancy Factor Report)
272	PTPRTECH	PT PAYROLL TECHNICIAN	PTPRTECH	6503911	702000	T580PT	1	1	0	1	All Filled with Head Count		
273	PTSECRTY	PT SECRETARY	PTSECRTY	6303130	702000	T580PT	1	0	1	0	No Position Filled for PCN	50	IT - Part-Time Secretary (1 Vacant)
274	PTTRSYIN	PT TREASURY INVESTIGATOR	PTTRSYIN	1012730	702000	T580PT	1	1	0	1	All Filled with Head Count		
275	PUBWKSUP	PUBLIC SERVICE SUPERVISOR	PUBWKSUP	1013611	704000	T580SUP	10	10	0	10	All Filled with Head Count		
276	QTRMATEC	QUARTERMASTER TECHNICIAN	QTRMATEC	1013225	702000	T580CTP	1	0	1	0	No Position Filled for PCN	31	Police - Quartermaster Technician (1 Vacant)
277	RADIOENG	RADIO ENGINEER	RADIOENG	1013222	702000	T580SUP	1	1	0	1	All Filled with Head Count		
278	RADIOTEC	RADIO TECHNICIAN	RADIOTEC	6433623	702000	T580CTP	1	1	0	1	All Filled with Head Count		
279	RADTEC32	RADIO TECHNICIAN 32	RADTEC32	1013222	702000	T580CTP	1	1	0	1	All Filled with Head Count		
280	REHABCS	REHAB CONSTRUCTION SPECIALIST	REHABCS	5266305200	702000	T580CTP	1.2	0	1.2	0	No Position Filled for PCN	45	PND/Development - Rehab Constructions Specialist (2 Vacant)
281	REHABCS	REHAB CONSTRUCTION SPECIALIST	REHABCS	6366902016	702000	T580CTP	0.8	0	0.8	0	No Position Filled for PCN	45	PND/Development - Rehab Constructions Specialist (2 Vacant)
282	RESIDAPP	RESIDENTIAL APPRAISER	RESIDAPP	1012720	702000	T580CTP	3	3	0	3	All Filled with Head Count		
283	RESYDCAD	LAW ENFORCMET DATA SYSTM ADM	RESYDCAD	1013221	702000	T580CTP	1	0	1	0	No Position Filled for PCN	29	Police - Law Enforcement Data System Administrator (1 Vacant)
284	RETIREAN	RETIREMENT ANALYST	RETIREAN	6503911	702000	T580CTP	1	1	0	1	All Filled with Head Count		
285	SECRTY26	SECRETARY 26	SECRTY26	1012730	702000	T580CTP	1	1	0	1	All Filled with Head Count		
286	SECRTY26	SECRETARY 26	SECRTY26	1013251	702000	T580CTP	1	0	1	0	No Position Filled for PCN	30	Police - Secretary (1 Vacant)
287	SECRTY26	SECRETARY 26	SECRTY26	1013540	702000	T580CTP	1	1	0	1	All Filled with Head Count	42	Fire - Secretary (1 Filled) as of 3-31-2017
288	SECRTY26	SECRETARY 26	SECRTY26	2492610	702000	T580CTP	1	1	0	1	All Filled with Head Count		
289	SECRTY26	SECRETARY 26	SECRTY26	5266305200	702000	T580CTP	1	1	0	1	All Filled with Head Count		
290	SECRTY27	SECRETARY 27	SECRTY27	1013510	702000	T580CTP	1	1	0	1	All Filled with Head Count		
291	SERGANT3	SERGEANT III	SERGANT3	1013201	702000	FOPSUP	1	1	0	1	All Filled with Head Count		
292	SERGANT3	SERGEANT III	SERGANT3	1013212	702000	FOPSUP	2	2	0	2	All Filled with Head Count		
293	SERGANT3	SERGEANT III	SERGANT3	1013224	702000	FOPSUP	5	5	0	5	All Filled with Head Count		
294	SERGANT3	SERGEANT III	SERGANT3	1013225	702000	FOPSUP	1	1	0	1	All Filled with Head Count		
295	SERGANT3	SERGEANT III	SERGANT3	1013240	702000	FOPSUP	4	4	0	4	All Filled with Head Count		
296	SERGANT3	SERGEANT III	SERGANT3	1013251	702000	FOPSUP	16.5	16.5	0	17	All Filled with Head Count		
297	SERGANT3	SERGEANT III	SERGANT3	5853642	702000	FOPSUP	0.5	0.5	0	1	All Filled with Head Count		
298	SNMATWKR	SIGN MAINTENANCE WORKER 300	SNMATWKR	1013611	704000	UAW	1	1	0	1	All Filled with Head Count		
299	SOLWASOP	SOLID WASTE OPERATOR	SOLWASOP	1013611	704000	UAW	17	17	0	17	All Filled with Head Count		
300	SOLWASUP	SOLID WASTE SUPERVISOR	SOLWASUP	1013611	704000	T580SUP	1	0	1	0	No Position Filled for PCN	63	Public Service/O&M - Solid Waste Supervisor (1 Vacant)
301	SPECLAST	SPECIAL ASSIST TO THE MAYOR	SPECLAST	1012300	702000	MAYORAL	2	2	0	2	All Filled with Head Count		

PCN TO PERSONNEL HEAD COUNT

PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	PCN Report	Personnel Report			
ID	Position	Position Description	PCN	GL Key	Object	Union	Budgeted	Filled	Available	CountOfLNAME	Category	Recon #	Notes	
302	SPEQIPOP	SPECIAL EQUIPMENT OPERATOR 500	SPEQIPOP	1013611	704000	UAW	2	2	0	2	All Filled with Head Count			
303	SPROAN34	SR PROGRAMMER ANALYST 34	SPROAN34	6303130	702000	T580CTP	3	2	1	2	Position Available for PCN Type	52	IT - Programmer Analyst (2 Vacant)	
304	SPROAN35	SR PROGRAMMER ANALYST 35	SPROAN35	6303130	702000	T580CTP	1	0	1	0	No Position Filled for PCN	52	IT - Programmer Analyst (2 Vacant)	
305	SRMANSUP	SR MAINTENANCE SUPERVISOR	SRMANSUP	1013611	704000	T580SUP	3	3	0	3	All Filled with Head Count			
306	SROFFADM	SR OFFICE ADMINISTRATOR	SROFFADM	1013611	704000	T580SUP	1	1	0	1	All Filled with Head Count			
307	SRPLANER	SENIOR PLANNER	SRPLANER	5265305200	702000	T580CTP	1	1	0	1	All Filled with Head Count			
308	SRTAXAUD	SR INCOME TAX AUDITOR	SRTAXAUD	1012730	702000	T580SUP	1	1	0	1	All Filled with Head Count			
309	SRVCSPEC	SERVICE SPECIALIST	SRVCSPEC	6433623	702000	T580CTP	1	1	0	1	All Filled with Head Count			
310	STORKPR4	STOREKEEPER/PARTS WORKER 400	STORKPR4	5903670	706000	UAW	1	1	0	1	All Filled with Head Count			
311	STORKPR4	STOREKEEPER/PARTS WORKER 400	STORKPR4	6433623	706000	UAW	2	1	1	1	Position Available for PCN Type	68	Public Service/Fleet - Storekeeper/Parts Worker (1 Vacant)	
312	SWRMTWK3	SEWER MAINTENANCE WORKER 300	SWRMTWK3	1013611	704000	UAW	1	0	1	0	No Position Filled for PCN	65	Public Service/O&M - Sewer Maintenance Worker (1 Vacant)	
313	SWRMTWK4	SEWER MAINTENANCE WORKER 400	SWRMTWK4	1013611	704000	UAW	2	2	0	2	All Filled with Head Count			
314	SWRMTWK5	SEWER MAINTENANCE WORKER	SWRMTWK5	1013611	704000	UAW	2	2	0	2	All Filled with Head Count			
315	TELCMTEC	TELECOMMUNICATIONS TECHNICIAN	TELCMTEC	6303130	702000	T580CTP	1	1	0	1	All Filled with Head Count			
316	TRAFDESP	TRAFFIC DESIGN SPECIALIST	TRAFDESP	6453603	702000	T580CTP	1	1	0	1	All Filled with Head Count			
317	TRAFPRCO	TRAFFIC PROJECT COORDINATOR	TRAFPRCO	6453603	702000	T580CTP	1	1	0	1	All Filled with Head Count			
318	TRAFSYAN	TRAFFIC OPERATION FIELD SUPV	TRAFSYAN	6453603	702000	T580CTP	1	1	0	1	All Filled with Head Count			
319	TRANSENG	TRANSPORTATION ENGINEER	TRANSENG	6453603	702000	NBSUP	1	1	0	1	All Filled with Head Count			
320	TRCRMNGR	TRAFFIC/CRIMINAL MANAGER	TRCRMNGR	7602201	702000	DCTNB	1	1	0	1	All Filled with Head Count			
321	TRESYINV	TREASURY INVESTIGATOR	TRESYINV	1012730	702000	T580CTP	1	1	0	1	All Filled with Head Count			
322	UTLELWKR	UTILITY ELECTRICAL WORKER	UTLELWKR	5903670	702000	T580CTP	1	0	1	0	No Position Filled for PCN	76	Public Service/WWTP - Utility Electrical Worker (1 Vacant)	
323	UTMATWK4	UTILITY MAINTENANCE WKR 400	UTMATWK4	5903671	706000	UAW	1	1	0	1	All Filled with Head Count			
324	UTMATWK6	UTILITY MAINTENANCE WORKER 600	UTMATWK6	5903671	706000	UAW	4	4	0	4	All Filled with Head Count			
325	VEHWKR04	VEHICLE MAINTENANCE WORKER 400	VEHWKR04	6433623	706000	UAW	2	1	1	1	Position Available for PCN Type	67	Public Service/Fleet - Vehicle Maintenance Worker (1 Vacant)	
326	WWMATWK4	WASTEWATER MAINT WORKER 400	WWMATWK4	5903670	706000	UAW	4	1	3	1	Position Available for PCN Type	79	Public Service/WWTP - Wastewater Maintenance Workers (5 Vacant)	
327	WWMATWK6	WASTEWATER MAINTENANCE WKR 600	WWMATWK6	5903670	706000	UAW	4	2	2	2	Position Available for PCN Type	79	Public Service/WWTP - Wastewater Maintenance Workers (5 Vacant)	
328	WWPLTOP5	WASTEWATER PLANT OPERATOR 500	WWPLTOP5	5903670	706000	UAW	3	3	0	3	All Filled with Head Count			
329	WWPNTOP6	WASTEWATER PLANT OPERATOR 600	WWPNTOP6	5903670	706000	UAW	2	1	1	1	Position Available for PCN Type	77	Public Service/WWTP - Plant Operator (1 Vacant)	
330	WWRESHAN	RESIDUAL HANDLER	WWRESHAN	5903670	706000	UAW	2	2	0	2	All Filled with Head Count			
331	WWSYSANL	WASTEWATER SYSTEMS ANALYST	WWSYSANL	5903670	702000	T580CTP	1	0	1	0	No Position Filled for PCN	78	Public Service/WWTP - Wastewater Systems Analyst (1 Vacant)	
332	ZNINGADM	ZONING ADMINISTRATOR	ZNINGADM	1012620	702000	T214SUP	1	1	0	1	All Filled with Head Count			

3RD QUARTER VACANCY FACTOR REPORT

Dept/Div	Position	Bargaining Unit	Amount Towards Vacancy	Recon #	Vacant Positions	Section of Report
Finance/Accounting	Accountants (2)	T-243 CTP	offset by contract	1	2	Vacancy Factor (General Fund)
Finance/Accounting	Budget Analyst	T-243 CTP	50,468	2	1	Vacancy Factor (General Fund)
Finance/Accounting	Administrative Specialist	T-243 CTP	offset by contract	3	1	Vacancy Factor (General Fund)
Finance/Treasury	Part-Time Auditor	T-243 CTP	offset by contract	4	1	Vacancy Factor (General Fund)
Finance/Treasury	Administrative Assistant	T-243 CTP	13,987	5	1	Vacancy Factor (General Fund)
Finance/Assessing	Commercial/Industrial Appraiser	T-243 Sup	47,541	6	1	Vacancy Factor (General Fund)
Finance/Assessing	Administrative Assistant	T-243 CTP	offset by contract	7	1	Vacancy Factor (General Fund)
Human Resources	Clerk	T-243 CTP	offset by contract	8	1	Vacancy Factor (General Fund)
City Attorney's Office	Assistant City Attorney	T-214	17,478	9	1	Vacancy Factor (General Fund)
City Attorney's Office	Legal Advisor	T-214	offset by contract	10	1	Vacancy Factor (General Fund)
City Attorney's Office	Legal Assistant	T-214	offset by contract	11	1	Vacancy Factor (General Fund)
City Attorney's Office	Legal Secretary	T-214	offset by contract	12	1	Vacancy Factor (General Fund)
HRCS	Commission Investigator	T214NS	offset by contract	13	1	Vacancy Factor (General Fund)
HRCS	Part-Time Clerk	T-243 CTP	5,318	14	1	Vacancy Factor (General Fund)
HRCS	Neighborhood Ombudsman	T-214	48,563	15	1	Vacancy Factor (General Fund)
Public Service/Facilities	Building Maintenance Manager	T-243 Sup	offset by contract	16	1	Vacancy Factor (General Fund)
Public Service/Facilities	Facility Maintenance Worker (2)	UAW	offset by contract	17	2	Vacancy Factor (General Fund)
Parks & Recreation	Part-Time Clerk	T-243 CTP	offset by contract	18	1	Vacancy Factor (General Fund)
Parks & Recreation	Part-Time Aquatics Programmer	T-243 CTP	12,586	19	1	Vacancy Factor (General Fund)
Parks & Recreation	Landscape Architect	T-243 CTP	offset by contract	20	1	Vacancy Factor (General Fund)
Fire	Clerk	T-243 CTP	offset by contract	21	1	Vacancy Factor (General Fund)
Fire	Part-Time Clerks (2)	T-243 CTP	offset by contract	22	2	Vacancy Factor (General Fund)
Fire	Code Compliance Officer	T-243 CTP	27,672	23	1	Vacancy Factor (General Fund)
Fire	Part-Time Premise Officer	T-243 CTP	14,186	24	1	Vacancy Factor (General Fund)
Fire	Inspector	IAFF	65,950	25	1	Vacancy Factor (General Fund)
Fire	Firefighters (5)	IAFF	offset by overtime	26	5	Vacancy Factor (General Fund)
Police	Administrative Specialist	T-214	offset by contract	27	1	Vacancy Factor (General Fund)
Police	Clerks (3)	T-243 CTP	offset by contract	28	3	Vacancy Factor (General Fund)
Police	Law Enforcement Data System Administrator	T-243 CTP	offset by overtime	29	1	Vacancy Factor (General Fund)
Police	Secretary	T-243 CTP	10,195	30	1	Vacancy Factor (General Fund)
Police	Quartermaster Technician	T-243 CTP	50,887	31	1	Vacancy Factor (General Fund)
Police	Detention Officers (3)	T-243 CTP	Substantially offset by overtime costs	31A	3	Vacancy Factor (General Fund)
Police	Detective	FOP NS	Substantially offset by overtime costs	32	1	Vacancy Factor (General Fund)
Police	Police Officers (3)	FOP NS	Substantially offset by overtime costs	33	3	Vacancy Factor (General Fund)
City Council	Internal Auditor	Council	24,130	34	0	Vacancy Factor (General Fund) - Former Vacancies
City Council	Administrative Secretary	Council	15,492	35	0	Vacancy Factor (General Fund) - Former Vacancies
Finance/Treasury	Deputy City Treasurer	T-243 Sup	20,198	36	0	Vacancy Factor (General Fund) - Former Vacancies
Finance/Treasury	Part-Time Customer Service Rep	T-243 CTP	11,885	37	0	Vacancy Factor (General Fund) - Former Vacancies
Finance/Assessing	Deputy Assessor	T-243 Sup	23,732	38	0	Vacancy Factor (General Fund) - Former Vacancies
City Attorney's Office	Assistant City Attorneys (3)	T-214	102,256	39	0	Vacancy Factor (General Fund) - Former Vacancies
Parks & Recreation	Part-Time Communications & Dev. Coord.	T-243 CTP	16,708	40	0	Vacancy Factor (General Fund) - Former Vacancies
Parks & Recreation	Part-Time Comm. Center Programmers (2)	T-243 Sup	4,263	41	0	Vacancy Factor (General Fund) - Former Vacancies
Fire	Secretary	T-243 CTP	19,927	42	0	Vacancy Factor (General Fund) - Former Vacancies
Police	Crime Research Analyst	T-243 CTP	60,825	43	0	Vacancy Factor (General Fund) - Former Vacancies
PND/Development	Housing Rehabilitation Agent	T-243 CTP	offset by contract	44	1	Non-Vacancy Factor (Non General Fund)
PND/Development	Rehab Construction Specialists (2)	T-243 CTP	49,269	45	2	Non-Vacancy Factor (Non General Fund)
PND/Parking	Parking Manager	NB	64,242	46	1	Non-Vacancy Factor (Non General Fund)
PND/Parking	Parking Revenue Collector	UAW	13,566	47	1	Non-Vacancy Factor (Non General Fund)
PND/Building Safety	Plan Review Supervisor	T-214	3,015	48	1	Non-Vacancy Factor (Non General Fund)

3RD QUARTER VACANCY FACTOR REPORT

Dept/Div	Position	Bargaining Unit	Amount Towards Vacancy	Recon #	Vacant Positions	Section of Report
IT	Information Technology Manager	T-243 Sup	45,233	49	1	Non-Vacancy Factor (Non General Fund)
IT	Part-Time Secretary	T-243 CTP	offset by contract	50	1	Non-Vacancy Factor (Non General Fund)
IT	Network Administrator	T-243 Sup	54,732	51	1	Non-Vacancy Factor (Non General Fund)
IT	Programmer Analysts (2)	T-243 CTP	offset by contract	52	2	Non-Vacancy Factor (Non General Fund)
Public Service/Eng	Engineering Technician	T-243 Sup	offset by contract	53	1	Non-Vacancy Factor (Non General Fund)
Public Service/Eng	Deputy Public Service Director	NB	88,889	54	1	Non-Vacancy Factor (Non General Fund)
Public Service/O&M	Assistant O&M Superintendent	NB	66,976	55	1	Non-Vacancy Factor (Non General Fund)
Public Service/O&M	Forestry & Parks Manager	T-214 Sup	66,228	56	1	Non-Vacancy Factor (Non General Fund)
Public Service/O&M	Parks Operator Worker	UAW	47,564	57	1	Non-Vacancy Factor (Non General Fund)
Public Service/O&M	Arborists	T-243 CTP	42,779	58	1	Non-Vacancy Factor (Non General Fund)
Public Service/O&M	Driver Workers (4)	UAW	88,668	59	4	Non-Vacancy Factor (Non General Fund)
Public Service/O&M	Landscape Manager	T-243 Sup	41,092	60	1	Non-Vacancy Factor (Non General Fund)
Public Service/O&M	Parks Maintenance Worker	UAW	21,362	61	1	Non-Vacancy Factor (Non General Fund)
Public Service/O&M	Parking Maintenance Worker	UAW	9,588	62	1	Non-Vacancy Factor (Non General Fund)
Public Service/O&M	Solid Waste Supervisor	T-243 Sup	offset by contract	63	1	Non-Vacancy Factor (Non General Fund)
Public Service/O&M	Equipment Operator	UAW	40,328	64	1	Non-Vacancy Factor (Non General Fund)
Public Service/O&M	Sewer Maintenance Worker	UAW	39,233	65	1	Non-Vacancy Factor (Non General Fund)
Public Service/Fleet	Mechanics (3)	UAW	146,386	66	3	Non-Vacancy Factor (Non General Fund)
Public Service/Fleet	Vehicle Maintenance Worker	UAW	90,175	67	1	Non-Vacancy Factor (Non General Fund)
Public Service/Fleet	Storekeeper/Parts Worker	UAW	offset by contract	68	1	Non-Vacancy Factor (Non General Fund)
Public Service/Fleet	Assistant Shift Garage Supervisor	T-243-Sup	12,091	69	1	Non-Vacancy Factor (Non General Fund)
Public Service/WWTP	Field Operations Supervisor	T-243 Sup	48,686	70	1	Non-Vacancy Factor (Non General Fund)
Public Service/WWTP	Laboratory Supervisor	T-243 Sup	50,565	71	1	Non-Vacancy Factor (Non General Fund)
Public Service/WWTP	Chemist	T-243 CTP	50,565	72	1	Non-Vacancy Factor (Non General Fund)
Public Service/WWTP	Electrical Technician	T-243 CTP	offset by contract	73	1	Non-Vacancy Factor (Non General Fund)
Public Service/WWTP	Industrial Surveillance Supervisor	T-243 Sup	52,615	74	1	Non-Vacancy Factor (Non General Fund)
Public Service/WWTP	Plant Operations Supervisor	T-243 Sup	offset by contract	75	1	Non-Vacancy Factor (Non General Fund)
Public Service/WWTP	Utility Electrical Worker	UAW	45,233	76	1	Non-Vacancy Factor (Non General Fund)
Public Service/WWTP	WW Plant Operator	UAW	offset by contract	77	1	Non-Vacancy Factor (Non General Fund)
Public Service/WWTP	Wastewater Systems Analyst	T-243 CTP	52,615	78	1	Non-Vacancy Factor (Non General Fund)
Public Service/WWTP	Wastewater Maintenance Workers (5)	UAW	182,341	79	5	Non-Vacancy Factor (Non General Fund)
				Total Vacant	94	

FY 2017 Vacancies

As of : 3/31/2017

			Amount Towards	
			Vacancy	
Dept/Div	Position	Bargaining Unit	Factor	Hiring Status
03/31/17				
Vacancies Counted toward General Fund Vacancy Factor				
Finance/Accounting	Accountants (2)	T-243 CTP	offset by contract	
Finance/Accounting	Budget Analyst	T-243 CTP	50,468	
Finance/Accounting	Administrative Specialist	T-243 CTP	offset by contract	
Finance/Treasury	Part-Time Auditor	T-243 CTP	offset by contract	
Finance/Treasury	Administrative Assistant	T-243 CTP	13,987	
Finance/Assessing	Commercial/Industrial Appraiser	T-243 Sup	47,541	
Finance/Assessing	Administrative Assistant	T-243 CTP	offset by contract	
Human Resources	Clerk	T-243 CTP	offset by contract	
City Attorney's Office	Assistant City Attorney	T-214	17,478	
City Attorney's Office	Legal Advisor	T-214	offset by contract	
City Attorney's Office	Legal Assistant	T-214	offset by contract	
City Attorney's Office	Legal Secretary	T-214	offset by contract	
HRCS	Commission Investigator	T214NS	offset by contract	
HRCS	Part-Time Clerk	T-243 CTP	5,318	
HRCS	Neighborhood Ombudsman	T-214	48,563	
Public Service/Facilities	Building Maintenance Manager	T-243 Sup	offset by contract	
Public Service/Facilities	Facility Maintenance Worker (2)	UAW	offset by contract	
Parks & Recreation	Part-Time Clerk	T-243 CTP	offset by contract	
Parks & Recreation	Part-Time Aquatics Programmer	T-243 CTP	12,586	
Parks & Recreation	Landscape Architect	T-243 CTP	offset by contract	
Fire	Clerk	T-243 CTP	offset by contract	
Fire	Part-Time Clerks (2)	T-243 CTP	offset by contract	
Fire	Code Compliance Officer	T-243 CTP	27,672	
Fire	Part-Time Premise Officer	T-243 CTP	14,186	
Fire	Inspector	IAFF	65,950	
Fire	Firefighters (5)	IAFF	offset by overtime	
Police	Administrative Specialist	T-214	offset by contract	
Police	Clerks (3)	T-243 CTP	offset by contract	
Police	Law Enforcement Data System Administrator	T-243 CTP	offset by overtime	
Police	Secretary	T-243 CTP	10,195	
Police	Quartermaster Technician	T-243 CTP	50,887	
Police	Detention Officers (3)	T-243 CTP	substantially offset by overtime costs	
Police	Detective	FOP NS		
Police	Police Officers (3)	FOP NS		
General/Subsidized Funds - Former Vacancies (Filled as of 3/31/17) for Vacancy Factor Purposes				
City Council	Internal Auditor	Council	24,130	
City Council	Administrative Secretary	Council	15,492	
Finance/Treasury	Deputy City Treasurer	T-243 Sup	20,198	
Finance/Treasury	Part-Time Customer Service Rep.	T-243 CTP	11,885	
Finance/Assessing	Deputy Assessor	T-243 Sup	23,732	
City Attorney's Office	Assistant City Attorneys (3)	T-214	102,256	
Parks & Recreation	Part-Time Communications & Dev. Coord.	T-243 CTP	16,708	
Parks & Recreation	Part-Time Comm. Center Programmers (2)	T-243 Sup	4,263	
Fire	Secretary	T-243 CTP	19,927	
Police	Crime Research Analyst	T-243 CTP	60,825	

\$ 664,247

FY 2017 Budgeted Vacancy Factor Expectation: \$ 600,000

Hiring Status Codes Definitions

Filled - This position has been filled subsequent to the report date.

Active - This job has already been posted or is in preparation for posting. Thirteen (13) of the active positions are currently at the job offer stage.

On Hold - Temporarily on hold by department and/or part of the next set of jobs in the priority list to fill.

Promotional Process - The job will post and fill according to a promotional process for internal candidates.

<u>Dept/Div</u>	<u>Position</u>	<u>Bargaining Unit</u>	<u>FYTD Unspent</u>	<u>Hiring Status</u>
<u>Non-Vacancy Factor (non-General Fund) Vacancies</u>				
PND/Development	Housing Rehabilitation Agent	T-243 CTP	offset by contract	
PND/Development	Rehab Construction Specialists (2)	T-243 CTP	49,269	
PND/Parking	Parking Manager	NB	64,242	
PND/Parking	Parking Revenue Collector	UAW	13,566	
PND/Building Safety	Plan Review Supervisor	T-214	3,015	
IT	Information Technology Manager	T-243 Sup	45,233	
IT	Part-Time Secretary	T-243 CTP	offset by contract	
IT	Network Administrator	T-243 Sup	54,732	
IT	Programmer Analysts (2)	T-243 CTP	offset by contract	
Public Service/Eng	Engineering Technician	T-243 Sup	offset by contract	
Public Service/Eng	Deputy Public Service Director	NB	88,889	
Public Service/O&M	Assistant O&M Superintendent	NB	66,976	
Public Service/O&M	Forestry & Parks Manager	T-214 Sup	66,228	
Public Service/O&M	Parks Operator Worker	UAW	47,564	
Public Service/O&M	Arborist	T-243 CTP	42,779	
Public Service/O&M	Driver Workers (4)	UAW	88,668	
Public Service/O&M	Landscape Manager	T-243 Sup	41,092	
Public Service/O&M	Parks Maintenance Worker	UAW	21,362	
Public Service/O&M	Parking Maintenance Worker	UAW	9,588	
Public Service/O&M	Solid Waste Supervisor	T-243 Sup	offset by contract	
Public Service/O&M	Equipment Operator	UAW	40,328	
Public Service/O&M	Sewer Maintenance Worker	UAW	39,233	
Public Service/Fleet	Mechanics (3)	UAW	146,386	
Public Service/Fleet	Vehicle Maintenance Worker	UAW	90,175	
Public Service/Fleet	Storekeeper/Parts Worker	UAW	offset by contract	
Public Service/Fleet	Assistant Shift Garage Supervisor	T-243 Sup	12,091	
Public Service/WWTP	Field Operations Supervisor	T-243 Sup	48,686	
Public Service/WWTP	Laboratory Supervisor	T-243 Sup	50,565	
Public Service/WWTP	Chemist	T-243 CTP	50,565	
Public Service/WWTP	Electrical Technician	T-243 CTP	offset by contract	
Public Service/WWTP	Industrial Surveillance Supervisor	T-243 Sup	52,615	
Public Service/WWTP	Plant Operations Supervisor	T-243 Sup	offset by contract	
Public Service/WWTP	Utility Electrical Worker	UAW	45,233	
Public Service/WWTP	WW Plant Operator	UAW	offset by contract	
Public Service/WWTP	Wastewater Systems Analyst	T-243 CTP	52,615	
Public Service/WWTP	Wastewater Maintenance Workers (5)	UAW	182,341	

Hiring Status Codes Definitions

Filled - This position has been filled subsequent to the report date.

Active - This job has already been posted or is in preparation for posting. Thirteen (13) of the active positions are currently at the job offer stage.

On Hold - Temporarily on hold by department and/or part of the next set of jobs in the priority list to fill.

Promotional Process - The job will post and fill according to a promotional process for internal candidates.

**CITY OF LANSING, MICHIGAN
ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO REPLACE CHAPTER 1300 OF THE CITY OF LANSING CODIFIED ORDINANCES IN ITS ENTIRETY; TO PROVIDE FOR THE REGULATION AND LICENSING OF MEDICAL MARIHUANA ESTABLISHMENTS; TO ESTABLISH LAND USE AND ZONING REQUIREMENTS ATTENDANT THERETO; TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITY OF LANSING; TO SET LICENSING FEES FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH THE IMPLEMENTATION AND ENFORCEMENT OF THE PROVISIONS OF THE CHAPTER; AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THE CHAPTER.

THE CITY OF LANSING ORDAINS:

SECTION ONE: Chapter 1300 of the Lansing Code of Ordinances is hereby replaced in its entirety to read as follows:

- 1300.1 Legislative Intent.
- 1300.2 Definitions, Interpretation and Conflicts.
- 1300.3 Reserved.
- 1300.4 Operation without License Prohibited.
- 1300.5 License Application Submission.
- 1300.6 License Application Evaluation.
- 1300.7 License Renewal Application.
- 1300.8 Licenses Generally.
- 1300.9 Minimum Operational Standards of A Medical Marihuana Provisioning Center.
- 1300.10 Minimum Operational Standards of A Medical Marihuana Grower Facility.
- 1300.11 Minimum Operational Standards of A Medical Marihuana Safety Compliance Facility.
- 1300.12 Minimum Operational Standards of A Medical Marihuana Processor Facility, a Medical Marihuana Safety Compliance Facility, and Medical Marihuana Secure Transporter.
- 1300.13 Location of Medical Marihuana Provisioning Centers. .
- 1300.14 Location of Medical Marihuana Safety Compliance Facilities, Medical Marihuana Processor Facilities, Medical Marihuana Grower Facilities, and Medical Marihuana Secure Transporters.
- 1300.15 Revocation; Bases for Revocation; Appeal of License Denial.
- 1300.16 Penalties.
- 1300.17 No Vested Rights.
- 1300.18 Zoning Board of Appeals.
- 1300.19 Sunset.

1300.1 –LEGISLATIVE INTENT.

THE PURPOSE OF THIS CHAPTER IS TO EXERCISE THE POLICE, REGULATORY, AND LAND USE POWERS OF THE CITY OF LANSING BY LICENSING AND REGULATING MEDICAL MARIHUANA PROVISIONING CENTERS, MEDICAL MARIHUANA GROWER FACILITIES, MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL MARIHUANA SECURE TRANSPORTERS, AND MEDICAL MARIHUANA PROCESSOR FACILITIES TO THE EXTENT PERMISSIBLE UNDER STATE OF MICHIGAN AND FEDERAL LAWS AND REGULATIONS AND TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE RESIDENTS OF THE CITY OF LANSING; AND AS SUCH THIS CHAPTER CONSTITUTES A PUBLIC PURPOSE.

THE CITY FINDS THAT THE ACTIVITIES DESCRIBED IN THIS CHAPTER ARE SIGNIFICANTLY CONNECTED TO THE PUBLIC HEALTH, SAFETY, SECURITY AND WELFARE OF ITS CITIZENS AND IT IS THEREFORE NECESSARY TO REGULATE AND ENFORCE SAFETY, SECURITY, FIRE, POLICE, HEALTH AND SANITATION PRACTICES RELATED TO SUCH ACTIVITIES AND ALSO TO PROVIDE A METHOD TO DEFRAY ADMINISTRATIVE COSTS INCURRED BY SUCH REGULATION AND ENFORCEMENT.

IT IS NOT THE INTENT OF THIS CHAPTER TO DIMINISH, ABROGATE, OR RESTRICT THE PROTECTIONS FOR MEDICAL USE OF MARIHUANA FOUND IN THE MICHIGAN MEDICAL MARIHUANA ACT OR IN THE LANSING CITY CHARTER AT SECTION 8-501.

1300.2 – DEFINITIONS, INTERPRETATION AND CONFLICTS.

FOR THE PURPOSES OF THIS CHAPTER:

(A) ANY TERM DEFINED BY THE MICHIGAN MEDICAL MARIHUANA ACT, MCL 333.26421 ET SEQ., AS AMENDED (“MMMA”), THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, MCL 333.2701, ET SEQ. (MMFLA) SHALL HAVE THE DEFINITION GIVEN IN THOSE ACTS, AS AMENDED, **AND THE MARIHUANA TRACKING ACT (“MTA”), MCL333.27901, ET SEQ.** IF THE DEFINITION OF A WORD OR PHRASE SET FORTH IN THIS CHAPTER CONFLICTS WITH THE DEFINITION IN THE MMMA OR MMFLA, OR IF A TERM IS NOT DEFINED BUT IS DEFINED IN THE MMMA OR MMFLA, THEN THE DEFINITION IN THE MMMA, MMFLA, OR MTA SHALL APPLY.

(B) ANY TERM DEFINED BY 21 USC 860(E) REFERENCED IN THIS CHAPTER SHALL HAVE THE DEFINITION GIVEN BY 21 USC 860(E).

(C) THIS ORDINANCE SHALL NOT LIMIT AN INDIVIDUAL’S OR ENTITY’S RIGHTS UNDER THE MMMA. THE MMMA, **MTA**, AND THE MMFLA SUPERSEDE THIS ORDINANCE WHERE THERE IS A CONFLICT BETWEEN THEM.

1 (D) ALL ACTIVITIES RELATED TO MEDICAL MARIHUANA, INCLUDING THOSE
2 RELATED TO A MEDICAL MARIHUANA PROVISIONING CENTER, A MEDICAL
3 MARIHUANA GROWER FACILITY, A MEDICAL MARIHUANA SECURE
4 TRANSPORTER, A MEDICAL MARIHUANA PROCESSOR OR A MEDICAL
5 MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE IN COMPLIANCE
6 WITH THE RULES OF THE MEDICAL MARIHUANA LICENSING BOARD, THE
7 MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR
8 ANY SUCCESSOR AGENCY, THE RULES AND REGULATIONS OF THE CITY OF
9 LANSING, THE MMMA, AND THE MMFLA.

10
11 (E) ANY USE WHICH PURPORTS TO HAVE ENGAGED IN THE CULTIVATION OR
12 PROCESSING OF MEDICAL MARIHUANA INTO A USABLE FORM, OR THE
13 DISTRIBUTION OF MEDICAL MARIHUANA, OR THE TESTING OF MEDICAL
14 MARIHUANA EITHER PRIOR TO OR AFTER ENACTMENT OF THIS CHAPTER
15 WITHOUT OBTAINING THE REQUIRED LICENSING SET FORTH IN THIS
16 CHAPTER SHALL BE DEEMED NOT A LEGALLY ESTABLISHED USE AND
17 THEREFORE NOT ENTITLED TO LEGAL NONCONFORMING STATUS UNDER
18 THE PROVISIONS OF THIS CHAPTER, THE LANSING CODIFIED ORDINANCES
19 AND/OR STATE LAW. THE CITY FINDS AND DETERMINES THAT IT HAS NOT
20 HERETOFORE AUTHORIZED OR LICENSED THE EXISTENCE OF ANY
21 MEDICAL MARIHUANA ESTABLISHMENT, AS DEFINED HEREIN, IN THE
22 CITY.

23
24 (F) THE FOLLOWING TERMS SHALL HAVE THE DEFINITIONS GIVEN:

25
26 “APPLICATION” MEANS AN APPLICATION FOR A LICENSE PURSUANT TO THE
27 TERMS AND CONDITIONS SET FORTH IN SECTIONS 1300.5 AND 1300.6.

28
29 “APPLICATION FOR A LICENSE RENEWAL” MEANS AN APPLICATION FOR A
30 LICENSE RENEWAL PURSUANT TO THE TERMS AND CONDITIONS OF SECTION
31 1300.7.

32
33 “BUILDING” MEANS AN INDEPENDENT, ENCLOSED STRUCTURE HAVING A
34 ROOF SUPPORTED BY COLUMNS OR WALLS, INTENDED AND / OR USED FOR
35 SHELTER OR ENCLOSURE OF PERSONS OR CHATTELS. WHEN ANY PORTION OF A
36 STRUCTURE IS COMPLETELY SEPARATED FROM EVERY OTHER PART BY
37 DIVIDING WALLS FROM THE GROUND UP, AND WITHOUT OPENINGS, EACH
38 PORTION OF SUCH STRUCTURE SHALL BE DEEMED A SEPARATE STRUCTURE,
39 REGARDLESS OF WHETHER THE PORTIONS OF SUCH STRUCTURE SHARE
40 COMMON PIPES, DUCTS, BOILERS, TANKS, FURNACES, OR OTHER SUCH SYSTEMS.
41 THIS DEFINITION REFERS ONLY TO PERMANENT STRUCTURES, AND DOES NOT
42 INCLUDE TENTS, SHEDS, GREENHOUSES AND PRIVATE GARAGES ON
43 RESIDENTIAL PROPERTY, STABLES, OR OTHER ACCESSORY STRUCTURES. A
44 BUILDING DOES NOT INCLUDE SUCH STRUCTURES WITH INTERIOR AREAS NOT
45 NORMALLY ACCESSIBLE FOR HUMAN USE, SUCH AS GAS HOLDERS, TANKS,

1 SMOKE STACKS, GRAIN ELEVATORS, COAL BUNKERS, OIL CRACKING TOWERS
2 OR SIMILAR STRUCTURES.

3
4 “CHAPTER” MEANS THIS CHAPTER 1300.

5
6 “CHURCH” MEANS AN ENTIRE BUILDING SET APART PRIMARILY FOR
7 PURPOSES OF PUBLIC WORSHIP, AND WHICH IS TAX EXEMPT UNDER THE LAWS
8 OF THIS STATE, AND IN WHICH RELIGIOUS SERVICES ARE HELD, AND THE
9 ENTIRE BUILDING STRUCTURE OF WHICH IS KEPT FOR THAT USE AND NOT PUT
10 TO ANY OTHER USE INCONSISTENT WITH THAT USE.

11
12 “CITY” MEANS THE CITY OF LANSING, MICHIGAN.

13
14 “COUNCIL, OR CITY COUNCIL,” MEANS THE CITY COUNCIL OF LANSING,
15 MICHIGAN.

16
17 “CULTIVATION” OR “CULTIVATE” AS USED IN THIS CHAPTER MEANS: (1) ALL
18 PHASES OF GROWTH OF MARIHUANA FROM SEED TO HARVEST.

19
20 “DISQUALIFYING FELONY” MEANS A FELONY THAT MAKES AN INDIVIDUAL
21 INELIGIBLE TO SERVE AS A REGISTERED PRIMARY CAREGIVER UNDER THE
22 MMMA OR MMFLA.

23
24 “EMPLOYEE” MEANS ANY INDIVIDUAL WHO IS EMPLOYED BY AN EMPLOYER
25 IN RETURN FOR THE PAYMENT OF DIRECT OR INDIRECT MONETARY WAGES OR
26 PROFIT, UNDER CONTRACT, AND ANY INDIVIDUAL WHO VOLUNTEERS HIS OR
27 HER SERVICES TO AN EMPLOYER FOR NO MONETARY COMPENSATION, OR ANY
28 INDIVIDUAL WHO PERFORMS WORK OR RENDERS SERVICES, FOR ANY PERIOD
29 OF TIME, AT THE DIRECTION OF AN OWNER, LESSEE, OF OTHER PERSON IN
30 CHARGE OF A PLACE.

31
32 “LICENSE” OR “MEDICAL MARIHUANA BUSINESS LICENSE” MEANS A LICENSE
33 ISSUED FOR THE OPERATION OF A MEDICAL MARIHUANA ESTABLISHMENT
34 PURSUANT TO THE TERMS AND CONDITIONS OF THIS CHAPTER AND INCLUDES A
35 LICENSE WHICH HAS BEEN RENEWED PURSUANT TO SECTION 1300.7.

36
37 “LICENSE APPLICATION” MEANS AN APPLICATION SUBMITTED FOR A
38 LICENSE PURSUANT TO THE REQUIREMENTS AND PROCEDURES SET FORTH IN
39 SECTIONS 1300.5 AND 1300.6.

40
41 “LICENSEE” MEANS A PERSON ISSUED A LICENSE FOR AN ESTABLISHMENT
42 PURSUANT TO THIS CHAPTER.

43
44 “MARIHUANA-INFUSED PRODUCT” MEANS AS DEFINED IN THE MMMA AND
45 THE MMFLA.

1 “MARIHUANA TRACKING ACT” OR “MTA” MEANS PUBLIC ACT 282 OF 2016.

2
3 “MEDICAL MARIHUANA” MEANS ANY MARIHUANA INTENDED FOR MEDICAL
4 USE THAT MEETS ALL REQUIREMENTS FOR MEDICAL MARIHUANA CONTAINED
5 IN THE MMMA AND THE MMFLA.

6
7 “MEDICAL MARIHUANA ESTABLISHMENT(S), OR, “ESTABLISHMENT,” MEANS
8 ANY FACILITY, ESTABLISHMENT AND/OR CENTER THAT IS REQUIRED TO BE
9 LICENSED UNDER THIS CHAPTER, INCLUDING: A MEDICAL MARIHUANA
10 PROVISIONING CENTER, A MEDICAL MARIHUANA GROWER FACILITY; A
11 MEDICAL MARIHUANA PROCESSOR FACILITY; A MEDICAL MARIHUANA SECURE
12 TRANSPORTER; AND A MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY.

13
14 “MEDICAL MARIHUANA FACILITIES LICENSING ACT” OR “MMFLA” MEANS
15 PUBLIC ACT 281 OF 2016, MCL 333.27101, ET. SEQ.

16
17 “MEDICAL MARIHUANA GROWER FACILITY,” MEANS A COMMERCIAL ENTITY
18 LOCATED IN THE CITY THAT IS LICENSED TO OPERATE BY THE STATE PURSUANT
19 TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO THIS CHAPTER
20 THAT CULTIVATES, DRIES, TRIMS OR CURES AND PACKAGES MARIHUANA IN
21 ACCORDANCE WITH STATE LAW.

22
23 “MEDICAL MARIHUANA LICENSING BOARD” MEANS THAT CERTAIN BOARD
24 ESTABLISHED BY THE MMFLA.

25
26 “MEDICAL MARIHUANA PROVISIONING CENTER,” MEANS A COMMERCIAL
27 ENTITY LOCATED IN THE CITY THAT IS LICENSED TO OPERATE BY THE STATE
28 PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO THIS
29 CHAPTER, THAT SELLS, SUPPLIES, OR PROVIDES MARIHUANA TO REGISTERED
30 QUALIFYING PATIENTS ONLY AS PERMITTED BY STATE LAW. MEDICAL
31 MARIHUANA PROVISIONING CENTER, AS DEFINED IN THE MMFLA, INCLUDES
32 ANY COMMERCIAL PROPERTY WHERE MARIHUANA IS SOLD IN CONFORMANCE
33 WITH STATE LAW AND REGULATION. A NONCOMMERCIAL LOCATION USED BY A
34 PRIMARY CAREGIVER TO ASSIST A QUALIFYING PATIENT, AS DEFINED IN THE
35 MMMA, AND CONNECTED TO THE CAREGIVER THROUGH THE DEPARTMENT’S
36 MARIHUANA REGISTRATION PROCESS IN ACCORDANCE WITH THE MMMA, IS
37 NOT A MEDICAL MARIHUANA PROVISIONING CENTER.

38
39 “MMMA” MEANS THE MICHIGAN MEDICAL MARIHUANA ACT, AS AMENDED,
40 AT MCL 333.26421.

41
42 “ORDINANCE” MEANS THE ORDINANCE ADOPTING THIS CHAPTER 1300.

43
44 “PARK” MEANS AN AREA OF LAND DESIGNATED BY THE CITY AS A PARK ON
45 ITS MASTER PLAN OR ON A COUNCIL-APPROVED LIST OF CITY PARKS.

1 “PERSON” MEANS AN INDIVIDUAL, PARTNERSHIP, FIRM, COMPANY,
2 CORPORATION, ASSOCIATION, SOLE PROPRIETORSHIP, LIMITED LIABILITY
3 COMPANY, JOINT VENTURE, ESTATE, TRUST, OR OTHER LEGAL ENTITY.
4

5 “PROCESSOR” OR “MEDICAL MARIHUANA PROCESSOR FACILITY” MEANS A
6 COMMERCIAL ENTITY LOCATED IN THIS CITY THAT IS LICENSED TO OPERATE
7 BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY
8 PURSUANT TO THIS CHAPTER, THAT EXTRACTS RESIN FROM THE MARIHUANA
9 OR CREATES A MARIHUANA-INFUSED PRODUCT, TO THE EXTENT PERMITTED BY
10 STATE LAW.”
11

12 “SAFETY COMPLIANCE FACILITY” OR “MEDICAL MARIHUANA SAFETY
13 COMPLIANCE FACILITY” MEANS A COMMERCIAL ENTITY THAT IS LICENSED TO
14 OPERATE BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE
15 CITY PURSUANT TO THIS CHAPTER, THAT RECEIVES MARIHUANA FROM A
16 MEDICAL MARIHUANA ESTABLISHMENT OR A REGISTERED QUALIFYING
17 PATIENT OR A REGISTERED PRIMARY CAREGIVER, TESTS IT FOR
18 CONTAMINANTS AND FOR TETRAHYDROCANNABINOL AND OTHER
19 CANNABINOIDS IN ACCORDANCE WITH STATE LAW.
20

21 “SCHOOL’ MEANS AND INCLUDES BUILDINGS USED FOR SCHOOL PURPOSES
22 TO PROVIDE INSTRUCTION TO CHILDREN AND YOUTH IN GRADES PRE-
23 KINDERGARTEN THROUGH 12, AND HEADSTART WHEN THAT INSTRUCTION IS
24 PROVIDED BY A PUBLIC, PRIVATE, DENOMINATIONAL, OR PAROCHIAL SCHOOL.
25

26 “SECURE TRANSPORTER” OR “MEDICAL MARIHUANA SECURE TRANSPORTER”
27 MEANS A COMMERCIAL ENTITY THAT IS LICENSED TO OPERATE BY THE STATE
28 PURSUANT TO THE MMFLA AND IS LICENSED TO OPERATE BY THE CITY
29 PURSUANT TO THIS CHAPTER, THAT IS A COMMERCIAL ENTITY LOCATED IN THIS
30 CITY THAT STORES MARIHUANA AND TRANSPORTS MARIHUANA BETWEEN
31 MEDICAL MARIHUANA FACILITIES FOR A FEE AND IN ACCORDANCE WITH STATE
32 LAW.
33

34 “STAKEHOLDER” MEANS, WITH RESPECT TO A TRUST, THE BENEFICIARIES,
35 WITH RESPECT TO A LIMITED LIABILITY COMPANY, THE MANAGERS OR
36 MEMBERS, WITH RESPECT TO A CORPORATION, WHETHER PROFIT OR NON-
37 PROFIT, THE OFFICERS, DIRECTORS, OR SHAREHOLDERS, AND WITH RESPECT TO
38 A PARTNERSHIP OR LIMITED LIABILITY PARTNERSHIP, THE PARTNERS, BOTH
39 GENERAL AND LIMITED.
40

41 “STATE” MEANS THE STATE OF MICHIGAN.
42

43 (G) ANY TERM DEFINED BY THE MMMA, THE MMFLA, OR THE MTA AND NOT
44 DEFINED IN THIS CHAPTER SHALL HAVE THE DEFINITION PROVIDED IN THOSE
45 ACTS.

1300.3 – RESERVED.**1300.4 - OPERATION WITHOUT LICENSE PROHIBITED.**

(A) IT IS UNLAWFUL FOR ANY PERSON TO ENGAGE IN THE OPERATION OF A MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY UNLESS SUCH PERSON HAS OBTAINED A LICENSE FROM THE CITY UNDER THIS CHAPTER TO DO SO FOR EACH LOCATION AND ADDITIONALLY HAS A LICENSE TO OPERATE FROM THE STATE PURSUANT TO MMFLA. EVERY MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY OF LANSING SHALL BE LICENSED PURSUANT TO THE TERMS AND PROVISIONS SET FORTH IN THIS CHAPTER. EXCEPT AS PROVIDED IN SUBSECTION 1300.4(B), NO PERSON SHALL OPERATE A MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY WITHOUT FIRST OBTAINING A LICENSE. A MEDICAL MARIHUANA ESTABLISHMENT OPERATING WITHOUT A LICENSE UNDER THE PROVISIONS OF THIS CHAPTER IS DEEMED A PUBLIC NUISANCE.

(B) A MEDICAL MARIHUANA ESTABLISHMENT THAT IS OPERATING ON THE EFFECTIVE DATE OF THIS CHAPTER AND IS NOT IN VIOLATION OF THE CITY'S MORATORIUM ON STARTING NEW OPERATIONS (CITY ORDINANCE 1202) MAY CONTINUE TO OPERATE DURING THE APPLICATION SUBMISSION AND REVIEW PERIODS PROVIDED FOR IN SECTIONS 1300.5 AND 1300.6, ONLY SO LONG AS IT SUBMITS ITS APPLICATION FOR A LICENSE WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS CHAPTER AND ONLY SO LONG AS IT HAS NOT BEEN NOTIFIED BY THE CITY CLERK THAT IT WOULD NOT BE RECEIVING A LICENSE OR THAT ITS APPLICATION **WOULD NOT BE SUBMITTED FOR CONSIDERATION** PURSUANT TO 1300.5 (C) AND (E). ONCE A MEDICAL MARIHUANA ESTABLISHMENT IS **NOTIFIED BY THE CITY CLERK THAT IT WILL NOT RECEIVE A LICENSE OR THAT ITS APPLICATION WILL NOT BE ACCEPTED FOR CONSIDERATION**, THE MEDICAL MARIHUANA ESTABLISHMENT MUST CEASE OPERATING WITHIN 30 CALENDAR DAYS FROM THE DATE OF SUCH NOTIFICATION.

(C) THE CITY CLERK SHALL ISSUE A LICENSE FOR A MEDICAL MARIHUANA ESTABLISHMENT **ONLY AFTER THE CITY CLERK DETERMINES THAT THE APPLICATION AND PROPOSED FACILITY ARE IN COMPLIANCE WITH THE TERMS, CONDITIONS, AND PROVISIONS OF THIS CHAPTER.** THE TERM OF EACH LICENSE SHALL BE ONE YEAR. A LICENSE ISSUED UNDER THIS CHAPTER MAY BE CONDITIONED ON THE APPROVAL OF THE OPERATOR BY THE STATE AT THE LOCATION UNDER THE MMFLA.

1300.5– LICENSE APPLICATION SUBMISSION.

(A) EACH MEDICAL MARIHUANA ESTABLISHMENT MUST BE LICENSED BY THE CITY. APPLICATIONS FOR A LICENSE SHALL BE MADE IN WRITING TO THE CITY CLERK. ALL APPLICATIONS SUBMITTED TO THE CITY CLERK IN

1 ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER SHALL BE
 2 CONSIDERED FOR THE ISSUANCE OF A LICENSE. EACH APPLICATION
 3 SHALL CONTAIN A SIGNED ACKNOWLEDGEMENT THAT THE APPLICANT IS
 4 AWARE AND UNDERSTANDS THAT ALL MATTERS RELATED TO
 5 MARIHUANA GROWING, CULTIVATION, POSSESSION, DISPENSING,
 6 TESTING, SAFETY COMPLIANCE, TRANSPORTING, DISTRIBUTION, AND USE
 7 ARE CURRENTLY SUBJECT TO STATE AND FEDERAL LAWS, RULES, AND
 8 REGULATIONS, AND THAT THE APPROVAL OR GRANTING OF A LICENSE
 9 HEREUNDER DOES NOT EXONERATE OR EXCULPATE THE APPLICANT
 10 FROM ABIDING BY THE PROVISIONS AND REQUIREMENTS AND PENALTIES
 11 ASSOCIATED WITH THOSE LAWS, RULES, AND REGULATIONS OR
 12 EXPOSURE TO ANY PENALTIES ASSOCIATED THEREWITH; AND FURTHER
 13 THE APPLICANT WAIVES AND FOREVER RELEASES ANY CLAIM, DEMAND,
 14 ACTION, LEGAL REDRESS, OR RECOURSE AGAINST THE CITY OF LANSING,
 15 ITS ELECTED AND APPOINTED OFFICIALS AND ITS EMPLOYEES AND
 16 AGENTS FOR ANY CLAIMS, DAMAGES, LIABILITIES, CAUSES OF ACTION,
 17 DAMAGES, AND ATTORNEY FEES THE APPLICANT MAY INCUR AS A
 18 RESULT OF THE VIOLATION BY APPLICANT, ITS OFFICIALS, MEMBERS,
 19 PARTNERS, SHAREHOLDERS, EMPLOYEES AND AGENTS OF THOSE LAWS,
 20 RULES, AND REGULATIONS AND HEREBY WAIVES, AND ASSUMES THE
 21 RISK OF, ANY SUCH CLAIMS AND DAMAGES, AND LACK OF RECOURSE
 22 AGAINST THE CITY OF LANSING, ITS ELECTED AND APPOINTED
 23 OFFICIALS, EMPLOYEES, ATTORNEYS, AND AGENTS.

24
 25 (B) A COMPLETE APPLICATION FOR A LICENSE REQUIRED BY THIS CHAPTER
 26 SHALL BE MADE UNDER OATH ON FORMS PROVIDED BY THE CITY, AND
 27 SHALL CONTAIN ALL OF THE FOLLOWING:

- 28
 29 (1) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICANT'S NAME,
 30 DATE OF BIRTH, PHYSICAL ADDRESS, EMAIL ADDRESS, ONE OR
 31 MORE PHONE NUMBERS, INCLUDING EMERGENCY CONTACT
 32 INFORMATION, A COPY OF A GOVERNMENT ISSUED PHOTO
 33 IDENTIFICATION CARD OF THE APPLICANT, AND A COPY OF THE
 34 APPLICANT'S CAREGIVER REGISTRY IDENTIFICATION CARD ISSUED
 35 PURSUANT TO THE MMMA;
 36
- 37 (2) IF THE APPLICANT IS NOT AN INDIVIDUAL, THE NAMES, DATES OF
 38 BIRTH, PHYSICAL ADDRESSES, EMAIL ADDRESSES, AND ONE OR
 39 MORE PHONE NUMBERS OF EACH STAKEHOLDER OF THE
 40 APPLICANT, INCLUDING DESIGNATION OF A STAKEHOLDER AS AN
 41 EMERGENCY CONTACT PERSON AND CONTACT INFORMATION FOR
 42 THE EMERGENCY CONTACT PERSON, ARTICLES OF INCORPORATION,
 43 INTERNAL REVENUE SERVICE SS-4 EIN CONFIRMATION LETTER, AND
 44 THE OPERATING AGREEMENT OF THE APPLICANT, IF A LIMITED
 45 LIABILITY COMPANY, AND A COPY OF AT LEAST ONE

1 STAKEHOLDER'S CAREGIVER REGISTRY IDENTIFICATION CARD
2 ISSUED PURSUANT TO THE MMMA;
3

4 (3) THE NAME AND ADDRESS OF THE PROPOSED MEDICAL MARIHUANA
5 ESTABLISHMENT AND ANY ADDITIONAL CONTACT INFORMATION DEEMED
6 NECESSARY BY THE CITY CLERK;
7

8 (4) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS,
9 FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE APPLICANT,
10 AFFIRMATION THAT EACH IS AT LEAST 18 YEARS OF AGE AND HAS NOT BEEN
11 CONVICTED OF OR PLED GUILTY OR NO CONTEST TO A DISQUALIFYING
12 FELONY. WITH RESPECT TO ALL OTHER MEDICAL MARIHUANA
13 ESTABLISHMENTS, FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE
14 APPLICANT, AN AFFIRMATION THAT EACH AND EVERY AGENT OR EMPLOYEE
15 IS AT LEAST 18 YEARS OF AGE AND HAS NOT BEEN CONVICTED OF OR PLED
16 GUILTY OR NO CONTEST TO A DISQUALIFYING FELONY;
17

18 (5) A SIGNED RELEASE AUTHORIZING THE CITY OF LANSING POLICE
19 DEPARTMENT TO PERFORM A CRIMINAL BACKGROUND CHECK TO
20 ASCERTAIN WHETHER THE APPLICANT, EACH STAKEHOLDER OF THE
21 APPLICANT, EACH OPERATOR AND EMPLOYEE OF THE APPLICANT MEET THE
22 CRITERIA SET FORTH IN THIS CHAPTER;
23

24 (6) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS,
25 THE NAME, DATE OF BIRTH, PHYSICAL ADDRESS, COPY OF PHOTO
26 IDENTIFICATION, AND EMAIL ADDRESS FOR ANY OPERATOR OR EMPLOYEE
27 IF OTHER THAN THE APPLICANT;
28

29 (7) AN AFFIRMATION UNDER OATH AS TO WHETHER THE APPLICANT
30 OR OPERATOR HAS HAD A BUSINESS LICENSE REVOKED OR SUSPENDED, AND
31 IF REVOKED OR SUSPENDED, THEN THE REASON THEREFORE;
32

33 (8) FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE
34 APPLICANT, A RESUME THAT INCLUDES WHETHER THE INDIVIDUAL HAS ANY
35 RELEVANT EXPERIENCE WITH MEDICAL MARIHUANA OR A RELATED
36 INDUSTRY;
37

38 (9) A PATIENT EDUCATION PLAN TO DETAIL TO PATIENTS THE
39 BENEFITS OR DRAWBACKS OF CERTAIN MARIHUANA STRAINS OR PRODUCTS
40 IN CONNECTION WITH THE DEBILITATING MEDICAL CONDITIONS SET FORTH
41 IN THE MICHIGAN MEDICAL MARIHUANA ACT;
42

43 (10) A WRITTEN DESCRIPTION OF THE TRAINING AND EDUCATION THAT
44 THE APPLICANT WILL PROVIDE TO ALL EMPLOYEES;
45

1 (11) A COPY OF THE PROPOSED BUSINESS PLAN FOR THE
2 ESTABLISHMENT, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

3
4 (I) THE PROPOSED OWNERSHIP STRUCTURE OF THE
5 ESTABLISHMENT, INCLUDING PERCENTAGE OWNERSHIP OF
6 EACH PERSON OR ENTITY; AND

7
8 (II) A CURRENT ORGANIZATION CHART THAT INCLUDES
9 POSITION DESCRIPTIONS AND THE NAMES OF EACH PERSON
10 HOLDING EACH POSITION.
11

12 (12) ONE OF THE FOLLOWING: (A) PROOF OF OWNERSHIP OF THE ENTIRE
13 PREMISES WHEREIN THE MEDICAL MARIHUANA ESTABLISHMENT IS TO BE
14 OPERATED; OR (B) WRITTEN CONSENT FROM THE PROPERTY OWNER FOR USE
15 OF THE PREMISES IN A MANNER REQUIRING LICENSURE UNDER THIS
16 CHAPTER ALONG WITH A COPY OF THE LEASE FOR THE PREMISES;
17

18 (13) A DESCRIPTION OF THE SECURITY PLAN FOR THE MEDICAL
19 MARIHUANA ESTABLISHMENT, INCLUDING, BUT NOT LIMITED TO, ANY
20 LIGHTING ALARMS, BARRIERS, RECORDING/MONITORING DEVICES, AND/OR
21 SECURITY GUARD ARRANGEMENTS PROPOSED FOR THE ESTABLISHMENT
22 AND PREMISES. THE SECURITY **PLAN** MUST CONTAIN THE SPECIFICATION
23 DETAILS OF EACH PIECE OF SECURITY EQUIPMENT. EACH MEDICAL
24 MARIHUANA ESTABLISHMENT MUST HAVE A SECURITY GUARD PRESENT
25 DURING BUSINESS HOURS;
26

27 (14) A FLOOR PLAN OF THE MEDICAL MARIHUANA ESTABLISHMENT, AS
28 WELL AS A SCALE DIAGRAM ILLUSTRATING THE PROPERTY UPON WHICH
29 THE MEDICAL MARIHUANA ESTABLISHMENT IS TO BE OPERATED, INCLUDING
30 ALL AVAILABLE PARKING SPACES, AND SPECIFYING WHICH PARKING
31 SPACES, IF ANY, ARE HANDICAPPED-ACCESSIBLE;
32

33 (15) ANY PROPOSED TEXT OR GRAPHICAL MATERIALS TO BE SHOWN ON
34 THE EXTERIOR OF THE PROPOSED MEDICAL MARIHUANA ESTABLISHMENT;
35

36 (16) A LOCATION AREA MAP OF THE MEDICAL MARIHUANA
37 ESTABLISHMENT AND SURROUNDING AREA THAT IDENTIFIES THE RELATIVE
38 LOCATIONS AND THE DISTANCES (CLOSEST PROPERTY LINE TO THE SUBJECT
39 ESTABLISHMENT'S PROPERTY LINE) FROM THE SUBJECT MEDICAL
40 MARIHUANA ESTABLISHMENT TO THE CLOSEST REAL PROPERTY OF AN
41 OPERATIONAL PUBLIC OR PRIVATE ELEMENTARY OR SECONDARY SCHOOL,
42 CHURCH, PARK, A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION
43 SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION
44 SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL
45 333.6101 ET SEQ., ANOTHER LICENSED MEDICAL MARIHUANA
46 ESTABLISHMENT OR A COMMERCIAL CHILD CARE ORGANIZATION (NON-

HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES;

(17) A FACILITY SANITATION PLAN TO PROTECT AGAINST ANY MARIHUANA BEING INGESTED BY ANY PERSON OR ANIMAL, INDICATING HOW THE WASTE WILL BE STORED AND DISPOSED OF, AND HOW ANY MARIHUANA WILL BE RENDERED UNUSABLE UPON DISPOSAL. DISPOSAL BY ON-SITE BURNING OR INTRODUCTION IN THE SEWERAGE SYSTEM IS PROHIBITED;

(18) A PROPOSED PATIENT RECORDKEEPING PLAN THAT WILL TRACK QUANTITIES SOLD TO INDIVIDUAL PATIENTS AND CAREGIVERS, AND WILL MONITOR INVENTORY;

(19) A DESCRIPTION OF PROCEDURES FOR TESTING OF CONTAMINANTS, INCLUDING MOLD AND PESTICIDES;

(20) AN AFFIDAVIT THAT NEITHER THE APPLICANT NOR ANY STAKEHOLDER OF THE APPLICANT IS IN DEFAULT TO THE CITY. SPECIFICALLY, THAT THE APPLICANT OR STAKEHOLDER OF THE APPLICANT HAS NOT FAILED TO PAY ANY PROPERTY TAXES, SPECIAL ASSESSMENTS, FINES, FEE OR OTHER FINANCIAL OBLIGATIONS TO THE CITY;

(21) VERIFICATION, WITH COPIES OF ACTUAL BANK STATEMENTS, SHOWING THAT THE APPLICANT HAS TANGIBLE FINANCIAL CAPITAL IN THE APPLICANT'S NAME IN THE AMOUNT SUFFICIENT TO COMPLETE THE MEDICAL MARIHUANA ESTABLISHMENT AND TO FUND THE BUSINESS PLAN AND OTHER PLANS REQUIRED BY THIS SECTION 1300.5;

(22) AN ESTIMATE OF THE NUMBER AND TYPE OF JOBS THAT THE MEDICAL MARIHUANA ESTABLISHMENT IS EXPECTED TO CREATE, THE AMOUNT AND TYPE OF COMPENSATION EXPECTED TO BE PAID FOR SUCH JOBS, AND THE PROJECTED ANNUAL BUDGET AND REVENUE OF THE MEDICAL MARIHUANA ESTABLISHMENT; AND

(23) AS IT RELATES TO A MEDICAL MARIHUANA GROWER FACILITY, THE FOLLOWING ADDITIONAL ITEMS SHALL BE REQUIRED:

(I) A CULTIVATION PLAN THAT INCLUDES AT A MINIMUM A DESCRIPTION OF THE CULTIVATION METHODS TO BE USED, INCLUDING PLANS FOR THE GROWING MEDIUMS, TREATMENTS, AND / OR ADDITIVES;

(II) A PRODUCTION TESTING PLAN THAT INCLUDES AT A MINIMUM A DESCRIPTION OF HOW AND WHEN SAMPLES FOR LABORATORY TESTING BY AN INTERNATIONAL ORGANIZATION FOR STANDARDIZATION ACCREDITED TESTING FACILITY WILL BE SELECTED, WHAT TYPE OF

1 TESTING WILL BE REQUESTED, AND HOW THE TEST RESULTS WILL BE
2 USED;

3
4 (III) AN AFFIDAVIT THAT ALL OPERATIONS WILL BE CONDUCTED IN
5 CONFORMANCE WITH THE MMMA, THE MMFLA, AND OTHER APPLICABLE
6 STATE LAW;

7
8 (IV) A CHEMICAL AND PESTICIDE STORAGE PLAN THAT STATES THE
9 NAMES OF THE PESTICIDES TO BE USED IN CULTIVATION AND WHERE AND
10 HOW PESTICIDES AND CHEMICALS WILL BE STORED IN THE
11 ESTABLISHMENT, ALONG WITH A PLAN FOR THE DISPOSAL OF UNUSED
12 PESTICIDES;

13
14 (V) ALL CULTIVATION MUST BE PERFORMED IN A BUILDING.

15
16 (24) PROOF OF AN INSURANCE POLICY COVERING THE ESTABLISHMENT
17 AND NAMING THE CITY, ITS ELECTED AND APPOINTED OFFICIALS,
18 EMPLOYEES, AND AGENTS, AS ADDITIONAL INSURED PARTIES,
19 AVAILABLE FOR THE PAYMENT OF ANY DAMAGES ARISING OUT OF AN
20 ACT OR OMISSION OF THE APPLICANT OR ITS STAKEHOLDERS, AGENTS,
21 EMPLOYEES, OR SUBCONTRACTORS, IN THE AMOUNT OF (A) AT LEAST
22 ONE MILLION DOLLARS FOR PROPERTY DAMAGE; (B) AT LEAST ONE
23 MILLION DOLLARS FOR INJURY TO ONE PERSON; AND (C) AT LEAST TWO
24 MILLION DOLLARS FOR INJURY TO TWO OR MORE PERSON RESULTING
25 FROM THE SAME OCCURRENCE. THE INSURANCE POLICY UNDERWRITER
26 MUST HAVE A MINIMUM A.M. BEST COMPANY INSURANCE RANKING OF
27 B+, CONSISTENT WITH STATE LAW.

28
29 (25) ANY OTHER INFORMATION DEEMED NECESSARY BY THE CITY.

30
31 (C) ALL APPLICATIONS SHALL BE ACCOMPANIED BY A LICENSE
32 APPLICATION FEE IN AN AMOUNT ESTABLISHED BY CITY COUNCIL RESOLUTION.
33 SHOULD THE APPLICANT NOT RECEIVE A LICENSE, ONE-HALF OF THE
34 APPLICATION FEE SHALL BE RETURNED. IF AN APPLICATION IS APPROVED AND
35 A LICENSE ISSUED, THE FIRST ANNUAL FEE SHALL BE IN AN AMOUNT
36 ESTABLISHED BY CITY COUNCIL RESOLUTION. THE APPLICATION FEE AND THE
37 ANNUAL FEE ARE ESTABLISHED TO DEFRAY THE COSTS OF ADMINISTRATION OF
38 THIS CHAPTER.

39
40 (D) UPON RECEIPT OF A COMPLETED APPLICATION MEETING THE
41 REQUIREMENTS OF THIS SECTION AND APPROPRIATE NONREFUNDABLE LICENSE
42 APPLICATION FEE, THE CITY CLERK SHALL REFER A COPY OF THE APPLICATION
43 TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT,
44 THE BUILDING SAFETY OFFICE, THE POLICE DEPARTMENT, THE ZONING
45 ADMINISTRATOR, AND THE CITY TREASURER.

(E) NO APPLICATION SHALL BE ACCEPTED BY THE CITY CLERK
UNLESS:

(1) THE FIRE DEPARTMENT AND THE BUILDING SAFETY OFFICE HAVE
INSPECTED THE PROPOSED LOCATION FOR COMPLIANCE WITH ALL LAWS
FOR WHICH THEY ARE CHARGED WITH ENFORCEMENT AND FOR
COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER;

(2) THE ZONING ADMINISTRATOR HAS CONFIRMED THAT THE
PROPOSED LOCATION COMPLIES WITH THE ZONING CODE;

(3) THE CITY TREASURER HAS CONFIRMED THAT THE APPLICANT AND
EACH STAKEHOLDER OF THE APPLICANT ARE NOT IN DEFAULT TO THE
CITY;

(4) THE POLICE DEPARTMENT HAS DETERMINED THAT THE APPLICANT
HAS MET THE REQUIREMENTS OF THIS CHAPTER WITH RESPECT TO THE
BACKGROUND CHECK AND SECURITY PLAN.

(F) IF WRITTEN APPROVAL IS GIVEN BY EACH INDIVIDUAL OR DEPARTMENT
IDENTIFIED IN SUBSECTION (E), THE CITY CLERK SHALL ACCEPT A COPY OF THE
APPLICATION FOR CONSIDERATION.

1300.6-LICENSE APPLICATION EVALUATION.

(A) EXCEPT AS PROVIDED IN 1300.8(A), THE CITY CLERK WILL ASSESS ALL
APPLICATIONS PURSUANT TO THE PROVISIONS, REQUIREMENTS, AND
CRITERIA SET FORTH IN THIS CHAPTER AND SHALL CONSULT WITH THE
POLICE DEPARTMENT, THE FIRE DEPARTMENT, THE BUILDING SAFETY
OFFICE, THE ZONING ADMINISTRATOR, AND THE FINANCE DEPARTMENT. THE
CITY CLERK MAY CONSULT WITH OUTSIDE PROFESSIONALS IN THE BUSINESS
AND FINANCE DISCIPLINES.

(B) IN ITS APPLICATION DELIBERATIONS, THE CITY CLERK SHALL ASSESS
EACH APPLICATION IN EACH OF THE FOLLOWING CATEGORIES:

(1) WHETHER THE REPORTS ISSUED BY THE FIRE, POLICE, BUILDING
SAFETY, ZONING AND TREASURY DEPARTMENTS INDICATE THAT
THE APPLICANT OR ITS STAKEHOLDERS OR EMPLOYEES HAVE
SATISFIED THE REQUIREMENTS OF 1300.5 (E) (1-4) AND SUFFICIENTLY
ADDRESSED THE CONSIDERATIONS OF 1300.5 (B) (1-25).

(2) WHETHER THE PROPOSED ESTABLISHMENT WILL NEGATIVELY
IMPACT THE CHARACTER AND AESTHETICS OF THE SURROUNDING
NEIGHBORHOOD AND COMMUNITY, INCLUDING WHETHER THE
APPLICANT OR ITS STAKEHOLDERS HAVE ENGAGED IN POSITIVE

COMMUNITY OUTREACH ON BEHALF OF THE PROPOSED ESTABLISHMENT, AND WHETHER THE APPLICANT OR ITS STAKEHOLDERS HAVE MADE SIGNIFICANT IMPROVEMENTS TO THE BUILDING OR NEIGHBORHOOD WHERE THE PROPOSED ESTABLISHMENT IS TO BE LOCATED;

(3) WHETHER THE APPLICANT AND ITS STAKEHOLDERS ARE PERSONS OF GOOD CHARACTER, HONESTY, AND INTEGRITY WHO DO NOT DISCREDIT OR TEND TO DISCREDIT PUBLIC CONFIDENCE AND TRUST IN THE MEDICAL MARIHUANA INDUSTRY, OR POSE A THREAT TO THE PUBLIC HEALTH, SECURITY, SAFETY, MORALS, GOOD ORDER, OR GENERAL WELFARE.

(C) IF THE CITY CLERK ISSUES A CERTIFICATE OF APPROVAL TO AN APPLICANT, THE CITY CLERK SHALL ISSUE AN INITIAL LICENSE TO THAT APPLICANT WITHIN TEN (10) BUSINESS DAYS.

(D) NOTHING IN THIS SECTION IS INTENDED TO CONFER A PROPERTY OR OTHER RIGHT, DUTY, PRIVILEGE OR INTEREST ENTITLING AN APPLICANT TO AN ADMINISTRATIVE HEARING UPON DENIAL OF AN APPLICATION OR WITH REGARD TO ANY SCORING DECISION.

1300.7 – LICENSE RENEWAL APPLICATION.

(A) APPLICATION FOR A LICENSE RENEWAL REQUIRED BY THIS CHAPTER SHALL BE MADE IN WRITING TO THE CITY CLERK AT LEAST THIRTY (30) DAYS PRIOR TO THE EXPIRATION OF AN EXISTING LICENSE.

(B) AN APPLICATION FOR A LICENSE RENEWAL REQUIRED BY THIS CHAPTER SHALL BE MADE UNDER OATH ON FORMS PROVIDED BY THE CITY, AND SHALL CONTAIN ALL OF THE INFORMATION REQUIRED BY 1300.5(B).

(C) AN APPLICATION SHALL BE ACCOMPANIED BY A RENEWAL FEE IN AN AMOUNT ESTABLISHED BY CITY COUNCIL RESOLUTION, OF WHICH HALF WILL BE RETURNED SHOULD THE LICENSE NOT BE RENEWED. THE RENEWAL FEE IS ESTABLISHED TO DEFRAID THE COSTS OF THE ADMINISTRATION OF THIS CHAPTER.

(D) UPON RECEIPT OF A COMPLETED APPLICATION MEETING THE REQUIREMENTS OF THIS CHAPTER AND THE LICENSE RENEWAL FEE, THE CITY CLERK SHALL REFER A COPY OF THE RENEWAL APPLICATION TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT, THE BUILDING SAFETY OFFICE, THE LANSING POLICE DEPARTMENT, THE ZONING ADMINISTRATOR, AND THE CITY TREASURER.

(E) NO RENEWAL APPLICATION SHALL BE APPROVED UNLESS:

- (1) THE FIRE DEPARTMENT AND THE BUILDING SAFETY OFFICE HAVE INSPECTED THE PROPOSED LOCATION FOR COMPLIANCE WITH ALL LAWS FOR WHICH THEY ARE CHARGED WITH ENFORCEMENT WITHIN THE PAST CALENDAR YEAR;
- (2) THE ZONING ADMINISTRATOR HAS CONFIRMED THAT THE PROPOSED LOCATION CURRENTLY COMPLIES WITH THE ZONING CODE AND THIS CHAPTER;
- (3) THE CITY TREASURER HAS CONFIRMED THAT THE APPLICANT AND EACH STAKEHOLDER OF THE APPLICANT AND THE PROPOSED LOCATION OF THE FACILITY ARE NOT CURRENTLY IN DEFAULT TO THE CITY;
- (4) THE POLICE DEPARTMENT HAS REVIEWED THE APPLICATION AND DETERMINED THAT THE APPLICANT HAS SATISFIED THE REQUIREMENTS OF THIS CHAPTER WITH RESPECT TO THE BACKGROUND CHECK AND SECURITY PLAN;
- (5) THE CITY CLERK HAS REVIEWED THE APPLICATION FOR COMPLIANCE WITH 1300.6 (B)(1-3).

(F) IF WRITTEN APPROVAL IS GIVEN BY EACH INDIVIDUAL OR DEPARTMENT IDENTIFIED IN SUBSECTION (E), THE CITY CLERK SHALL ISSUE A LICENSE RENEWAL TO THE APPLICANT. IF NO RENEWAL LICENSE IS ISSUED, HALF OF THE RENEWAL FEE SHALL BE RETURNED. THE RENEWAL SHALL BE DEEMED APPROVED IF THE CITY HAS NOT ISSUED FORMAL NOTICE OF APPROVAL OR DENIAL WITHIN 60 DAYS OF THE APPLICATION BEING FILED.

1300.8 – LICENSES GENERALLY.

(A) TO THE EXTENT PERMISSIBLE UNDER LAW, ALL INFORMATION SUBMITTED IN CONJUNCTION WITH AN APPLICATION FOR A LICENSE OR LICENSE RENEWAL REQUIRED BY THIS CHAPTER IS CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE MICHIGAN FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 ET SEQ.

(B) LICENSEES MAY TRANSFER A LICENSE ISSUED UNDER THIS CHAPTER TO A DIFFERENT LOCATION UPON RECEIVING WRITTEN APPROVAL FROM THE CITY CLERK. IN ORDER TO REQUEST APPROVAL TO TRANSFER A LICENSE LOCATION, THE LICENSEE MUST MAKE A WRITTEN REQUEST TO THE CITY CLERK, INDICATING THE CURRENT LICENSE LOCATION AND THE PROPOSED LICENSE LOCATION. UPON RECEIVING THE WRITTEN REQUEST, THE CITY CLERK SHALL REFER A COPY OF THE WRITTEN REQUEST TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT, THE BUILDING

1 SAFETY OFFICE, THE POLICE DEPARTMENT, THE ZONING ADMINISTRATOR,
2 AND THE CITY TREASURER. NO LICENSE TRANSFER SHALL BE APPROVED
3 UNLESS EACH SUCH INDIVIDUAL OR DEPARTMENT GIVES WRITTEN
4 APPROVAL THAT THE LICENSEE AND THE PROPOSED LICENSE LOCATION
5 MEET THE STANDARDS IDENTIFIED IN 1300.5(E) AND THE CITY CLERK HAS
6 DETERMINED THAT THE PROPOSED LOCATION MEETS THE REQUIREMENTS
7 OF 1300.6 (B)(2).
8

9 (C) LICENSEES MAY TRANSFER A LICENSE ISSUED UNDER THIS CHAPTER TO
10 A DIFFERENT INDIVIDUAL OR ENTITY UPON RECEIVING WRITTEN APPROVAL
11 BY THE CITY CLERK. IN ORDER TO REQUEST APPROVAL TO TRANSFER A
12 LICENSE TO A DIFFERENT INDIVIDUAL OR ENTITY, THE LICENSEE MUST
13 MAKE A WRITTEN REQUEST TO THE CITY CLERK, INDICATING THE CURRENT
14 LICENSEE AND THE PROPOSED LICENSEE. UPON RECEIVING THE WRITTEN
15 REQUEST, THE CITY CLERK SHALL CONSIDER THE REQUEST AS A NEW
16 APPLICATION FOR A LICENSE AND THE PROCEDURES SET FORTH IN 1300.5
17 AND 1300.6 SHALL BE FOLLOWED.
18

19 (D) LICENSEES SHALL REPORT ANY OTHER CHANGE IN THE INFORMATION
20 REQUIRED BY THIS CHAPTER TO THE CITY CLERK WITHIN TEN (10)
21 BUSINESS DAYS OF THE CHANGE. FAILURE TO DO SO MAY RESULT IN
22 SUSPENSION OR REVOCATION OF THE LICENSE.
23

24 **1300.9 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
25 **PROVISIONING CENTER.**
26

27 (A) EVERY MEDICAL MARIHUANA PROVISIONING CENTER MUST BE LOCATED
28 IN A BUILDING.
29

30 (B) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPEN
31 BETWEEN THE HOURS OF 10 P.M. AND 9 A.M.;
32

33 (C) CONSUMPTION OF MARIHUANA SHALL BE PROHIBITED ON THE PREMISES
34 OF A MEDICAL MARIHUANA PROVISIONING CENTER EXCEPT AS PERMITTED BY
35 LANSING CITY CHARTER SECTION 8-501 AND STATE LAW;
36

37 (D) A MEDICAL MARIHUANA PROVISIONING CENTER SHALL CONTINUOUSLY
38 MONITOR THE ENTIRE PREMISES ON WHICH THEY ARE OPERATED WITH
39 SURVEILLANCE SYSTEMS THAT INCLUDE SECURITY CAMERAS. THE VIDEO
40 RECORDINGS SHALL BE MAINTAINED IN A SECURE, OFF-SITE LOCATION FOR A
41 PERIOD OF 14 DAYS;
42

43 (E) UNLESS PERMITTED BY THE MMMA, PUBLIC OR COMMON AREAS OF THE
44 MEDICAL MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM
45 RESTRICTED OR NON-PUBLIC AREAS OF THE PROVISIONING CENTER BY A
46 PERMANENT BARRIER. UNLESS PERMITTED BY THE MMMA, NO MEDICAL

MARIHUANA IS PERMITTED TO BE STORED, DISPLAYED, OR TRANSFERRED IN AN AREA ACCESSIBLE TO THE GENERAL PUBLIC;

(F) ALL MEDICAL MARIHUANA STORAGE AREAS WITHIN MEDICAL MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM ANY CUSTOMER/PATIENT AREAS BY A PERMANENT BARRIER. UNLESS PERMITTED BY THE MMMA, NO MEDICAL MARIHUANA IS PERMITTED TO BE STORED IN AN AREA ACCESSIBLE BY THE GENERAL PUBLIC OR REGISTERED CUSTOMERS/PATIENTS. MEDICAL MARIHUANA MAY BE DISPLAYED IN A SALES AREA ONLY IF PERMITTED BY THE MMFLA;

(G) ANY USABLE MEDICAL MARIHUANA REMAINING ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING CENTER WHILE THE MEDICAL MARIHUANA PROVISIONING CENTER IS NOT IN OPERATION SHALL BE SECURED IN A SAFE PERMANENTLY AFFIXED TO THE PREMISES;

(H) DRIVE-THRU WINDOWS ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING CENTER SHALL NOT BE PERMITTED;

(I) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPERATED IN A MANNER CREATING NOISE, DUST, VIBRATION, GLARE, FUMES, OR ODORS DETECTABLE TO NORMAL SENSES BEYOND THE BOUNDARIES OF THE PROPERTY ON WHICH THE MEDICAL MARIHUANA PROVISIONING CENTER IS OPERATED;

(J) THE LICENSE REQUIRED BY THIS CHAPTER SHALL BE PROMINENTLY DISPLAYED ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING CENTER;

(K) DISPOSAL OF MEDICAL MARIHUANA SHALL BE ACCOMPLISHED IN A MANNER THAT PREVENTS ITS ACQUISITION BY ANY PERSON WHO MAY NOT LAWFULLY POSSESS IT AND OTHERWISE IN CONFORMANCE WITH STATE LAW;

(L) ALL MEDICAL MARIHUANA DELIVERED TO A PATIENT SHALL BE PACKAGED AND LABELED AS PROVIDED BY STATE LAW AND THIS CHAPTER. THE LABEL SHALL INCLUDE:

- (1) A UNIQUE ALPHANUMERIC IDENTIFIER FOR THE PERSON TO WHOM IT IS BEING DELIVERED;
- (2) A UNIQUE ALPHA NUMERIC IDENTIFIER FOR THE CULTIVATION SOURCE OF THE MARIHUANA;
- (3) THAT THE PACKAGE CONTAINS MARIHUANA;
- (4) THE DATE OF DELIVERY, WEIGHT, TYPE OF MARIHUANA AND DOLLAR AMOUNT OR OTHER CONSIDERATION BEING EXCHANGED IN THE TRANSACTION;

(5) A CERTIFICATION THAT ALL MARIHUANA IN ANY FORM CONTAINED IN THE PACKAGE WAS CULTIVATED, MANUFACTURED, AND PACKAGED IN THE STATE OF MICHIGAN;

(6) THE WARNING THAT; “THIS PRODUCT IS MANUFACTURED WITHOUT ANY REGULATORY OVERSIGHT FOR HEALTH, SAFETY OR EFFICACY. THERE MAY BE HEALTH RISKS ASSOCIATED WITH THE INGESTION OR USE OF THIS PRODUCT. USING THIS PRODUCT MAY CAUSE DROWSINESS. DO NOT DRIVE OR OPERATE HEAVY MACHINERY WHILE USING THIS PRODUCT. KEEP THIS PRODUCT OUT OF REACH OF CHILDREN. THIS PRODUCT MAY NOT BE USED IN ANY WAY THAT DOES NOT COMPLY WITH STATE LAW OR BY PERSON WHO DOES NOT POSSESS A VALID MEDICAL MARIHUANA PATIENT REGISTRY CARD.”

(7) THE NAME, ADDRESS, EMAIL ADDRESS, AND TELEPHONE NUMBER OF AN AUTHORIZED REPRESENTATIVE OF THE DISPENSARY WHOM A PATIENT CAN CONTACT WITH ANY QUESTIONS REGARDING THE PRODUCT.

(M) A LICENSEE SHALL REQUIRE ALL REGISTERED PATIENTS PRESENT BOTH THEIR MICHIGAN MEDICAL MARIHUANA PATIENT/CAREGIVER ID CARD AND STATE IDENTIFICATION PRIOR TO ENTERING RESTRICTED/LIMITED AREAS OR NON-PUBLIC AREAS OF THE MEDICAL MARIHUANA PROVISIONING CENTER, AND IF NO RESTRICTED/LIMITED AREA IS REQUIRED, THEN PROMPTLY UPON ENTERING THE MEDICAL MARIHUANA PROVISIONING CENTER.

(N) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT ON THE PREMISES.

(O) IT SHALL BE PROHIBITED TO DISPLAY ANY SIGNS THAT ARE INCONSISTENT WITH LOCAL LAWS OR REGULATIONS OR STATE LAW.

(P) IT SHALL BE PROHIBITED FROM DISPLAYING OR DISTRIBUTING IN ANY MANNER, PHYSICALLY OR ELECTRONICALLY, ADVERTISING MATERIAL THAT IS MISLEADING, DECEPTIVE, OR FALSE, OR THAT IS DESIGNED TO APPEAL TO MINORS.

(Q) NO LICENSED MEDICAL MARIHUANA PROVISIONING CENTER SHALL PLACE OR MAINTAIN, OR CAUSE TO BE PLACED OR MAINTAINED, AN ADVERTISEMENT OF MEDICAL MARIHUANA IN ANY FORM OR THROUGH ANY MEDIUM:

(1) WITHIN ONE THOUSAND (1,000) FEET MEASURED PROPERTY LINE TO PROPERTY LINE OF THE REAL PROPERTY LINE COMPRISING AN OPERATIONAL SCHOOL; A COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS

SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ; OR

(2) WITHIN FIVE HUNDRED (500) FEET, MEASURED PROPERTY LINE TO PROPERTY LINE, OF A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED; A CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS SERVICES ARE CONDUCTED; **PARKS**; OR ANOTHER MEDICAL MARIHUANA ESTABLISHMENT.

(R) CERTIFIED LABORATORY TESTING RESULTS THAT DISPLAY AT A MINIMUM THE TETRAHYDROCANNABINOL (THC), CANNABIDIOL (CBD), TOTAL CANNABINOID TESTING RESULTS, AND A PASS/FAIL RATING BASED ON THE CERTIFIED LABORATORY'S STATE-REQUIRED TESTING MUST BE AVAILABLE TO ALL MEDICAL MARIHUANA PROVISIONING CENTER PATIENTS/CUSTOMERS UPON REQUEST AND PROMINENTLY DISPLAYED.

1300.10 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA GROWER FACILITY.

(A) THE FOLLOWING MINIMUM STANDARDS FOR MEDICAL MARIHUANA GROWER FACILITIES SHALL APPLY:

(1) THE MEDICAL MARIHUANA GROWER FACILITY SHALL COMPLY AT ALL TIMES AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, THE MTA, AND THE GENERAL RULES OF THE **MEDICAL MARIHUANA LICENSING BOARD AND THE** DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, **OR THEIR SUCCESSORS, AS THE FOREGOING LAWS AND REGULATIONS MAY BE AMENDED FROM TIME TO TIME;**

(2) EXCEPT AS PROVIDED BY STATE LAW AND LANSING CITY CHARTER, CONSUMPTION AND/OR USE OF MEDICAL MARIHUANA SHALL BE PROHIBITED AT THE GROWER FACILITY;

(3) ALL GROWER ACTIVITY RELATED TO THE GROWER FACILITY SHALL BE PERFORMED IN A BUILDING;

(4) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT ON THE PREMISES;

(5) ANY MEDICAL MARIHUANA GROWER FACILITY **SHALL** COMPLY WITH THE MTA AND SHALL MAINTAIN A LOG BOOK AND/OR DATABASE IDENTIFYING BY DATE THE AMOUNT OF MEDICAL MARIHUANA AND THE NUMBER OF MEDICAL MARIHUANA PLANTS ON THE PREMISES WHICH SHALL

1 NOT EXCEED THE AMOUNT PERMITTED UNDER THE GROWER LICENSE
2 ISSUED BY THE STATE OF MICHIGAN. THIS LOG SHALL BE AVAILABLE TO
3 LAW ENFORCEMENT PERSONNEL TO CONFIRM THAT THE MEDICAL
4 MARIHUANA GROWER DOES NOT HAVE MORE MEDICAL MARIHUANA THAN
5 AUTHORIZED AT THE LOCATION AND SHALL NOT BE USED TO DISCLOSE
6 MORE INFORMATION THAN IS REASONABLY NECESSARY TO VERIFY THE
7 LAWFUL AMOUNT OF MEDICAL MARIHUANA AT THE FACILITY;
8

9 (6) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
10 BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE
11 MMFLA, MTA, AND THE RULES AND REGUALTIONS OF THE MEDICAL
12 MARIHUANA LICENSING BOARD, AS AMENDED;
13

14 (7) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL
15 PERMITS SHALL BE OBTAINED FROM THE CITY OF LANSING OR OTHER
16 APPLICABLE GOVERNMENT AUTHORITY FOR ANY PORTION OF THE
17 STRUCTURE IN WHICH ELECTRICAL WIRING, LIGHTING AND/OR WATERING
18 DEVICES THAT SUPPORT THE CULTIVATION, GROWING OR HARVESTING OF
19 MARIHUANA ARE LOCATED;
20

21 (8) THAT PORTION OF THE STRUCTURE WHERE ANY CHEMICALS SUCH AS
22 HERBICIDES, PESTICIDES, AND FERTILIZERS ARE STORED SHALL BE SUBJECT
23 TO INSPECTION AND APPROVAL BY THE LANSING FIRE DEPARTMENT TO
24 INSURE COMPLIANCE WITH THE MICHIGAN FIRE CODES;
25

26 (9) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
27 MARIHUANA GROWER FACILITY SHALL BE PROHIBITED;
28

29 (10) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN
30 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH CULTIVATING,
31 PROCESSING, OR TESTING MEDICAL MARIHUANA. MULTI-TENANT
32 COMMERCIAL BUILDINGS MAY PERMIT ACCESSORY USES IN SUITES
33 SEGREGATED FROM MEDICAL MARIHUANA GROWER FACILITY;
34

35 (11) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
36 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY,
37 INCLUDING BUT NOT LIMITED TO:
38

39 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;
40

41 (II) WASHING HANDS THOROUGHLY IN ADEQUATE HAND-WASHING
42 AREAS BEFORE STARTING WORK AND AT ANY OTHER TIME WHEN THE
43 HANDS MAY HAVE BECOME SOILED OR CONTAMINATED.
44

45 (III) REFRAINING FROM HAVING DIRECT CONTACT WITH MEDICAL
46 MARIHUANA IF THE PERSON HAS OR MAY HAVE AN ILLNESS, OPEN

1 LESION, INCLUDING BOILS, SORES OR INFECTED WOUNDS, OR ANY OTHER
2 ABNORMAL SOURCE OF MICROBIAL CONTAMINATION, UNTIL THE
3 CONDITION IS CORRECTED.
4

5 (12) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
6 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
7 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
8 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
9

10 (13) FLOORS, WALLS, AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
11 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
12 IN GOOD REPAIR;
13

14 (14) THERE SHALL BE ADEQUATE SCREENING OR OTHER PROTECTION
15 AGAINST THE ENTRY OF PESTS. RUBBISH SHALL BE DISPOSED OF SO AS TO
16 MINIMIZE THE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR
17 WASTE DEVELOPMENT AND MINIMIZE THE POTENTIAL FOR WASTE
18 BECOMING AN ATTRACTANT, HARBORAGE OR BREEDING PLACE FOR PESTS;
19

20 (15) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
21 MAINTAINED IN A SANITARY CONDITION;
22

23 (16) EACH CULTIVATION CENTER SHALL PROVIDE ITS OCCUPANTS WITH
24 ADEQUATE AND READILY ACCESSIBLE TOILET FACILITIES THAT ARE
25 MAINTAINED IN A SANITARY CONDITION AND GOOD REPAIR;
26

27 (17) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
28 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
29 PREVENTS THE GROWTH OF THESE MICROORGANISMS;
30

31 (18) MEDICAL MARIHUANA GROWER FACILITIES SHALL BE FREE FROM
32 INFESTATION BY INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;
33

34 (19) MEDICAL MARIHUANA GROWER FACILITIES SHALL PRODUCE NO
35 PRODUCTS OTHER THAN USEABLE MEDICAL MARIHUANA INTENDED FOR
36 HUMAN CONSUMPTION.
37

38 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
39 MEDICAL MARIHUANA GROWER FACILITY SHALL BE PROHIBITED.
40

41 **1300.11 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
42 **SAFETY COMPLIANCE FACILITY.**
43

44 (A) THE FOLLOWING MINIMUM STANDARDS FOR SAFETY COMPLIANCE
45 FACILITIES SHALL APPLY:
46

1 (1) THE SAFETY COMPLIANCE FACILITY SHALL COMPLY AT ALL TIMES
2 AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, THE MTA, AND
3 THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD AND
4 THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR THEIR
5 SUCCESSORS, AS THE FOREGOING LAWS AND REGULATIONS MAY BE
6 AMENDED FROM TIME TO TIME
7

8 (2) EXCEPT AS PROVIDED BY STATE LAW AND SECTION 8-501 OF THE
9 LANSING CITY CHARTER CONSUMPTION AND/OR USE OF MEDICAL
10 MARIHUANA SHALL BE PROHIBITED AT THE FACILITY;
11

12 (3) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
13 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT
14 ON THE PREMISES;
15

16 (4) ANY SAFETY COMPLIANCE FACILITY SHALL MAINTAIN A LOG BOOK
17 AND/OR DATABASE IDENTIFYING BY DATE THE AMOUNT OF MEDICAL
18 MARIHUANA ON THE PREMISES AND FROM WHICH PARTICULAR SOURCE.
19 THE FACILITY SHALL MAINTAIN THE CONFIDENTIALITY OF QUALIFYING
20 PATIENTS IN COMPLIANCE WITH THE MMMA, MMFLA, AND MTA, AS
21 AMENDED;
22

23 (5) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
24 BUILDING IN AN ENCLOSED, LOCKED FACILITY IN ACCORDANCE WITH THE
25 MMMA, THE MMFLA, THE MTA, AND THE RULES AND REGULATIONS OF THE
26 MEDICAL MARIHUANA LICENSING BOARD, AS AMENDED;
27

28 (6) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN THE
29 SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH TESTING MEDICAL
30 MARIHUANA;
31

32 (7) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
33 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY;
34

35 (8) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
36 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
37 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
38 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
39

40 (9) FLOORS, WALLS AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
41 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
42 IN GOOD REPAIR;
43

44 (10) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
45 MAINTAINED IN A SANITARY CONDITION;
46

1 (11) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
2 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
3 PREVENTS THE GROWTH OF THESE MICROORGANISMS;
4

5 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
6 MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE PROHIBITED.
7

8 **1300.12 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
9 **PROCESSOR FACILITY AND A MEDICAL MARIHUANA SECURE TRANSPORTER.**
10

11 (A) THE FOLLOWING MINIMUM STANDARDS FOR PROCESSOR AND A SECURE
12 TRANSPORTER SHALL APPLY:
13

14 (1) THE PROCESSOR AND SECURE TRANSPORTER SHALL COMPLY AT ALL
15 TIMES AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, MTA
16 AND THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD
17 AND THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR THEIR
18 SUCCESSORS, AS THE FOREGOING LAWS AND REGULATIONS MAY BE
19 AMENDED FROM TIME TO TIME;
20

21 (2) EXCEPT AS PROVIDED BY STATE LAW AND SECTION 8-501 OF THE
22 LANSING CITY CHARTER, CONSUMPTION AND/OR USE OF MEDICAL
23 MARIHUANA SHALL BE PROHIBITED AT THE PROCESSOR OR SECURE
24 TRANSPORTER FACILITY;
25

26 (3) ALL ACTIVITY RELATED TO THE PROCESSOR FACILITY SHALL BE
27 PERFORMED INDOORS IN A BUILDING;
28

29 (4) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
30 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT
31 ON THE PREMISES;
32

33 (5) ANY PROCESSOR AND/OR SECURE TRANSPORTER FACILITY SHALL
34 MAINTAIN A LOG BOOK AND/OR DATABASE IN ACCORDANCE WITH THE
35 MMFLA, THE MTA AND THE RULES AND REGULATIONS OF THE MEDICAL
36 MARIHUANA LICENSING BOARD IDENTIFYING BY DATE THE AMOUNT OF
37 MEDICAL MARIHUANA ON THE PREMISES WHICH SHALL NOT EXCEED THE
38 AMOUNT PERMITTED UNDER THE PROCESSOR LICENSE ISSUED BY THE STATE
39 OF MICHIGAN, TO THE EXTENT A STATE PERMIT PROCESS EXISTS. THIS LOG
40 SHALL BE AVAILABLE TO LAW ENFORCEMENT PERSONNEL TO CONFIRM
41 THAT THE PROCESSOR DOES NOT HAVE MORE MEDICAL MARIHUANA THAN
42 AUTHORIZED AT THE LOCATION AND SHALL NOT BE USED TO DISCLOSE
43 MORE INFORMATION THAN IS REASONABLY NECESSARY TO VERIFY THE
44 LAWFUL AMOUNT OF MEDICAL MARIHUANA AT THE FACILITY;
45

1 (6) ALL MEDICAL MARIJUANA WILL BE TAGGED WITH UNIQUE
2 IDENTIFICATION.
3

4 (7) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
5 BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE
6 MMFLA, MTA AND THE RULES AND REGULATIONS OF THE MEDICAL
7 MARIHUANA LICENSING BOARD, AS AMENDED;
8

9 (8) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL
10 PERMITS SHALL BE OBTAINED FOR ANY PORTION OF THE STRUCTURE IN
11 WHICH ELECTRICAL WIRING FOR DEVICES THAT SUPPORT THE PROCESSING
12 OR SECURE TRANSPORTING OF MEDICAL MARIHUANA ARE LOCATED;
13

14 (9) THAT PORTION OF THE STRUCTURE WHERE THE STORAGE OF ANY
15 CHEMICALS EXIST SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY
16 THE LANSING FIRE DEPARTMENT TO INSURE COMPLIANCE WITH THE
17 MICHIGAN FIRE PROTECTION CODE;
18

19 (10) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
20 MARIHUANA PROCESSOR OR SECURE TRANSPORTER FACILITY SHALL BE
21 PROHIBITED EXCEPT AS AUTHORIZED BY LANSING CITY CHARTER AND
22 STATE LAW;
23

24 (11) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN
25 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH THE
26 PROCESSING OR SECURE TRANSPORTING OF MEDICAL MARIHUANA. MULTI-
27 TENANT COMMERCIAL BUILDINGS MAY PERMIT ACCESSORY USES IN SUITES
28 SEGREGATED FROM THE PROCESSOR FACILITY;
29

30 (12) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
31 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY,
32 INCLUDING BUT NOT LIMITED TO:
33

34 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;
35

36 (II) WASHING HANDS THOROUGHLY IN ADEQUATE HAND-WASHING
37 AREAS BEFORE STARTING WORK AND AT ANY OTHER TIME WHEN THE
38 HANDS MAY HAVE BECOME SOILED OR CONTAMINATED.
39

40 (III) REFRAINING FROM HAVING DIRECT CONTACT WITH MEDICAL
41 MARIHUANA IF THE PERSON HAS OR MAY HAVE AN ILLNESS, OPEN
42 LESION, INCLUDING BOILS, SORES OR INFECTED WOUNDS, OR ANY OTHER
43 ABNORMAL SOURCE OF MICROBIAL CONTAMINATION, UNTIL THE
44 CONDITION IS CORRECTED.
45

1 (13) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
2 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
3 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
4 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
5

6 (14) FLOORS, WALLS, AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
7 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
8 IN GOOD REPAIR;
9

10 (15) THERE SHALL BE ADEQUATE SCREENING OR OTHER PROTECTION
11 AGAINST THE ENTRY OF PESTS. RUBBISH SHALL BE DISPOSED OF SO AS TO
12 MINIMIZE THE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR
13 THE WASTE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR
14 WASTE BECOMING AND ATTRACTANT, HARBORAGE OR BREEDING PLACES
15 FOR PESTS;
16

17 (16) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
18 MAINTAINED IN A SANITARY CONDITION;
19

20 (17) EACH MEDICAL MARIHUANA PROCESSOR FACILITY SHALL PROVIDE
21 ITS OCCUPANTS WITH ADEQUATE AND READILY ACCESSIBLE TOILET
22 FACILITIES THAT ARE MAINTAINED IN A SANITARY CONDITION AND GOOD
23 REPAIR;
24

25 (18) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
26 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
27 PREVENTS THE GROWTH OF THESE MICROORGANISMS;
28

29 (19) PROCESSOR FACILITIES SHALL BE FREE FROM INFESTATION BY
30 INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;
31

32 (20) PROCESSOR FACILITIES SHALL PRODUCE NO PRODUCTS OTHER THAN
33 USEABLE MEDICAL MARIHUANA INTENDED FOR HUMAN CONSUMPTION.
34

35 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
36 PROCESSOR FACILITY SHALL BE PROHIBITED.
37

38 **1300.13 - LOCATION OF MEDICAL MARIHUANA PROVISIONING CENTERS .**

39
40 (A) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE LOCATED
41 WITHIN;
42

- 43 (1) ONE THOUSAND (1000) FEET, MEASURED FROM PROPERTY LINE
44 TO PROPERTY LINE, OF AN OPERATIONAL SCHOOL; A
45 COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME
46 OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR

REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ.;

- (2) FIVE HUNDRED (500) FEET, MEASURED FROM PROPERTY LINE TO PROPERTY LINE, OF; A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED; A CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS SERVICES ARE CONDUCTED; **PARKS**; OR ANOTHER MEDICAL MARIHUANA ESTABLISHMENT.

(B) MEDICAL MARIHUANA PROVISIONING CENTERS SHALL BE LIMITED TO F AND F1-COMMERCIAL, G2-WHOLESALE, H-LIGHT INDUSTRIAL, AND I-HEAVY INDUSTRIAL AS PROVIDED BY THE ZONING PROVISIONS OF THE LANSING CODIFIED ORDINANCES.

(C) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE LOCATED WITHIN ANOTHER BUSINESS.

(D) NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE LOCATED IN AN UNZONED AREA OR IN AN AREA SUBJECT TO AN AGREEMENT ENTERED INTO PURSUANT TO PUBLIC ACT 425 OF 1984

(E) EXCEPT AS OTHERWISE PERMISSIBLE UNDER THE LANSING CITY CHARTER AT SECTION 8-501, NO PERSON SHALL ALLOW THE CONSUMPTION OF MARIHUANA OR MARIHUANA INFUSED PRODUCTS ON LICENSED PREMISES.

1300.14 - LOCATION OF MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL MARIHUANA PROCESSOR FACILITIES, MEDICAL MARIHUANA GROWER FACILITIES, AND MEDICAL MARIHUANA SECURE TRANSPORTERS.

(A) NO MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY, MEDICAL MARIHUANA PROCESSOR FACILITY, MEDICAL MARIHUANA GROWER FACILITY, OR MEDICAL MARIHUANA SECURE TRANSPORTER SHALL BE LOCATED WITHIN

- (1) ONE THOUSAND (1,000) FEET, MEASURED FROM THE PROPERTY LINE OF THE MEDICAL MARIHUANA ESTABLISHMENT TO THE PROPERTY LINE OF AN OPERATIONAL **SCHOOL**; A COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ.; OR

1
2 (2) FIVE HUNDRED (500) FEET, MEASURED FROM THE PROPERTY LINE
3 OF THE MEDICAL MARIHUANA ESTABLISHMENT TO THE PROPERTY LINE OF
4 A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR
5 SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE
6 TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE
7 OFFERED; OR A CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS
8 SERVICES ARE CONDUCTED; **PARKS**; OR ANOTHER MEDICAL MARIHUANA
9 ESTABLISHMENT.

10
11 (B) ALL MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL
12 MARIHUANA PROCESSOR FACILITIES, AND MEDICAL MARIHUANA SECURE
13 TRANSPORTER FACILITIES SHALL BE SUBJECT TO SUBSECTION (A) AND SHALL
14 BE LIMITED TO THE H-LIGHT INDUSTRIAL, I-HEAVY INDUSTRIAL, OR G2-
15 WHOLESALE ZONING DISTRICTS AS IDENTIFIED IN THE LANSING CODIFIED
16 ORDINANCES.

17
18 (C) ALL MEDICAL MARIHUANA GROWER FACILITIES SHALL BE SUBJECT TO
19 SUBSECTION (A) AND SHALL BE LIMITED TO THE H-LIGHT INDUSTRIAL OR I-
20 HEAVY INDUSTRIAL ZONING DISTRICTS AS IDENTIFIED IN THE LANSING
21 CODIFIED ORDINANCES.

22
23 **1300.15 - LICENSE REVOCATION; BASES FOR REVOCATION; APPEAL OF**
24 **LICENSE DENIAL.**

25
26 (A) A LICENSE ISSUED UNDER THIS CHAPTER MAY BE REVOKED AFTER AN
27 ADMINISTRATIVE HEARING **AND A DETERMINATION** THAT ANY GROUNDS FOR
28 REVOCATION UNDER SUBSECTION (B) EXIST. NOTICE OF THE TIME AND PLACE
29 OF THE HEARING AND THE GROUNDS FOR REVOCATION MUST BE GIVEN TO THE
30 LICENSEE AT LEAST FIVE DAYS PRIOR TO THE DATE OF THE HEARING, BY FIRST
31 CLASS MAIL TO THE ADDRESS GIVEN ON THE LICENSE APPLICATION OR ANY
32 ADDRESS PROVIDED PURSUANT TO 1300.4(A)(1) OR (2);

33
34 (B) A LICENSE ISSUED UNDER THIS CHAPTER MAY BE DENIED OR REVOKED
35 ON ANY OF THE FOLLOWING BASES:

36
37 (1) A MATERIAL VIOLATION OF ANY PROVISION OF THIS CHAPTER;

38
39 (2) ANY CONVICTION OF A DISQUALIFYING FELONY BY THE LICENSEE,
40 STAKEHOLDER, OR ANY PERSON HOLDING AN OWNERSHIP INTEREST IN THE
41 LICENSE;

42
43 (3) COMMISSION OF FRAUD OR MISREPRESENTATION OR THE MAKING OF
44 A FALSE STATEMENT BY THE APPLICANT, LICENSEE, OR ANY STAKEHOLDER
45 OF THE APPLICANT OR LICENSEE WHILE ENGAGING IN ANY ACTIVITY FOR
46 WHICH THIS CHAPTER REQUIRES A LICENSE;

(4) FAILURE TO OBTAIN AND MAINTAIN A CERTIFICATE OF APPROVAL FROM THE CITY CLERK;

(5) THE MEDICAL MARIHUANA ESTABLISHMENT IS DETERMINED BY THE CITY TO HAVE BECOME A PUBLIC NUISANCE.

(C) APPEAL OF DENIAL OF APPLICATION OR REVOCATION OF LICENSE: THE CITY CLERK SHALL NOTIFY AN APPLICANT OF THE REASON(S) FOR DENIAL OF AN APPLICATION OR REVOCATION OF A LICENSE AND PROVIDE THE APPLICANT WITH THE OPPORTUNITY TO BE HEARD. ANY APPLICANT AGGRIEVED BY THE DENIAL OR REVOCATION OF A LICENSE UNDER THIS CHAPTER MAY APPEAL TO THE CITY CLERK, WHO SHALL APPOINT A HEARING OFFICER. SUCH APPEAL SHALL BE TAKEN BY FILING WITH THE CITY CLERK, WITHIN 14 DAYS AFTER NOTICE OF THE ACTION COMPLAINED OF HAS BEEN MAILED TO THE APPLICANT'S LAST KNOWN ADDRESS ON THE RECORDS OF THE CITY CLERK, A WRITTEN STATEMENT SETTING FORTH FULLY THE GROUNDS FOR THE APPEAL. THE REVIEW ON APPEAL OF A DENIAL OR REVOCATION SHALL BE LIMITED TO WHETHER THERE HAS BEEN AN ABUSE OF DISCRETION IN THE DECISION OR THAT THE DECISION IS NOT SUPPORTED BY MATERIAL AND COMPETENT EVIDENCE. THE FINAL AND CONCLUSIVE DECISION ON APPEAL SHALL BE THE CITY COUNCIL WHO SHALL RECEIVE A REPORT AND RECOMMENDATION FROM THE HEARING OFFICER.

1300.16 – PENALTIES; TEMPORARY SUSPENSION OF A LICENSE

(A) THE CITY OF LANSING MAY REQUIRE AN APPLICANT OR LICENSEE OF A MEDICAL MARIHUANA FACILITY TO PRODUCE DOCUMENTS, RECORDS, OR ANY OTHER MATERIAL PERTINENT TO THE INVESTIGATION OF AN APPLICATION OR ALLEGED VIOLATION OF THIS CHAPTER. FAILURE TO PROVIDE THE REQUIRED MATERIAL MAY BE GROUNDS FOR APPLICATION DENIAL OR LICENSE REVOCATION;

(B) ANY PERSON IN VIOLATION OF ANY PROVISION OF THIS CHAPTER SHALL BE SUBJECT TO A CIVIL FINE AND COSTS. INCREASED CIVIL FINES MAY BE IMPOSED FOR A REPEAT VIOLATION. AS USED IN THIS SECTION "REPEAT VIOLATION" SHALL MEAN A SECOND OR ANY SUBSEQUENT INFRACTION OF THE SAME REQUIREMENT OR PROVISION COMMITTED BY A PERSON OR ESTABLISHMENT WITHIN ANY 12-MONTH PERIOD. UNLESS OTHERWISE SPECIFICALLY PROVIDED IN THIS CHAPTER OR ANY OTHER CHAPTER FOR A MUNICIPAL INFRACTION, THE PENALTY SCHEDULE IS AS FOLLOWS:

1. \$500, PLUS COSTS, FOR THE FIRST VIOLATION;
2. \$750, PLUS COSTS, FOR A REPEAT VIOLATION;

3. \$750, PLUS COSTS, PER DAY, PLUS COSTS, FOR ANY VIOLATION THAT CONTINUES FOR MORE THAN ONE DAY.

(C) ALL FINES IMPOSED UNDER THIS CHAPTER SHALL BE PAID WITHIN 45 DAYS AFTER THE EFFECTIVE DATE OF THE ORDER IMPOSING THE FINE OR AS OTHERWISE SPECIFIED IN THE ORDER;

(D) THE MAYOR MAY TEMPORARILY SUSPEND A MEDICAL MARIHUANA ESTABLISHMENT LICENSE WITHOUT A PRIOR HEARING IF THE MAYOR FINDS THAT PUBLIC SAFETY OR WELFARE REQUIRES EMERGENCY ACTION AFFECTING THE PUBLIC HEALTH, SAFETY, OR WELFARE. THE MAYOR SHALL CAUSE THE TEMPORARY SUSPENSION BY ISSUING A SUSPENSION NOTICE IN CONNECTION WITH INSTITUTION OF PROCEEDINGS FOR NOTICE AND A HEARING;

(E) IF THE MAYOR TEMPORARILY SUSPENDS A LICENSE WITHOUT A PRIOR HEARING, THE LICENSEE IS ENTITLED TO A HEARING WITHIN THIRTY (30) DAYS AFTER THE SUSPENSION NOTICE HAS BEEN SERVED ON THE LICENSEE OR POSTED ON THE LICENSED PREMISES. IN THE CASE OF A LICENSE ISSUED FOR A MEDICAL MARIHUANA GROWER FACILITY, THE HEARING SHALL BE HELD WITHIN SEVEN (7) DAYS AFTER THE NOTICE HAS BEEN SERVED ON THE LICENSEE OR POSTED ON THE PREMISES OF THE LICENSED FACILITY. THE HEARING SHALL BE LIMITED TO THE ISSUES CITED IN THE SUSPENSION NOTICE;

(F) IF THE MAYOR DOES NOT HOLD A HEARING WITHIN THIRTY (30) DAYS AFTER THE DATE THE SUSPENSION WAS SERVED ON THE LICENSEE OR POSTED ON THE LICENSED PREMISES, OR IN THE CASE OF A GROWER FACILITY SEVEN (7) DAYS, THEN THE SUSPENDED LICENSE SHALL BE AUTOMATICALLY REINSTATED AND THE SUSPENSION VACATED.

(G) THE PENALTY PROVISIONS OF THIS CHAPTER ARE NOT INTENDED TO FORECLOSE ANY OTHER REMEDY OR SANCTION THAT MIGHT BE AVAILABLE TO, OR IMPOSED BY THE CITY, INCLUDING **CRIMINAL** PROSECUTION.

1300.17 -NO VESTED RIGHTS

A PROPERTY OWNER SHALL NOT HAVE VESTED RIGHTS OR NONCONFORMING USE RIGHTS THAT WOULD SERVE AS A BASIS FOR FAILING TO COMPLY WITH THIS CHAPTER OR ANY AMENDMENT OF THIS CHAPTER.

1300.18 –ZONING BOARD OF APPEALS

THE DISTANCE REQUIREMENTS UNDER THIS CHAPTER SHALL BE REVIEWABLE BY THE BOARD OF ZONING APPEALS FOLLOWING THE CRITERIA PROVIDED IN SECTION 1244.06(C).

1300.19-SUNSET

1
2 PURSUANT TO SECTION 3-307 OF THE LANSING CITY CHARTER, THIS CHAPTER
3 SHALL EXPIRE DECEMBER 1, 2026.
4

5 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules,
6 inconsistent with the provisions hereof are hereby repealed in their entirety and shall be void and of no
7 effect.

8 Section 3. Should any section, clause or phrase of this Ordinance be declared to be invalid, the
9 same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part
10 declared to be invalid.

11 Section 4. This Ordinance shall take effect on the 30th day after enactment unless given
12 immediate effect by the City Council.

CITY OF LANSING, MICHIGAN
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO REPLACE CHAPTER 1300 OF THE CITY OF LANSING CODIFIED ORDINANCES IN ITS ENTIRETY; TO PROVIDE FOR THE REGULATION AND LICENSING OF MEDICAL MARIHUANA ESTABLISHMENTS; TO ESTABLISH LAND USE AND ZONING REQUIREMENTS ATTENDANT THERETO; TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITY OF LANSING; TO SET LICENSING FEES FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH THE IMPLEMENTATION AND ENFORCEMENT OF THE PROVISIONS OF THE CHAPTER; AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THE CHAPTER.

THE CITY OF LANSING ORDAINS:

SECTION ONE: Chapter 1300 of the Lansing Code of Ordinances is hereby replaced in its entirety to read as follows:

- 1300.1 Legislative Intent.
- 1300.2 Definitions, Interpretation and Conflicts.
- 1300.3 ~~Reserved.~~ ESTABLISHMENT OF THE MEDICAL MARIHUANA COMMISSION;
MEMBERSHIP; CHAIRPERSON; MEETINGS
- 1300.4 Operation without License Prohibited.
- 1300.5 License Application Submission.
- 1300.6 License Application Evaluation.
- 1300.7 License Renewal Application.
- 1300.8 Licenses Generally.
- 1300.9 Minimum Operational Standards of A Medical Marihuana Provisioning Center.
- 1300.10 Minimum Operational Standards of A Medical Marihuana Grower Facility.
- 1300.11 Minimum Operational Standards of A Medical Marihuana Safety Compliance Facility.
- 1300.12 Minimum Operational Standards of A Medical Marihuana Processor Facility, a Medical Marihuana Safety Compliance Facility, and Medical Marihuana Secure Transporter.
- 1300.13 Location of Medical Marihuana Provisioning Centers. .
- 1300.14 Location of Medical Marihuana Safety Compliance Facilities, Medical Marihuana Processor Facilities, Medical Marihuana Grower Facilities, and Medical Marihuana Secure Transporters.
- 1300.15 Revocation; Bases for Revocation; Appeal of License Denial.
- 1300.16 Penalties.
- 1300.17 No Vested Rights.
- 1300.18 Zoning Board of Appeals.
- 1300.19 Sunset.

1300.1 –LEGISLATIVE INTENT.

1
2 THE PURPOSE OF THIS CHAPTER IS TO EXERCISE THE POLICE, REGULATORY,
3 AND LAND USE POWERS OF THE CITY OF LANSING BY LICENSING AND
4 REGULATING MEDICAL MARIHUANA PROVISIONING CENTERS, MEDICAL
5 MARIHUANA GROWER FACILITIES, MEDICAL MARIHUANA SAFETY COMPLIANCE
6 FACILITIES, MEDICAL MARIHUANA SECURE TRANSPORTERS, AND MEDICAL
7 MARIHUANA PROCESSOR FACILITIES TO THE EXTENT PERMISSIBLE UNDER
8 STATE OF MICHIGAN AND FEDERAL LAWS AND REGULATIONS AND TO PROTECT
9 THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE RESIDENTS OF THE CITY
10 OF LANSING; AND AS SUCH THIS CHAPTER CONSTITUTES A PUBLIC PURPOSE.

11
12 THE CITY FINDS THAT THE ACTIVITIES DESCRIBED IN THIS CHAPTER ARE
13 SIGNIFICANTLY CONNECTED TO THE PUBLIC HEALTH, SAFETY, SECURITY AND
14 WELFARE OF ITS CITIZENS AND IT IS THEREFORE NECESSARY TO REGULATE
15 AND ENFORCE SAFETY, SECURITY, FIRE, POLICE, HEALTH AND SANITATION
16 PRACTICES RELATED TO SUCH ACTIVITIES AND ALSO TO PROVIDE A METHOD TO
17 DEFRAY ADMINISTRATIVE COSTS INCURRED BY SUCH REGULATION AND
18 ENFORCEMENT.

19
20 ~~IT IS NOT THE INTENT OF THIS CHAPTER TO DIMINISH, ABROGATE, OR RESTRICT~~
21 ~~THE PROTECTIONS FOR MEDICAL USE OF MARIHUANA FOUND IN THE MICHIGAN~~
22 ~~MEDICAL MARIHUANA ACT OR IN THE LANSING CITY CHARTER AT SECTION 8-~~
23 ~~501. EXCEPT AS MAY BE REQUIRED OR PERMITTED BY LAW OR REGULATION,~~
24 ~~IT IS NOT THE INTENT OF THIS CHAPTER TO DIMINISH, ABROGATE, OR~~
25 ~~RESTRICT THE PROTECTIONS FOR MEDICAL USE OF MARIHUANA FOUND IN THE~~
26 ~~MICHIGAN MEDICAL MARIHUANA ACT, THE MEDICAL MARIHUANA FACILITIES~~
27 ~~LICENSING ACT OR SECTION 8-501 OF THE LANSING CITY CHARTER.~~

28
29 **1300.2 – DEFINITIONS, INTERPRETATION AND CONFLICTS.**

30
31 FOR THE PURPOSES OF THIS CHAPTER:

32
33 (A) ANY TERM DEFINED BY THE MICHIGAN MEDICAL MARIHUANA ACT, MCL
34 333.26421 ET SEQ., AS AMENDED (“MMMA”), THE MEDICAL MARIHUANA
35 FACILITIES LICENSING ACT, MCL 333.2701, ET SEQ. (MMFLA) SHALL HAVE THE
36 DEFINITION ~~GIVEN IN THOSE ACTS, AS AMENDED, AND THE MARIHUANA~~
37 ~~RACKING ACT (“MTA”), MCL333.27901, ET SEQ.~~ **PROVIDED IN THOSE**
38 **STATUTES, AS APPLICABLE.** IF THE DEFINITION OF A WORD OR PHRASE
39 SET FORTH IN THIS CHAPTER CONFLICTS WITH THE DEFINITION IN THE
40 MMMA OR MMFLA, OR IF A TERM IS NOT DEFINED BUT IS DEFINED IN THE
41 MMMA OR MMFLA, THEN THE DEFINITION IN THE MMMA, MMFLA, OR MTA
42 SHALL APPLY.

43
44 (B) ANY TERM DEFINED BY 21 USC 860(E) REFERENCED IN THIS CHAPTER
45 SHALL HAVE THE DEFINITION GIVEN BY 21 USC 860(E).
46

(C) ~~THIS ORDINANCE~~ **ORDINANCE** SHALL NOT LIMIT AN INDIVIDUAL'S OR ENTITY'S RIGHTS UNDER THE MMMA. THE MMMA, ~~MTA, AND THE MMFLA~~—SUPERSEDE THIS ORDINANCE WHERE THERE IS A CONFLICT BETWEEN THEM **AND THE IMMUNITIES AND PROTECTION ESTABLISHED IN THE MMMA UNLESS SUPERSEDED OR PREEMPTED BY THE MMFLA.**

(D) ALL ACTIVITIES RELATED TO MEDICAL MARIHUANA, INCLUDING THOSE RELATED TO A MEDICAL MARIHUANA PROVISIONING CENTER, A MEDICAL MARIHUANA ~~GROWER FACILITY~~, **CULTIVATION FACILITY** A MEDICAL MARIHUANA SECURE TRANSPORTER, A MEDICAL MARIHUANA PROCESSOR OR A MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE IN COMPLIANCE WITH THE RULES OF THE MEDICAL MARIHUANA LICENSING BOARD, THE **RULES OF THE** MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR ANY SUCCESSOR AGENCY, THE RULES AND REGULATIONS OF THE CITY OF LANSING, THE MMMA, AND THE MMFLA.

(E) ANY USE WHICH PURPORTS TO HAVE ENGAGED IN THE CULTIVATION OR PROCESSING OF MEDICAL MARIHUANA INTO A USABLE FORM, OR THE DISTRIBUTION OF MEDICAL MARIHUANA, OR THE TESTING OF MEDICAL MARIHUANA EITHER PRIOR TO OR AFTER ENACTMENT OF THIS CHAPTER **BUT** WITHOUT OBTAINING THE REQUIRED LICENSING SET FORTH IN THIS CHAPTER SHALL BE DEEMED **TO NOT BE AN ILLEGALLY** ESTABLISHED USE AND THEREFORE NOT ENTITLED TO LEGAL NONCONFORMING STATUS UNDER THE PROVISIONS OF THIS CHAPTER, ~~THE LANSING CODIFIED ORDINANCES~~ AND/OR STATE LAW. THE CITY FINDS AND DETERMINES THAT IT HAS NOT HERETOFORE AUTHORIZED OR LICENSED THE EXISTENCE OF ANY MEDICAL MARIHUANA ESTABLISHMENT, AS DEFINED HEREIN, IN THE CITY.

(F) THE FOLLOWING TERMS SHALL HAVE THE DEFINITIONS GIVEN:

“APPLICATION” MEANS AN APPLICATION FOR A LICENSE PURSUANT TO THE TERMS AND CONDITIONS SET FORTH IN SECTIONS 1300.5 AND 1300.6.

“APPLICATION FOR A LICENSE RENEWAL” MEANS AN APPLICATION FOR A LICENSE RENEWAL PURSUANT TO THE TERMS AND CONDITIONS OF SECTION 1300.7.

“BUFFERED USE” MEANS A USE SUBJECT TO THE BUFFERING AND DISPERSION REQUIREMENTS OF SECTIONS 1300.13 (A) AND 1300.13 (D).

“BUILDING” MEANS AN INDEPENDENT, ENCLOSED STRUCTURE HAVING A ROOF SUPPORTED BY COLUMNS OR WALLS, INTENDED AND / OR USED FOR SHELTER OR ENCLOSURE OF PERSONS OR CHATTELS. WHEN ANY PORTION OF A STRUCTURE IS COMPLETELY SEPARATED FROM EVERY OTHER PART BY

DIVIDING WALLS FROM THE GROUND UP, AND WITHOUT OPENINGS, EACH PORTION OF SUCH STRUCTURE SHALL BE DEEMED A SEPARATE STRUCTURE, REGARDLESS OF WHETHER THE PORTIONS OF SUCH STRUCTURE SHARE COMMON PIPES, DUCTS, BOILERS, TANKS, FURNACES, OR OTHER SUCH SYSTEMS. THIS DEFINITION REFERS ONLY TO PERMANENT STRUCTURES, AND DOES NOT INCLUDE TENTS, SHEDS, GREENHOUSES AND PRIVATE GARAGES ON RESIDENTIAL PROPERTY, STABLES, OR OTHER ACCESSORY STRUCTURES. A BUILDING DOES NOT INCLUDE SUCH STRUCTURES WITH INTERIOR AREAS NOT NORMALLY ACCESSIBLE FOR HUMAN USE, SUCH AS GAS HOLDERS, TANKS, SMOKE STACKS, GRAIN ELEVATORS, COAL BUNKERS, OIL CRACKING TOWERS OR SIMILAR STRUCTURES.

“CHAPTER” MEANS THIS CHAPTER 1300.

“CHURCH” MEANS AN ENTIRE BUILDING SET APART PRIMARILY FOR PURPOSES OF PUBLIC WORSHIP, AND WHICH IS TAX EXEMPT UNDER THE LAWS OF THIS STATE, AND IN WHICH RELIGIOUS SERVICES ARE HELD, AND THE ENTIRE BUILDING STRUCTURE OF WHICH IS KEPT FOR THAT USE AND NOT PUT TO ANY OTHER USE INCONSISTENT WITH THAT USE.

“CITY” MEANS THE CITY OF LANSING, MICHIGAN.

“COMMISSIONS” MEANS THE MEDICAL MARIHUANA COMMISSION ESTABLISHED UNDER THIS CHAPTER.

“COUNCIL, OR CITY COUNCIL,” MEANS THE CITY COUNCIL OF LANSING, MICHIGAN.

“CULTIVATION” OR “CULTIVATE” AS USED IN THIS ~~CHAPTER~~ **ORDINANCE** MEANS: (1) ALL PHASES OF GROWTH OF MARIHUANA FROM SEED TO HARVEST; (2) **PREPARING, PACKAGING OR REPACKAGING, LABELING, OR RELABELING OR ANY FORM OF MARIHUANA.**

“DISQUALIFYING FELONY” MEANS A FELONY THAT MAKES AN INDIVIDUAL INELIGIBLE TO SERVE AS A REGISTERED PRIMARY CAREGIVER UNDER THE ~~MMMA OR~~ MMFLA.

“EMPLOYEE” MEANS ANY INDIVIDUAL WHO IS EMPLOYED BY AN EMPLOYER IN RETURN FOR THE PAYMENT OF DIRECT OR INDIRECT MONETARY WAGES OR PROFIT, UNDER CONTRACT, AND ANY INDIVIDUAL WHO VOLUNTEERS HIS OR HER SERVICES TO AN EMPLOYER FOR NO MONETARY COMPENSATION, OR ANY INDIVIDUAL WHO PERFORMS WORK OR RENDERS SERVICES, FOR ANY PERIOD OF TIME, AT THE DIRECTION OF AN OWNER, LESSEE, OF OTHER PERSON IN CHARGE OF A PLACE.

1 “LICENSE” OR “MEDICAL MARIHUANA BUSINESS LICENSE” MEANS A LICENSE
2 ISSUED FOR THE OPERATION OF A MEDICAL MARIHUANA ESTABLISHMENT
3 PURSUANT TO THE TERMS AND CONDITIONS OF THIS CHAPTER AND INCLUDES A
4 LICENSE WHICH HAS BEEN RENEWED PURSUANT TO SECTION 1300.7.

5
6 “LICENSE APPLICATION” MEANS AN APPLICATION SUBMITTED FOR A
7 LICENSE PURSUANT TO THE REQUIREMENTS AND PROCEDURES SET FORTH IN
8 SECTIONS 1300.5 AND 1300.6.

9
10 “LICENSEE” MEANS A PERSON ISSUED A LICENSE FOR AN ESTABLISHMENT
11 PURSUANT TO THIS CHAPTER.

12
13 “MARIHUANA” MEANS ALL PARTS OF THE PLANT CANNABIS, WHETHER
14 GROWING OR NOT; THE SEEDS THEREOF; THE RESIN EXTRACTED FROM
15 ANY PART OF THE PLANT; AND EVERY COMPOUND, MANUFACTURE, SALT,
16 DERIVATIVE, MIXTURE, OR PREPARATION OF THE PLANT, ITS SEEDS, OR
17 RESIN.

18 THE TERM DOES NOT INCLUDE:

- 19 1. THE MATURE STALKS OF THE PLANT;
- 20 2. FIBER PRODUCED FROM THE MATURE STALKS OF THE PLANT;
- 21 3. OIL OR CAKE MADE FROM THE SEEDS OF THE PLANT;
- 22 4. ANY OTHER COMPOUND, MANUFACTURE, SALT, DERIVATIVE,
23 MIXTURE, OR PREPARATION OF THE MATURE STALKS
24 (EXCEPT THE RESIN EXTRACTED THEREFROM), FIBER, OIL, OR
25 CAKE; OR
- 26 5. THE STERILIZED SEED OF THE PLANT, WHICH IS INCAPABLE
27 OF GERMINATION.

28
29 “MARIHUANA-INFUSED PRODUCT” MEANS ~~AS DEFINED IN THE MMMA~~
30 ~~AND THE MMFLA.~~ A TOPICAL FORMULATION, TINCTURE, BEVERAGE, EDIBLE
31 SUBSTANCE, OR SIMILAR PRODUCT CONTAINING ANY USABLE MARIHUANA
32 THAT IS INTENDED FOR HUMAN CONSUMPTION IN A MANNER OTHER THAN
33 SMOKE INHALATION.

34
35 “MARIHUANA TRACKING ACT” OR “MTA” MEANS PUBLIC ACT 282 OF 2016
36 .M.C.L. 333.27901, ET. SEQ.

37
38 “MEDICAL MARIHUANA” MEANS ANY MARIHUANA INTENDED FOR MEDICAL
39 USE THAT MEETS ALL DESCRIPTIONS AND REQUIREMENTS FOR MEDICAL
40 MARIHUANA CONTAINED IN THE MMMA AND THE MMFLA AND ANY OTHER
41 APPLICABLE LAW.

42
43 “MEDICAL MARIHUANA COMMISSION” OR “COMMISSION” MEANS THE
44 MEDICAL MARIHUANA COMMISSION ESTABLISHED UNDER SECTION 1300.3
45 OF THIS CHAPTER.

1 “MEDICAL MARIHUANA FACILITIES LICENSING ACT” OR “MMFLA” MEANS
2 PUBLIC ACT 281 OF 2016, MCL 333.27101, ET. SEQ.

3
4 “MEDICAL MARIHUANA ESTABLISHMENT(S), OR, “ESTABLISHMENT,” MEANS
5 ANY FACILITY, ESTABLISHMENT AND/OR CENTER THAT IS REQUIRED TO BE
6 LICENSED UNDER THIS CHAPTER **AND POSSESS A LICENSE TO OPERATE UNDER**
7 **THE MMFLA**, INCLUDING: A MEDICAL MARIHUANA PROVISIONING CENTER, A
8 MEDICAL MARIHUANA GROWER FACILITY; A MEDICAL MARIHUANA PROCESSOR
9 FACILITY; A MEDICAL MARIHUANA SECURE TRANSPORTER; AND A MEDICAL
10 MARIHUANA SAFETY COMPLIANCE FACILITY.

11
12 “MEDICAL MARIHUANA GROWER FACILITY,” **ALSO KNOWN AS A “MEDICAL**
13 **MARIHUANA CULTIVATION FACILITY”**, MEANS A COMMERCIAL **OR BUSINESS**
14 ENTITY LOCATED IN THE CITY THAT IS LICENSED TO OPERATE BY THE STATE
15 PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO **TERMS**
16 **AND CONDITIONS OF** THIS CHAPTER THAT CULTIVATES, DRIES, TRIMS OR CURES
17 AND PACKAGES MARIHUANA IN ACCORDANCE WITH STATE LAW.

18
19 “MEDICAL MARIHUANA LICENSING BOARD” MEANS THAT CERTAIN BOARD
20 ESTABLISHED **PURSUANT TO** ~~BY~~ THE MMFLA.

21
22 “MEDICAL MARIHUANA PROVISIONING CENTER,” MEANS A COMMERCIAL **OR**
23 **BUSINESS** ENTITY LOCATED IN THE CITY THAT IS LICENSED TO OPERATE BY THE
24 STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO
25 **THE TERMS AND CONDITIONS OF** THIS CHAPTER, THAT SELLS, SUPPLIES, OR
26 PROVIDES MARIHUANA TO REGISTERED QUALIFYING PATIENTS ONLY AS
27 PERMITTED BY STATE LAW. MEDICAL MARIHUANA PROVISIONING CENTER, AS
28 DEFINED IN THE MMFLA, INCLUDES ANY COMMERCIAL PROPERTY **OR BUSINESS**
29 WHERE MARIHUANA IS SOLD IN CONFORMANCE WITH STATE LAW AND
30 REGULATION. A NONCOMMERCIAL **OR NONBUSINESS** LOCATION USED BY A
31 PRIMARY CAREGIVER TO ASSIST A QUALIFYING PATIENT, AS DEFINED IN THE
32 MMMA, ~~AND~~ CONNECTED TO THE CAREGIVER THROUGH THE ~~DEPARTMENT’S~~
33 **STATE’S** MARIHUANA REGISTRATION PROCESS IN ACCORDANCE WITH THE
34 MMMA, IS NOT A MEDICAL MARIHUANA PROVISIONING CENTER **FOR PURPOSES**
35 **OF THIS CHAPTER.**

36
37 “MMMA” MEANS THE MICHIGAN MEDICAL MARIHUANA ACT, AS AMENDED,
38 AT MCL 333.26421 **ET.SEQ AS AMENDED FROM TIME TO TIME.**

39
40 “ORDINANCE” MEANS THE ORDINANCE ADOPTING THIS CHAPTER 1300.

41
42 “PARK” MEANS AN AREA OF LAND DESIGNATED BY THE CITY AS A PARK ON
43 ITS MASTER PLAN OR ON A COUNCIL-APPROVED LIST OF CITY PARKS.
44

1 “PERSON” MEANS AN INDIVIDUAL, PARTNERSHIP, FIRM, COMPANY,
2 CORPORATION, ASSOCIATION, SOLE PROPRIETORSHIP, LIMITED LIABILITY
3 COMPANY, JOINT VENTURE, ESTATE, TRUST, OR OTHER LEGAL ENTITY.
4

5 “PROCESSOR” OR “MEDICAL MARIHUANA PROCESSOR FACILITY” MEANS A
6 COMMERCIAL ENTITY LOCATED IN THIS CITY THAT IS LICENSED TO OPERATE
7 BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY
8 PURSUANT TO **THE TERMS AND CONDITIONS OF** THIS CHAPTER, THAT EXTRACTS
9 RESIN FROM THE MARIHUANA OR CREATES A MARIHUANA-INFUSED PRODUCT,
10 TO THE EXTENT PERMITTED BY STATE LAW.”
11

12 **“PUBLIC PLAYGROUND EQUIPMENT” MEANS AN OUTDOOR FACILITY,**
13 **GROUPING, OR CONCENTRATION OPEN TO THE PUBLIC AND ON**
14 **PUBLIC PROPERTY AND CONTAINING THREE OR MORE APPARATUS,**
15 **INCLUDING, BUT NOT LIMITED TO, SLIDES, CLIMBERS, SEESAWS, AND**
16 **SWINGS, DESIGNED FOR THE RECREATIONAL USE OF CHILDREN AND**
17 **OWNED AND OPERATED BY A LOCAL UNIT OF GOVERNMENT, SCHOOL**
18 **DISTRICT, OR OTHER UNIT OR AGENCY OF GOVERNMENT.**
19

20 **“RESTRICTED/LIMITED ACCESS AREA” MEANS A BUILDING, ROOM OR OTHER**
21 **AREA UNDER THE CONTROL OF THE LICENSEE WITH ACCESS GOVERNED BY THE**
22 **MMMA, THE MMFLA, OR OTHER APPLICABLE STATE LAW.**
23

24 “SAFETY COMPLIANCE FACILITY” OR “MEDICAL MARIHUANA SAFETY
25 COMPLIANCE FACILITY” MEANS A COMMERCIAL **OR BUSINESS** ENTITY **LOCATED**
26 **IN THE CITY** THAT IS LICENSED TO OPERATE BY THE STATE PURSUANT TO THE
27 MMFLA AND IS LICENSED BY THE CITY PURSUANT TO **THE TERMS AND**
28 **CONDITIONS OF** THIS CHAPTER, THAT RECEIVES MARIHUANA FROM A MEDICAL
29 MARIHUANA ESTABLISHMENT OR A REGISTERED QUALIFYING PATIENT OR A
30 REGISTERED PRIMARY CAREGIVER, TESTS IT FOR CONTAMINANTS AND FOR
31 TETRAHYDROCANNABINOL AND OTHER CANNABINOIDS IN ACCORDANCE WITH
32 STATE LAW.
33

34 “SCHOOL” MEANS AND INCLUDES BUILDINGS USED FOR SCHOOL PURPOSES
35 TO PROVIDE INSTRUCTION TO CHILDREN AND YOUTH IN GRADES PRE-
36 KINDERGARTEN THROUGH 12, AND HEADSTART WHEN THAT INSTRUCTION IS
37 PROVIDED BY A PUBLIC, PRIVATE, DENOMINATIONAL, OR PAROCHIAL SCHOOL.
38 **REF. BUFFERING 1300.13 (A)**
39

40 “SECURE TRANSPORTER” OR “MEDICAL MARIHUANA SECURE TRANSPORTER”
41 MEANS A COMMERCIAL **OR BUSINESS** ENTITY THAT IS LICENSED TO OPERATE
42 BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED TO OPERATE BY THE
43 CITY PURSUANT TO **THE TERMS AND CONDITIONS OF** THIS CHAPTER, ~~THAT IS A~~
44 ~~COMMERCIAL ENTITY LOCATED IN THIS CITY~~ THAT STORES MARIHUANA AND
45 TRANSPORTS MARIHUANA BETWEEN MEDICAL MARIHUANA FACILITIES FOR A
46 FEE AND IN ACCORDANCE WITH STATE LAW.
47

“STAKEHOLDER” MEANS, WITH RESPECT TO A TRUST, THE BENEFICIARIES, WITH RESPECT TO A LIMITED LIABILITY COMPANY, THE MANAGERS OR MEMBERS, WITH RESPECT TO A CORPORATION, WHETHER PROFIT OR NON-PROFIT, THE OFFICERS, DIRECTORS, OR SHAREHOLDERS, AND WITH RESPECT TO A PARTNERSHIP OR LIMITED LIABILITY PARTNERSHIP, THE PARTNERS, BOTH GENERAL AND LIMITED.

“STATE” MEANS THE STATE OF MICHIGAN.

(G) ANY TERM DEFINED BY THE MMMA, THE MMFLA, OR THE MTA AND NOT DEFINED IN THIS CHAPTER SHALL HAVE THE DEFINITION **GIVEN IN THE MMMA, MMFLA, OR MTA, AS APPLICABLE.**~~PROVIDED IN THOSE ACTS.~~

1300.3 – ~~RESERVED.~~ ESTABLISHMENT OF THE MEDICAL MARIHUANA COMMISSION; MEMBERSHIP; CHAIRPERSON; MEETINGS

(A) THE MEDICAL MARIHUANA COMMISSION IS HEREBY ESTABLISHED. THE COMMISSION SHALL CONSIST OF FIVE (5) MEMBERS, WHO SHALL BE APPOINTED BY THE MAYOR WITH THE CONSENT OF COUNCIL. MEMBERS SHALL SERVE FOR TERMS OF OFFICE OF THREE (3) YEARS. THE INITIAL COMMISSION MEMBERS SHALL SERVE THE FOLLOWING STAGGERED TERMS: 1 MEMBER SHALL SERVE FOR A PERIOD OF ONE (1) YEAR; 2 MEMBERS SHALL SERVE FOR A PERIOD OF TWO (2) YEARS; AND 2 MEMBERS SHALL SERVE FOR A PERIOD OF THREE (3) YEARS.

(B) THE MEMBERS OF THE COMMISSION SHALL INCLUDE THE FOLLOWING:

- (1) THREE (3) MEMBERS WHO ARE RESIDENTS OF THE CITY OF LANSING AND REPRESENT THE GENERAL INTERESTS OF THE CITY;
- (2) TWO (2) MEMBERS WHO ARE RESIDENTS OF THE TRI-COUNTY AREA (INGHAM, CLINTON, EATON) AND REPRESENT THE INTERESTS OF MEDICAL MARIHUANA PATIENTS;

(C) THE CHAIRPERSON OF THE COMMISSION SHALL BE ELECTED ANNUALLY BY A MAJORITY VOTE OF THE APPOINTED AND SERVING MEMBERS OF THE COMMISSION. THE COMMISSION MAY MEET AT SUCH TIMES AS THE COMMISSION MAY DETERMINE OR AS OTHERWISE REQUIRED IN THIS CHAPTER. THE COMMISSION SHALL ADOPT ITS OWN RULES OF PROCEDURE AND SHALL KEEP A RECORD OF ITS PROCEEDINGS, SHOWING THE ACTION OF THE COMMISSION AND THE VOTE OF EACH MEMBER UPON EACH QUESTION CONSIDERED. ALL MEETINGS OF THE COMMISSION SHALL BE HELD IN CONFORMANCE WITH THE MICHIGAN OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 ET SEQ. THE COMMISSION SHALL KEEP A RECORD WHICH SHALL BE OPEN TO THE PUBLIC. THE PRESENCE OF THREE (3) MEMBERS SHALL CONSTITUTE A QUORUM FOR VOTING PURPOSES AND THE MAJORITY VOTE OF THOSE MEMBERS PRESENT AT A MEETING WHERE A QUORUM IS PRESENT SHALL BE NECESSARY FOR ANY ACTION OR DECISION TO BE EFFECTIVE.

(D) NO VOTING MEMBER OF THE COMMISSION SHALL HOLD ANY OTHER PUBLIC OFFICE OR PUBLIC EMPLOYMENT IN ANY LOCAL UNIT OF GOVERNMENT SUPPORTED BY LANSING PROPERTY TAXES IN WHOLE OR IN PART. NO MEMBER OF THE COMMISSION SHALL HAVE ANY DIRECT FINANCIAL INTEREST IN A MEDICAL MARIHUANA ESTABLISHMENT.

(E) THE COMMISSION SHALL REVIEW ALL APPLICATIONS THAT ARE FORWARDED TO IT BY THE CITY CLERK UNDER THIS CHAPTER. A LICENSE SHALL NOT BE ISSUED UNTIL THE COMMISSION HAS ACTED ON THE APPLICATION BY ISSUING A CERTIFICATE OF APPROVAL BY A MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT AND VOTING AT A MEETING AT WHICH A QUORUM IS PRESENT.

(F) THE COMMISSION MAY PROPOSE CHANGES TO THIS CHAPTER TO THE CITY COUNCIL AND MAY RECOMMEND RULES AND REGULATIONS RELATED TO THIS CHAPTER FOR COUNCIL APPROVAL

(G) THE CHIEF OF POLICE (OR A DESIGNEE), THE CHIEF OF THE FIRE DEPARTMENT (OR A DESIGNEE), THE DIRECTOR OF PLANNING AND NEIGHBORHOOD DEVELOPMENT (OR A DESIGNEE), AND A PHYSICIAN APPOINTED BY THE MAYOR SHALL ALSO SERVE THE COMMISSION IN AN EX OFFICIO NON-VOTING CAPACITY.

1300.4 - OPERATION WITHOUT LICENSE PROHIBITED.

(A) EVERY MEDICAL MARIHUANA ESTBLISHMENT IN THE CITY OF LANSING SHALL BE LICENSED PURSUANT TO THE TERMS AND PROVISIONS SET FORTH IN THIS CHAPTER. EXCEPT AS PROVIDED IN SUBSECTION 1300.4(B), NO PERSON SHALL OPERATE A MEDICAL MARIHUANA ESTALSHMENT IN THE CITY WITHOUT FIRST OBTAINING A LICENSE FOR THE MEDICAL MARIHUANA ESTABLISHMENT FROM THE CITY CLERK. A MEDICAL MARIHUANA ESTABLISHMENT OPERATING WITHOUT A LICENSE UNDER THE PROVISIONS OF THIS CHAPTER IS DEEMED A PUBLIC NUSIANCE.

(B) A MEDICAL MARIHUANA ESTABLISHMENT THAT IS OPERATING ON THE EFFECTIVE DATE OF THIS CHAPTER AND IS NOT IN VIOLATION OF THE CITY'S MORATORIUM ON STARTING NEW OPERATIONS (CITY ORDINANCE 1202) MAY CONTINUE TO OPERATE DURING THE APPLICATION SUBMISSION AND REVIEW PERIODS PROVIDED FOR IN SECTIONS 1300.5 AND 1300.6, ONLY SO LONG AS IT SUBMITS ITS APPLICATION FOR A LICENSE WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS CHAPTER AND ONLY SO LONG AS IT HAS NOT BEEN NOTIFIEID BY THE CITY CLERK THAT IT WOULD NOT BE RECEIVING A LICENSE OR THAT ITS APPLICATION WOULD NOT BE SUBMITTED FOR CONSIDERATOIN TO THE COMMISSION. ONCE A MEDICAL MARIHUANA

1 ESTABLISHMENT IS NOTIFIED BY THE CITY CLERK THAT IT WILL NOT
2 RECIEVE A LICENSE OR THAT ITS APPLICATION WILL NOT BE SUBMITTED TO
3 THE COMMISSION FOR CONSIDERATION, THE MEDICAL MARIHUANA
4 ESTABLISHMENT MUST CEASE OPERATING WITHIN 30 CALENDAR DAYS
5 FROM THE DATE OF SUCH NOTIFICATION. CONTINUING TO OPERATE AFTER
6 NOTIFICATOIN FROM THE CLERK SHALL BE A FACTOR THAT MAY BE
7 CONSIDERED BY THE COMMISSION IN SUBSEQUENT LICENSING
8 DETERMINATIONS.

9
10 (C) THE CITY CLERK SHALL ISSUE A NEW LICENSE FOR A MEDICAL
11 MARIHUANA ESTABLISHMENT ONLY AFTER THE COMMISSION HAS ISSUED A
12 CERTIFICATE OF APPROVAL. THE TERM OF EACH LICENSE SHALL BE ONE
13 YEAR. A LICENSE ISSUED UNDER THIS CHAPTER MAY BE CONDITIONED ON
14 THE APPROVAL OF THE OPERATOR BY THE STATE AT THE LOCATION UNDER
15 THE MMFLA.

16
17 ~~IT IS UNLAWFUL FOR ANY PERSON TO ENGAGE IN THE OPERATION OF A~~
18 ~~MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY UNLESS SUCH PERSON~~
19 ~~HAS OBTAINED A LICENSE FROM THE CITY UNDER THIS CHAPTER TO DO SO~~
20 ~~FOR EACH LOCATION AND ADDITIONALLY HAS A LICENSE TO OPERATE FROM~~
21 ~~THE STATE PURSUANT TO MMFLA. EVERY MEDICAL MARIHUANA~~
22 ~~ESTABLISHMENT IN THE CITY OF LANSING SHALL BE LICENSED PURSUANT~~
23 ~~TO THE TERMS AND PROVISIONS SET FORTH IN THIS CHAPTER. EXCEPT AS~~
24 ~~PROVIDED IN SUBSECTION 1300.4(B), NO PERSON SHALL OPERATE A MEDICAL~~
25 ~~MARIHUANA ESTABLISHMENT IN THE CITY WITHOUT FIRST OBTAINING A~~
26 ~~LICENSE. A MEDICAL MARIHUANA ESTABLISHMENT OPERATING WITHOUT A~~
27 ~~LICENSE UNDER THE PROVISIONS OF THIS CHAPTER IS DEEMED A PUBLIC~~
28 ~~NUISANCE.~~

29
30 ~~(B) A MEDICAL MARIHUANA ESTABLISHMENT THAT IS OPERATING ON THE~~
31 ~~— EFFECTIVE DATE OF THIS CHAPTER AND IS NOT IN VIOLATION OF THE —~~
32 ~~— CITY'S MORATORIUM ON STARTING NEW OPERATIONS (CITY ORDINANCE —~~
33 ~~— 1202) MAY CONTINUE TO OPERATE DURING THE APPLICATION —~~
34 ~~— SUBMISSION AND REVIEW PERIODS PROVIDED FOR IN SECTIONS 1300.5 —~~
35 ~~— AND 1300.6, ONLY SO LONG AS IT SUBMITS ITS APPLICATION FOR A —~~
36 ~~— LICENSE WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS CHAPTER AND —~~
37 ~~— ONLY SO LONG AS IT HAS NOT BEEN NOTIFIED BY THE CITY CLERK THAT —~~
38 ~~— IT WOULD NOT BE RECEIVING A LICENSE OR THAT ITS APPLICATION —~~
39 ~~— WOULD NOT BE SUBMITTED FOR CONSIDERATION PURSUANT TO 1300.5 (C) —~~
40 ~~— AND (E). ONCE A MEDICAL MARIHUANA ESTABLISHMENT IS NOTIFIED BY —~~
41 ~~— THE CITY CLERK THAT IT WILL NOT RECEIVE A LICENSE OR THAT ITS —~~
42 ~~— APPLICATION WILL NOT BE ACCEPTED FOR CONSIDERATION, THE —~~
43 ~~— MEDICAL MARIHUANA ESTABLISHMENT MUST CEASE OPERATING WITHIN —~~
44 ~~— 30 CALENDAR DAYS FROM THE DATE OF SUCH NOTIFICATION.~~
45

~~(C) THE CITY CLERK SHALL ISSUE A LICENSE FOR A MEDICAL MARIHUANA ESTABLISHMENT ONLY AFTER THE CITY CLERK DETERMINES THAT THE APPLICATION AND PROPOSED FACILITY ARE IN COMPLIANCE WITH THE TERMS, CONDITIONS, AND PROVISIONS OF THIS CHAPTER. THE TERM OF EACH LICENSE SHALL BE ONE YEAR. A LICENSE ISSUED UNDER THIS CHAPTER MAY BE CONDITIONED ON THE APPROVAL OF THE OPERATOR BY THE STATE AT THE LOCATION UNDER THE MMFLA..~~

1300.5– LICENSE APPLICATION SUBMISSION.

~~(A) EACH MEDICAL MARIHUANA ESTABLISHMENT MUST BE LICENSED BY THE CITY. APPLICATIONS FOR A LICENSE SHALL BE MADE IN WRITING TO THE CITY CLERK. ALL APPLICATIONS SUBMITTED TO THE CITY CLERK IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER SHALL BE CONSIDERED FOR THE ISSUANCE OF A LICENSE. EACH APPLICATION SHALL CONTAIN A SIGNED ACKNOWLEDGEMENT THAT THE APPLICANT IS AWARE AND UNDERSTANDS THAT ALL MATTERS RELATED TO MARIHUANA GROWING, CULTIVATION, POSSESSION, DISPENSING, TESTING, SAFETY COMPLIANCE, TRANSPORTING, DISTRIBUTION, AND USE ARE CURRENTLY SUBJECT TO STATE AND FEDERAL LAWS, RULES, AND REGULATIONS, AND THAT THE APPROVAL OR GRANTING OF A LICENSE HEREUNDER DOES NOT EXONERATE OR EXCULPATE THE APPLICANT FROM ABIDING BY THE PROVISIONS AND REQUIREMENTS AND PENALTIES ASSOCIATED WITH THOSE LAWS, RULES, AND REGULATIONS OR EXPOSURE TO ANY PENALTIES ASSOCIATED THEREWITH; AND FURTHER THE APPLICANT WAIVES AND FOREVER RELEASES ANY CLAIM, DEMAND, ACTION, LEGAL REDRESS, OR RECOURSE AGAINST THE CITY OF LANSING, ITS ELECTED AND APPOINTED OFFICIALS AND ITS EMPLOYEES AND AGENTS FOR ANY CLAIMS, DAMAGES, LIABILITIES, CAUSES OF ACTION, DAMAGES, AND ATTORNEY FEES THE APPLICANT MAY INCUR AS A RESULT OF THE VIOLATION BY APPLICANT, ITS OFFICIALS, MEMBERS, PARTNERS, SHAREHOLDERS, EMPLOYEES AND AGENTS OF THOSE LAWS, RULES, AND REGULATIONS AND HEREBY WAIVES, AND ASSUMES THE RISK OF, ANY SUCH CLAIMS AND DAMAGES, AND LACK OF RECOURSE AGAINST THE CITY OF LANSING, ITS ELECTED AND APPOINTED OFFICIALS, EMPLOYEES, ATTORNEYS, AND AGENTS.~~

~~(B) A COMPLETE APPLICATION FOR A LICENSE REQUIRED BY THIS CHAPTER SHALL BE MADE UNDER OATH ON FORMS PROVIDED BY THE CITY, AND SHALL CONTAIN ALL OF THE FOLLOWING:~~

- ~~(1) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICANT'S NAME, DATE OF BIRTH, PHYSICAL ADDRESS, EMAIL ADDRESS, ONE OR MORE PHONE NUMBERS, INCLUDING EMERGENCY CONTACT INFORMATION, A COPY OF A GOVERNMENT ISSUED PHOTO IDENTIFICATION CARD OF THE APPLICANT; AND A COPY OF THE~~

~~APPLICANT'S CAREGIVER REGISTRY IDENTIFICATION CARD ISSUED—
PURSUANT TO THE MMMA;~~

(2) IF THE APPLICANT IS NOT AN INDIVIDUAL, THE NAMES, DATES OF BIRTH, PHYSICAL ADDRESSES, EMAIL ADDRESSES, AND ONE OR MORE PHONE NUMBERS OF EACH STAKEHOLDER OF THE APPLICANT, INCLUDING DESIGNATION OF A STAKEHOLDER AS AN EMERGENCY CONTACT PERSON AND CONTACT INFORMATION FOR THE EMERGENCY CONTACT PERSON, ARTICLES OF INCORPORATION, INTERNAL REVENUE SERVICE SS-4 EIN CONFIRMATION LETTER, AND THE OPERATING AGREEMENT OF THE APPLICANT, IF A LIMITED LIABILITY COMPANY;; ~~AND A COPY OF AT LEAST ONE
STAKEHOLDER'S CAREGIVER REGISTRY IDENTIFICATION CARD
ISSUED PURSUANT TO THE MMMA;~~

(3) THE NAME AND ADDRESS OF THE PROPOSED MEDICAL MARIHUANA ESTABLISHMENT AND ANY ADDITIONAL CONTACT INFORMATION DEEMED NECESSARY BY THE CITY CLERK;

(4) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS, FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE APPLICANT, AFFIRMATION THAT EACH IS AT LEAST 18 YEARS OF AGE AND HAS NOT BEEN CONVICTED OF OR PLED GUILTY OR NO CONTEST TO A DISQUALIFYING FELONY. WITH RESPECT TO ALL OTHER MEDICAL MARIHUANA ESTABLISHMENTS, FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE APPLICANT, AN AFFIRMATION THAT EACH AND EVERY AGENT OR EMPLOYEE IS AT LEAST 18 YEARS OF AGE AND HAS NOT BEEN CONVICTED OF OR PLED GUILTY OR NO CONTEST TO A DISQUALIFYING FELONY;

(5) A SIGNED RELEASE AUTHORIZING THE CITY OF LANSING POLICE DEPARTMENT TO PERFORM A CRIMINAL BACKGROUND CHECK TO ASCERTAIN WHETHER THE APPLICANT, EACH STAKEHOLDER OF THE APPLICANT, EACH OPERATOR AND EMPLOYEE OF THE APPLICANT MEET THE CRITERIA SET FORTH IN THIS CHAPTER;

(6) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS, THE NAME, DATE OF BIRTH, PHYSICAL ADDRESS, COPY OF PHOTO IDENTIFICATION, AND EMAIL ADDRESS FOR ANY OPERATOR OR EMPLOYEE IF OTHER THAN THE APPLICANT;

(7) AN AFFIRMATION UNDER OATH AS TO WHETHER THE APPLICANT OR OPERATOR HAS HAD A BUSINESS LICENSE REVOKED OR SUSPENDED, AND IF REVOKED OR SUSPENDED, THEN THE REASON THEREFORE;

(8) FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE APPLICANT, A RESUME THAT INCLUDES WHETHER THE INDIVIDUAL HAS ANY

1 RELEVANT EXPERIENCE WITH MEDICAL MARIHUANA OR A RELATED
2 INDUSTRY;

3
4 (9) A PATIENT EDUCATION PLAN TO DETAIL TO PATIENTS THE
5 BENEFITS OR DRAWBACKS OF CERTAIN MARIHUANA STRAINS OR PRODUCTS
6 IN CONNECTION WITH THE DEBILITATING MEDICAL CONDITIONS SET FORTH
7 IN THE MICHIGAN MEDICAL MARIHUANA ACT;

8
9 (10) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONS CENTERS, A
10 DESCRIPTION OF DRUG AND ALCOHOL AWARENESS PROGRAMS THAT
11 SHALL BE PROVIDED OR ARRANGED FOR BY THE APPLICANT AND MADE
12 AVAILABLE FOR THE PUBLIC.

13
14 (11) A WRITTEN DESCRIPTION OF THE TRAINING AND EDUCATION THAT
15 THE APPLICANT WILL PROVIDE TO ALL EMPLOYEES;

16
17 (12) A COPY OF THE PROPOSED BUSINESS PLAN FOR THE
18 ESTABLISHMENT, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

19
20 (I) THE PROPOSED OWNERSHIP STRUCTURE OF THE
21 ESTABLISHMENT, INCLUDING PERCENTAGE OWNERSHIP OF
22 EACH PERSON OR ENTITY; AND

23
24 (II) A CURRENT ORGANIZATION CHART THAT INCLUDES
25 POSITION DESCRIPTIONS AND THE NAMES OF EACH PERSON
26 HOLDING EACH POSITION.

27
28 (13) ONE OF THE FOLLOWING: (A) PROOF OF OWNERSHIP OF THE ENTIRE
29 PREMISES WHEREIN THE MEDICAL MARIHUANA ESTABLISHMENT IS TO BE
30 OPERATED; OR (B) WRITTEN CONSENT FROM THE PROPERTY OWNER FOR USE
31 OF THE PREMISES IN A MANNER REQUIRING LICENSURE UNDER THIS
32 CHAPTER ALONG WITH A COPY OF THE LEASE FOR THE PREMISES;

33
34 (14) A DESCRIPTION OF THE SECURITY PLAN FOR THE MEDICAL
35 MARIHUANA ESTABLISHMENT, INCLUDING, BUT NOT LIMITED TO, ANY
36 LIGHTING ALARMS, BARRIERS, RECORDING/MONITORING DEVICES, AND/OR
37 SECURITY GUARD ARRANGEMENTS PROPOSED FOR THE ESTABLISHMENT
38 AND PREMISES. THE SECURITY PLAN MUST CONTAIN THE SPECIFICATION
39 DETAILS OF EACH PIECE OF SECURITY EQUIPMENT. EACH MEDICAL
40 MARIHUANA ESTABLISHMENT MUST HAVE A SECURITY GUARD PRESENT
41 DURING BUSINESS HOURS;

42
43 (15) A FLOOR PLAN OF THE MEDICAL MARIHUANA ESTABLISHMENT, AS
44 WELL AS A SCALE DIAGRAM ILLUSTRATING THE PROPERTY UPON WHICH
45 THE MEDICAL MARIHUANA ESTABLISHMENT IS TO BE OPERATED, INCLUDING

1 ALL AVAILABLE PARKING SPACES, AND SPECIFYING WHICH PARKING
2 SPACES, IF ANY, ARE HANDICAPPED-ACCESSIBLE;

3
4 (16) ANY PROPOSED TEXT OR GRAPHICAL MATERIALS TO BE SHOWN ON
5 THE EXTERIOR OF THE PROPOSED MEDICAL MARIHUANA ESTABLISHMENT;

6
7 (17) A LOCATION AREA MAP, AS MEASURED PURSUANT TO SECTION
8 1300.13 (D) OF THE MEDICAL MARIHUANA ESTABLISHMENT AND
9 SURROUNDING AREA THAT IDENTIFIES THE RELATIVE LOCATIONS AND THE
10 DISTANCES, AS MEASURED PURSUANT TO SECTION 1300.13 (D), TO THE
11 BUFFERED USES SET FORTH IN SECTION 1300.13 (A) A LOCATION AREA MAP OF
12 THE MEDICAL MARIHUANA ESTABLISHMENT AND SURROUNDING AREA
13 THAT IDENTIFIES THE RELATIVE LOCATIONS AND THE DISTANCES (CLOSEST
14 PROPERTY LINE TO THE SUBJECT ESTABLISHMENT'S PROPERTY LINE) FROM
15 THE SUBJECT MEDICAL MARIHUANA ESTABLISHMENT TO THE CLOSEST REAL
16 PROPERTY OF AN OPERATIONAL PUBLIC OR PRIVATE ELEMENTARY OR
17 SECONDARY SCHOOL, CHURCH, PARK, A FACILITY AT WHICH SUBSTANCE
18 ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND
19 REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA
20 368 OF 1978, MCL 333.6101 ET SEQ., ANOTHER LICENSED MEDICAL MARIHUANA
21 ESTABLISHMENT OR A COMMERCIAL CHILD CARE ORGANIZATION (NON-
22 HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED
23 WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES;

24
25 (18) A FACILITY SANITATION PLAN TO PROTECT AGAINST ANY
26 MARIHUANA BEING INGESTED BY ANY PERSON OR ANIMAL, INDICATING
27 HOW THE WASTE WILL BE STORED AND DISPOSED OF, AND HOW ANY
28 MARIHUANA WILL BE RENDERED UNUSABLE UPON DISPOSAL. DISPOSAL BY
29 ON-SITE BURNING OR INTRODUCTION IN THE SEWERAGE SYSTEM IS
30 PROHIBITED;

31
32 (19) A PROPOSED PATIENT RECORDKEEPING PLAN THAT WILL TRACK
33 QUANTITIES SOLD TO INDIVIDUAL PATIENTS AND CAREGIVERS, AND WILL
34 MONITOR INVENTORY;

35
36 (20) A DESCRIPTION OF PROCEDURES FOR TESTING OF CONTAMINANTS,
37 INCLUDING MOLD AND PESTICIDES;

38
39 (21) AN AFFIDAVIT THAT NEITHER THE APPLICANT NOR ANY
40 STAKEHOLDER OF THE APPLICANT IS IN DEFAULT TO THE CITY.
41 SPECIFICALLY, THAT THE APPLICANT OR STAKEHOLDER OF THE APPLICANT
42 HAS NOT FAILED TO PAY ANY PROPERTY TAXES, SPECIAL ASSESSMENTS,
43 FINES, FEE OR OTHER FINANCIAL OBLIGATIONS TO THE CITY;

44
45 (22) VERIFICATION, INCLUDING COPIES OF ACTUAL BANK STATEMENTS,
46 SHOWING THAT THE APPLICANT HAS MINIMUM NET WORTH OF ONE

1 HUNDRED THOUSAND DOLLARS (\$100,000) IN THE APPLICAN'TS NAME. WITH
2 COPIES OF ACTUAL BANK STATEMENTS, SHOWING THAT THE APPLICANT HAS
3 TANGIBLE FINANCIAL CAPITAL IN THE APPLICANT'S NAME IN THE AMOUNT
4 SUFFICIENT TO COMPLETE THE MEDICAL MARIHUANA ESTABLISHMENT AND
5 TO FUND THE BUSINESS PLAN AND OTHER PLANS REQUIRED BY THIS
6 SECTION 1300.5;
7

8 (23) AN ESTIMATE OF THE NUMBER AND TYPE OF JOBS THAT THE
9 MEDICAL MARIHUANA ESTABLISHMENT IS EXPECTED TO CREATE, THE
10 AMOUNT AND TYPE OF COMPENSATION EXPECTED TO BE PAID FOR SUCH
11 JOBS, AND THE PROJECTED ANNUAL BUDGET AND REVENUE OF THE
12 MEDICAL MARIHUANA ESTABLISHMENT; AND
13

14 (24) A SIGNED ACKNOWLEDGMENT THAT THE APPLICANT IS AWARE AND
15 UNDERSTANDS THAT ALL MATTERS RELATED TO MARIHUANA, GROWING,
16 CULTIVATION, POSSESSION, DISPENSING, TESTING, SAFETY COMPLIANCE,
17 TRANSPORTING, DISTRIBUTION, AND USE ARE CURRENTLY SUBJECT TO
18 STATE AND FEDERAL LAWS, RULES, AND REGULATIONS, AND THAT THE
19 APPROVAL OR GRANTING OF A LICENSE HEREUNDER DOES NOT EXONERATE
20 OR EXCULPATE THE APPLICANT FROM ABIDING BY THE PROVISIONS AND
21 REQUIRMENTS AND PENALTIES ASSOCIATED WITH THOSE LAWS, RULES AND
22 REGULATIONS OR EXPOSURE TO ANY PENALTIES ASSOCIATED THEREWITH;
23 AND FURTHER THE APPLICANT WAIVIES AND FOREVER RELEASES ANY
24 CLAIM, DEMAND, ACTION, LEGAL REDRESS, OR RECOURSE AGAINST THE
25 CITY OF LANSING, ITS ELECTED AND APPOINTED OFFICIALS AND ITS
26 EMPLOYEES AND AGENTS FOR ANY CLAIMS, DAMAGES, LIABILITIES, CAUSES
27 OF ACTION, DAMAGES, AND ATTORNEY FEES THE APPLICANT MAY OCCUR AS
28 A RESULT OF THE VIOLATION BY APPLICANT, ITS OFFICIALS, MEMBERS,
29 PARTNERS, SHAREHOLDERS, EMPLOYEES AND AGENT OF THOSE LAWS,
30 RULES, AND REGULATIOS AND HEREBY WAIVER, AND ASSUMES THE RISK OF,
31 ANY SUCH CLAIMS AND DAMAGES, AND LACK OF RECOURSE AGAINST THE
32 CITY OF LANSING, ITS ELECTED AND APPOINTED OFFICIALS, EMPLOYEES,
33 ATTORNEYS, AND AGENTS.
34
35

36 (25) AS IT RELATES TO A MEDICAL MARIHUANA GROWER FACILITY, THE
37 FOLLOWING ADDITIONAL ITEMS SHALL BE REQUIRED:
38

39 (I) A CULTIVATION PLAN THAT INCLUDES AT A MINIMUM A
40 DESCRIPTION OF THE CULTIVATION METHODS TO BE USED, INCLUDING
41 PLANS FOR THE GROWING MEDIUMS, TREATMENTS, AND / OR ADDITIVES;
42

43 (II) A PRODUCTION TESTING PLAN THAT INCLUDES AT A MINIMUM A
44 DESCRIPTION OF HOW AND WHEN SAMPLES FOR LABORATORY TESTING
45 BY AN INTERNATIONAL ORGANIZATION FOR STANDARDIZATION
46 ACCREDITED TESTING FACILITY WILL BE SELECTED, WHAT TYPE OF

TESTING WILL BE REQUESTED, AND HOW THE TEST RESULTS WILL BE USED;

(III) AN AFFIDAVIT THAT ALL OPERATIONS WILL BE CONDUCTED IN CONFORMANCE WITH THE ~~MMMA~~, THE MMFLA, AND OTHER APPLICABLE STATE LAW;

(IV) A CHEMICAL AND PESTICIDE STORAGE PLAN THAT STATES THE NAMES OF THE PESTICIDES TO BE USED IN CULTIVATION AND WHERE AND HOW PESTICIDES AND CHEMICALS WILL BE STORED IN THE ESTABLISHMENT, ALONG WITH A PLAN FOR THE DISPOSAL OF UNUSED PESTICIDES;

(V) ALL CULTIVATION MUST BE PERFORMED IN A BUILDING.

(26) PROOF OF AN INSURANCE POLICY COVERING THE ESTABLISHMENT AND NAMING THE CITY, ITS ELECTED AND APPOINTED OFFICIALS, EMPLOYEES, AND AGENTS, AS ADDITIONAL INSURED PARTIES, AVAILABLE FOR THE PAYMENT OF ANY DAMAGES ARISING OUT OF AN ACT OR OMISSION OF THE APPLICANT OR ITS STAKEHOLDERS, AGENTS, EMPLOYEES, OR SUBCONTRACTORS, IN THE AMOUNT OF (A) AT LEAST ONE MILLION DOLLARS FOR PROPERTY DAMAGE; (B) AT LEAST ONE MILLION DOLLARS FOR INJURY TO ONE PERSON; AND (C) AT LEAST TWO MILLION DOLLARS FOR INJURY TO TWO OR MORE PERSON RESULTING FROM THE SAME OCCURRENCE. THE INSURANCE POLICY UNDERWRITER MUST HAVE A MINIMUM A.M. BEST COMPANY INSURANCE RANKING OF B+, CONSISTENT WITH STATE LAW.

(27) (A) PROOF OF A SURETY BOND IN THE AMOUNT OF \$50,000 WITH THE CITY OF LANSING LISTED AS THE OBLIGEE TO GUARANTEE PERFORMANCE BY APPLICANT OF THE TERMS, CONDITIONS AND OBLIGATIONS OF THIS CHAPTER IN A MANNER AND SURETY APPROVED BY THE CITY ATTORNEY; OR, IN THE ALTERNATIVE,

(B) CREATION OF AN ESCROW ACCOUNT AS FOLLOWS;

(1) THE ACCOUNT MUST BE PROVIDED BY A STATE OR FEDERALLY REGULATED FINANCIAL INSTITUTION,

(2) THE ACCOUNT MUST BE FOR THE BENEFIT OF THE CITY TO GUARANTEE PERFORMANCE BY LICENSEE IN COMPLIANCE WITH THE APPLICABLE LAW,

(3) THE ACCOUNT MUST BE IN THE AMOUNT OF TWENTY THOUSAND (\$20,000) AN IN A FORM PRESCRIBED BY THE CITY ATTORNEY.

(28) ANY OTHER INFORMATION DEEMED NECESSARY BY THE CITY.

(C) ALL APPLICATIONS SHALL BE ACCOMPANIED BY A LICENSE APPLICATION FEE IN AN AMOUNT OF \$5,000. SHOULD THE APPLICANT NOT RECEIVE A LICENSE ESTABLISHED BY CITY COUNCIL RESOLUTION, ONE-HALF OF THE APPLICATION FEE SHALL BE RETURNED. IF AN APPLICATION IS APPROVED AND A LICENSE ISSUED, THE FIRST ANNUAL FEE SHALL BE IN AN AMOUNT ESTABLISHED BY CITY COUNCIL RESOLUTION. THE APPLICATION FEE AND THE ANNUAL FEE ARE ESTABLISHED TO DEFRAY THE COSTS OF ADMINISTRATION OF THIS CHAPTER.

(D) UPON RECEIPT OF A COMPLETED APPLICATION MEETING THE REQUIREMENTS OF THIS SECTION AND APPROPRIATE NONREFUNDABLE LICENSE APPLICATION FEE, THE CITY CLERK SHALL REFER A COPY OF THE APPLICATION TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT, THE BUILDING SAFETY OFFICE, THE POLICE DEPARTMENT, THE ZONING ADMINISTRATOR, AND THE CITY TREASURER.

(E) EXCEPT AS PROVIDED IN SECTION 1300.18 NO APPLICATIONS SHALL BE SUBMITTED TO THE MEDICAL MARIHUANA COMMISSION UNLESS :NO APPLICATION SHALL BE ACCEPTED BY THE CITY CLERK UNLESS:

(1) THE FIRE DEPARTMENT AND THE BUILDING SAFETY OFFICE HAVE INSPECTED THE PROPOSED LOCATION FOR COMPLIANCE WITH ALL LAWS FOR WHICH THEY ARE CHARGED WITH ENFORCEMENT AND FOR COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER;

(2) THE ZONING ADMINISTRATOR HAS CONFIRMED THAT THE PROPOSED LOCATION COMPLIES WITH THE ZONING CODE AND THIS CHAPTER , INCLUDING ANY VARIANCES GRANTED UNDER SECTION 1300.18;

(3) THE CITY TREASURER HAS CONFIRMED THAT THE APPLICANT AND EACH STAKEHOLDER OF THE APPLICANT AND THE PROPOSED LOCATION OF THE ESTABLISHMENT IS ARE NOT IN DEFAULT TO THE CITY;

(4) THE POLICE DEPARTMENT HAS DETERMINED THAT THE APPLICANT HAS MET THE REQUIREMENTS OF THIS CHAPTER WITH RESPECT TO THE BACKGROUND CHECK AND SECURITY PLAN.

(F) IF WRITTEN APPROVAL IS GIVEN BY EACH INDIVIDUAL OR DEPARTMENT IDENTIFIED IN SUBSECTION (E), THE CITY CLERK SHALL REFER A COPY OF THE APPLICATION TO THE COMMISSION FOR ITS EVALUATION. ACCEPT A COPY OF THE APPLICATION FOR CONSIDERATION.

1300.6-LICENSE APPLICATION EVALUATION.

(A) EXCEPT AS PROVIDED IN 1300.8(A), ~~THE COMMISSION WILL ASSESS ALL APPLICATIONS REFERRED TO IT BY THE CITY CLERK WILL ASSESS ALL APPLICATIONS PURSUANT TO SECTION 1300.5~~ THE PROVISIONS, REQUIREMENTS, AND CRITERIA SET FORTH IN THIS CHAPTER AND SHALL CONSULT WITH THE POLICE DEPARTMENT, THE FIRE DEPARTMENT, THE BUILDING SAFETY OFFICE, THE ZONING ADMINISTRATOR, AND THE FINANCE DEPARTMENT. THE CITY CLERK MAY CONSULT WITH OUTSIDE PROFESSIONALS IN THE BUSINESS AND FINANCE DISCIPLINES.

(B) IN ITS APPLICATION REVIEW AND DELIBERATIONS, THE ~~CITY CLERK~~ SHALL ASSESS, EVALUATE, AND SCORE EACH APPLICATION BASED UPON A SCORING PROCEDURE DEVELOPED BY THE COMMISSION, IN EACH OF THE FOLLOWING CATEGORIES:

- (1) ~~THE CONTENT AND SUFFICIENCY OF THE INFORMATION CONTAINED IN 1300.5 (B) (3) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27),. AND (28); WHETHER THE REPORTS ISSUED BY THE FIRE, POLICE, BUILDING SAFETY, ZONING AND TREASURY DEPARTMENTS INDICATE THAT THE APPLICANT OR ITS STAKEHOLDERS OR EMPLOYEES HAVE SATISFIED THE REQUIREMENTS OF 1300.5 (E) (1-4) AND SUFFICIENTLY ADDRESSED THE CONSIDERATIONS OF 1300.5 (B) (1-25).~~
- (2) WHETHER THE PROPOSED ESTABLISHMENT WILL NEGATIVELY IMPACT THE CHARACTER AND AESTHETICS OF THE SURROUNDING NEIGHBORHOOD AND COMMUNITY, INCLUDING WHETHER THE APPLICANT OR ITS STAKEHOLDERS HAVE ENGAGED IN POSITIVE COMMUNITY OUTREACH ON BEHALF OF THE PROPOSED ESTABLISHMENT, AND WHETHER THE APPLICANT OR ITS STAKEHOLDERS HAVE MADE SIGNIFICANT IMPROVEMENTS TO THE BUILDING OR NEIGHBORHOOD WHERE THE PROPOSED ESTABLISHMENT IS TO BE LOCATED;
- (3) WHETHER THE APPLICANT AND ITS STAKEHOLDERS ~~POSED A THREAT TO THE~~ ARE PERSONS OF GOOD CHARACTER, HONESTY, AND INTEGRITY WHO DO NOT DISCREDIT OR TEND TO DISCREDIT PUBLIC CONFIDENCE AND TRUST IN THE MEDICAL MARIHUANA INDUSTRY, OR POSE A THREAT TO THE PUBLIC HEALTH, SECURITY, SAFETY, MORALS, GOOD ORDER, OR GENERAL WELFARE; ~~WHETHER THE APPLICATION HAS PREVIOUSLY OPERATED OR CURRENTLY OPERATES AN ILLEGAL BUSINESS OF ANY KIND.~~
- (4) ~~WHETHER THE APPLICANT HAS REASONABLY DEMONSTRATED IT POSSESSES SUFFICIENT FINANCIAL RESOURCES TO FUND AND THE~~

REQUISITE BUSINESS EXPERIENCE TO EXECUTIE THE SUBMITTED BUSINESS PLAN AND OTHER PLANS REQUIRED BY SECTION 1300.5.

(C) THE MAXIMUM NUMBER OF LICENSES ISSUED FOR MEDICAL MARIHUANA PROVISIONS CENTERS SHALL BE CAPPED AT TWENTY-FIVE (25), AND IMPLEMENTED IN A TWO-PHASE PROCESS IN ORDER TO BALANCE SERVING PATIENTS' NEEDS AND SPREADING ECONOMIC DEVELOPMENT. (1) PHASE ONE: AT THE CONCLUSION OF A SIXTY (60) DAY ENROLLMENT PERIOD SET BY THE CITY CLERK, THE CITY WILL ISSUE UP TO TWENTY (20) LICENSES TO ALLOW FOR AN EFFICIENT AND MANAGABLE ADMINISTRATIVE REVIEW. THE COMMISSION MAY ADJUST DISTRIBUTION OF PHASE 2 LICENSES TO MEET PATIENTS' NEEDS. (2) PHASE TWO: AT THE CONCLUSION OF A SECOND THIRTY (30)DAY ENROLLMENT PERIOD SET BY THE CLERK, WHICH IS OPEN TO NEW APPLICANTS AND AMENDED APPLICANTS, THE COMMISSION MAY ISSUE UP TO FIVE (5) ADDITIONAL LICENSES. DURING THE TWO-PHASE PROCESS. AN APPLICATION SUBMITTED DURING PHASE ONE AND APPROVED BY THE CLERK, BUT NOT SELECTED FOR APPROVAL DURING PHASE ONE MAY BE CONSIDERED FOR APPROVAL DURING PHASE TWO. THE COMMISSION WILL INITIATE PHASE TWO WITHIN ONE YEAR OF THE START OF PHASE ONE.

(D) IN THE EVENT THAT THERE ARE MORE APPLICANTS WHO MEET THE CRITERIA SET FORTH IN 1300.6(B) THAN LICENSES AVAILABLE IN EITHER PHASE ONE OR TWO, THE TOP SCORING FIFTEEN (15) APPLICANTS IN PHASE ONE AND TOP SCORING TEN (10) APPLICANTS IN PHASE TWO SHALL BE ELIGIBLE TO RECEIVE LICENSES. IN THE EVENT OF A TIE DURING EITHER PHASE ONE OR PHASE TWO, WHICH CAUSES THERE TO BE MORE THAN 15 AND 10 TOP APPLICANTS RESPECTIVELY, THE TIED APPLICANTS WILL BE ENTERED INTO A RANDOM DRAW USING PROCEDURES SET BY THE COMMISSION. ALL LICENSE APPLICATIONS MUST BE SUBMITTED DURING THE OPEN ENROLLMENT PERIODS SET BY THE CLERK.

~~IF THE CITY CLERK ISSUES A CERTIFICATE OF APPROVAL TO AN APPLICANT, THE CITY CLERK SHALL ISSUE AN INITIAL LICENSE TO THAT APPLICANT WITHIN TEN (10) BUSINESS DAYS.~~

(E) NOTHING IN THIS SECTION IS INTENDED TO CONFER A PROPERTY OR OTHER RIGHT, DUTY, PRIVILEGE OR INTEREST IN A LICENSE OF ANY KIND OR NATURE WHATSOEVER INCLUDING BUT NOT LIMITED TO AN ENTITLEMENT. ~~ENTITLING AN APPLICANT TO AN ADMINISTRATIVE HEARING UPON DENIAL OF AN APPLICATION OR WITH REGARD TO ANY SCORING DECISION.~~

1300.7 – LICENSE RENEWAL APPLICATION.

(A) APPLICATION FOR A LICENSE RENEWAL REQUIRED BY THIS CHAPTER SHALL BE MADE IN WRITING TO THE CITY CLERK AT LEAST THIRTY (30) DAYS PRIOR TO THE EXPIRATION OF AN EXISTING LICENSE.

(B) AN APPLICATION FOR A LICENSE RENEWAL REQUIRED BY THIS CHAPTER SHALL BE MADE UNDER OATH ON FORMS PROVIDED BY THE CITY, AND SHALL CONTAIN ALL OF THE INFORMATION REQUIRED BY 1300.5(B).

(C) AN APPLICATION ~~FOR A LICENSE RENEWAL~~ SHALL BE ACCOMPANIED BY A RENEWAL FEE IN AN AMOUNT ~~OF \$5,000. ESTABLISHED BY CITY COUNCIL RESOLUTION,~~ OF WHICH HALF WILL BE RETURNED SHOULD THE LICENSE NOT BE RENEWED. THE RENEWAL FEE IS ESTABLISHED TO DEFRAY THE COSTS OF THE ADMINISTRATION OF THIS CHAPTER.

(D) UPON RECEIPT OF A COMPLETED APPLICATION ~~FOR A LICENSE RENEWAL~~ MEETING THE REQUIREMENTS OF THIS CHAPTER AND THE LICENSE RENEWAL FEE, THE CITY CLERK SHALL REFER A COPY OF THE RENEWAL APPLICATION TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT, THE BUILDING SAFETY OFFICE, THE LANSING POLICE DEPARTMENT, THE ZONING ADMINISTRATOR, ~~AND~~ THE CITY TREASURER, ~~AND THE MEDICAL MARIHUANA COMMISSION.~~

(E) NO ~~APPLICATION FOR A LICENSE RENEWAL APPLICATION~~ SHALL BE APPROVED UNLESS:

- (1) THE FIRE DEPARTMENT AND THE BUILDING SAFETY OFFICE HAVE INSPECTED THE PROPOSED LOCATION FOR COMPLIANCE WITH ALL LAWS FOR WHICH THEY ARE CHARGED WITH ENFORCEMENT WITHIN THE PAST CALENDAR YEAR;
- (2) THE ZONING ADMINISTRATOR HAS CONFIRMED THAT THE PROPOSED LOCATION ~~CURRENTLY COMPLIES WITH THE ZONING CODE AND THIS CHAPTER,~~ ~~AT THE TIME A LICENSE IS GRANTED, INCLUDING ANY VARIANCES GRANTED UNDER SECTION 1300.18.~~
- (3) THE CITY TREASURER HAS CONFIRMED THAT THE APPLICANT AND EACH STAKEHOLDER OF THE APPLICANT AND THE PROPOSED LOCATION OF THE ~~ESTABLISHMENT FACILITY~~ ARE NOT CURRENTLY IN DEFAULT TO THE CITY;
- (4) THE POLICE DEPARTMENT HAS REVIEWED THE APPLICATION AND DETERMINED THAT THE APPLICANT HAS SATISFIED THE REQUIREMENTS OF THIS CHAPTER WITH RESPECT TO THE BACKGROUND CHECK AND SECURITY PLAN;

(5) THE **MEDICAL MARIHUANA COMMISSION** ~~CITY CLERK~~ HAS REVIEWED THE APPLICATION FOR COMPLIANCE WITH 1300.6 ~~(B)(1-3)~~.

(F) IF WRITTEN APPROVAL IS GIVEN BY EACH INDIVIDUAL OR DEPARTMENT IDENTIFIED IN SUBSECTION (E), THE CITY CLERK SHALL ISSUE A LICENSE RENEWAL TO THE APPLICANT. IF NO RENEWAL LICENSE IS ISSUED, HALF OF THE RENEWAL FEE SHALL BE RETURNED. THE RENEWAL SHALL BE DEEMED APPROVED IF THE CITY HAS NOT ISSUED FORMAL NOTICE OF APPROVAL OR DENIAL WITHIN 60 DAYS OF THE APPLICATION BEING ~~FILED~~. **FILING DATE OF THE APPLICATION, UNLESS THE APPLICANT IS ADVISED OF NON-COMPLIANCE UNDER 1300.7 (E)**

1300.8 – LICENSES GENERALLY.

(A) TO THE EXTENT PERMISSIBLE UNDER LAW, ALL INFORMATION SUBMITTED IN CONJUNCTION WITH AN APPLICATION FOR A LICENSE OR LICENSE RENEWAL REQUIRED BY THIS CHAPTER IS CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE MICHIGAN FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 ET SEQ. **FURTHERMORE, NO PERSONAL INFORMATION CONCERNING THE APPLICANT SHALL BE SUBMITTED TO THE MEIDCAL MARIHUANA COMMISSION.**

(B) LICENSEES MAY TRANSFER A LICENSE ISSUED UNDER THIS CHAPTER TO A DIFFERENT LOCATION UPON RECEIVING WRITTEN APPROVAL FROM THE CITY CLERK. IN ORDER TO REQUEST APPROVAL TO TRANSFER A LICENSE LOCATION, THE LICENSEE MUST MAKE A WRITTEN REQUEST TO THE CITY CLERK, INDICATING THE CURRENT LICENSE LOCATION AND THE PROPOSED LICENSE LOCATION. UPON RECEIVING THE WRITTEN REQUEST, THE CITY CLERK SHALL REFER A COPY OF THE WRITTEN REQUEST TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT, THE BUILDING SAFETY OFFICE, THE POLICE DEPARTMENT, THE ZONING ADMINISTRATOR, ~~AND~~ THE CITY TREASURER, **AND THE MEDICAL MARIHUANA COMMISSION.** NO LICENSE TRANSFER SHALL BE APPROVED UNLESS EACH SUCH INDIVIDUAL OR DEPARTMENT GIVES WRITTEN APPROVAL THAT THE LICENSEE AND THE PROPOSED LICENSE LOCATION MEET THE STANDARDS IDENTIFIED **IN THIS CHAPTER, INCLUDING BUT NOT LIMITED TO SECTION 1300.5(E) AND THE MEDICAL MARIHUANA COMMISSION** ~~CITY CLERK~~ HAS DETERMINED THAT THE PROPOSED LOCATION MEETS THE REQUIREMENTS OF 1300.6 (B)(2).

(C) LICENSEES MAY TRANSFER A LICENSE ISSUED UNDER THIS CHAPTER TO A DIFFERENT INDIVIDUAL OR ENTITY UPON RECEIVING WRITTEN APPROVAL BY THE CITY CLERK. IN ORDER TO REQUEST APPROVAL TO TRANSFER A LICENSE TO A DIFFERENT INDIVIDUAL OR ENTITY, THE LICENSEE MUST MAKE A WRITTEN REQUEST TO THE CITY CLERK, INDICATING THE CURRENT

LICENSEE AND THE PROPOSED LICENSEE. UPON RECEIVING THE WRITTEN REQUEST, THE CITY CLERK SHALL CONSIDER THE REQUEST AS A NEW APPLICATION FOR A LICENSE AND THE PROCEDURES SET FORTH IN 1300.5 AND 1300.6 SHALL BE FOLLOWED INCLUDING SUBMISSION OF THE LICENSE APPLICATION FEE. APPLICATION FEES ARE NON-TRANSFERABLE.

(D) LICENSEES SHALL REPORT ANY OTHER CHANGE IN THE INFORMATION REQUIRED BY THIS CHAPTER TO THE CITY CLERK WITHIN TEN (10) BUSINESS DAYS OF THE CHANGE. FAILURE TO DO SO MAY RESULT IN SUSPENSION OR REVOCATION OF THE LICENSE.

(E) ANY LICENSE APPLICATIONS APPROVED PURSUANT TO THIS CHAPTER SHALL NOT BE EFFECTIVE AND NO MEDICAL MARIHUANA ESTABLISHMENT MAY OPERATE UNLESS THE MEDICAL MARIHUANA ESTABLISHMENT IS OPERATED PURSUANT TO A LICENSE ISSUED UNDER THE MMFLA.

1300.9 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA PROVISIONING CENTER.

EXCEPT AS PROVIDED BY THE RULES AND REGULATIONS ESTABLISHED BY THE MICHIGAN MEDICAL MARIHUANA LICENSING BOARD,

(A) EVERY MEDICAL MARIHUANA PROVISIONING CENTER MUST BE LOCATED IN A BUILDING, AS DEFINED UNDER SECTION 1300.2.

(B) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPEN BETWEEN THE HOURS OF 10 P.M. AND 9 A.M.;

(C) CONSUMPTION OF MARIHUANA SHALL BE PROHIBITED ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING CENTER EXCEPT AS PERMITTED BY LANSING CITY CHARTER SECTION 8-501 AND STATE LAW;

(D) A MEDICAL MARIHUANA PROVISIONING CENTER SHALL CONTINUOUSLY MONITOR THE ENTIRE PREMISES ON WHICH THEY ARE OPERATED WITH SURVEILLANCE SYSTEMS THAT INCLUDE SECURITY CAMERAS. THE VIDEO RECORDINGS SHALL BE MAINTAINED IN A SECURE, OFF-SITE LOCATION FOR A PERIOD OF 14 DAYS;

(E) UNLESS PERMITTED BY THE MMMA, PUBLIC OR COMMON AREAS OF THE MEDICAL MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM RESTRICTED OR NON-PUBLIC AREAS OF THE PROVISIONING CENTER BY A PERMANENT BARRIER. UNLESS PERMITTED BY THE MMMA, NO MEDICAL MARIHUANA IS PERMITTED TO BE STORED, DISPLAYED, OR TRANSFERRED IN AN AREA ACCESSIBLE TO THE GENERAL PUBLIC;

(F) ALL MEDICAL MARIHUANA STORAGE AREAS WITHIN MEDICAL MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM ANY CUSTOMER/PATIENT AREAS BY A PERMANENT BARRIER. UNLESS PERMITTED BY THE MMMA, NO MEDICAL MARIHUANA IS PERMITTED TO BE STORED IN AN AREA ACCESSIBLE BY THE GENERAL PUBLIC OR REGISTERED CUSTOMERS/PATIENTS. MEDICAL MARIHUANA MAY BE DISPLAYED IN A SALES AREA ONLY IF PERMITTED BY THE MMFLA;

(G) ANY USABLE MEDICAL MARIHUANA REMAINING ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING CENTER WHILE THE MEDICAL MARIHUANA PROVISIONING CENTER IS NOT IN OPERATION SHALL BE SECURED IN A SAFE PERMANENTLY AFFIXED TO THE PREMISES;

(H) DRIVE-THRU WINDOWS ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING CENTER SHALL NOT BE PERMITTED;

(I) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPERATED IN A MANNER CREATING NOISE, DUST, VIBRATION, GLARE, FUMES, OR ODORS DETECTABLE TO NORMAL SENSES BEYOND THE BOUNDARIES OF THE PROPERTY ON WHICH THE MEDICAL MARIHUANA PROVISIONING CENTER IS OPERATED; **OR ANY OTHER NUISANCE THAT HINDERS THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE RESIDENTS OF THE CITY OF LANSING.**

(J) THE LICENSE REQUIRED BY THIS CHAPTER SHALL BE PROMINENTLY DISPLAYED ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING CENTER;

(K) DISPOSAL OF MEDICAL MARIHUANA SHALL BE ACCOMPLISHED IN A MANNER THAT PREVENTS ITS ACQUISITION BY ANY PERSON WHO MAY NOT LAWFULLY POSSESS IT AND OTHERWISE IN CONFORMANCE WITH STATE LAW;

(L) ALL MEDICAL MARIHUANA DELIVERED TO A PATIENT SHALL BE PACKAGED AND LABELED AS PROVIDED BY STATE LAW AND THIS CHAPTER. THE LABEL SHALL INCLUDE:

- (1) A UNIQUE ALPHANUMERIC IDENTIFIER FOR THE PERSON TO WHOM IT IS BEING DELIVERED;
- (2) A UNIQUE ALPHA NUMERIC IDENTIFIER FOR THE CULTIVATION SOURCE OF THE MARIHUANA;
- (3) THAT THE PACKAGE CONTAINS MARIHUANA;
- (4) THE DATE OF DELIVERY, WEIGHT, TYPE OF MARIHUANA AND DOLLAR AMOUNT OR OTHER CONSIDERATION BEING EXCHANGED IN THE TRANSACTION;
- (5) A CERTIFICATION THAT ALL MARIHUANA IN ANY FORM CONTAINED IN THE PACKAGE WAS CULTIVATED, MANUFACTURED, AND PACKAGED IN THE STATE OF MICHIGAN;

(6) THE WARNING THAT; “THIS PRODUCT IS MANUFACTURED WITHOUT ANY REGULATORY OVERSIGHT FOR HEALTH, SAFETY OR EFFICACY. THERE MAY BE HEALTH RISKS ASSOCIATED WITH THE INGESTION OR USE OF THIS PRODUCT. USING THIS PRODUCT MAY CAUSE DROWSINESS. DO NOT DRIVE OR OPERATE HEAVY MACHINERY WHILE USING THIS PRODUCT. KEEP THIS PRODUCT OUT OF REACH OF CHILDREN. THIS PRODUCT MAY NOT BE USED IN ANY WAY THAT DOES NOT COMPLY WITH STATE LAW OR BY PERSON WHO DOES NOT POSSESS A VALID MEDICAL MARIHUANA PATIENT REGISTRY CARD.”

(7) THE NAME, ADDRESS, EMAIL ADDRESS, AND TELEPHONE NUMBER OF AN AUTHORIZED REPRESENTATIVE OF THE DISPENSARY WHOM A PATIENT CAN CONTACT WITH ANY QUESTIONS REGARDING THE PRODUCT.

(M) A LICENSEE SHALL REQUIRE ALL REGISTERED PATIENTS PRESENT BOTH THEIR MICHIGAN MEDICAL MARIHUANA PATIENT/CAREGIVER ID CARD AND STATE IDENTIFICATION PRIOR TO ENTERING RESTRICTED/LIMITED AREAS OR NON-PUBLIC AREAS OF THE MEDICAL MARIHUANA PROVISIONING CENTER, AND IF NO RESTRICTED/LIMITED AREA IS REQUIRED, THEN PROMPTLY UPON ENTERING THE MEDICAL MARIHUANA PROVISIONING CENTER.

(N) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT ON THE PREMISES.

(O) IT SHALL BE PROHIBITED TO DISPLAY ANY SIGNS THAT ARE INCONSISTENT WITH LOCAL LAWS OR REGULATIONS OR STATE LAW.

(P) IT SHALL BE PROHIBITED ~~TO USE ADVERTISING MATERIAL THAT IS FROM DISPLAYING OR DISTRIBUTING IN ANY MANNER, PHYSICALLY OR ELECTRONICALLY, ADVERTISING MATERIAL THAT IS MISLEADING, DECEPTIVE, OR FALSE, OR THAT IS DESIGNED TO APPEAL TO MINORS.~~

(Q) NO LICENSED MEDICAL MARIHUANA PROVISIONING CENTER SHALL PLACE OR MAINTAIN, OR CAUSE TO BE PLACED OR MAINTAINED, AN ADVERTISEMENT OF MEDICAL MARIHUANA IN ANY FORM OR THROUGH ANY MEDIUM ~~WITHIN THE DISTANCE LIMITATIONS SET FORTH IN SECTION 1300.13 (A)~~

~~(1) WITHIN ONE THOUSAND (1,000) FEET MEASURED PROPERTY LINE TO PROPERTY LINE OF THE REAL PROPERTY LINE COMPRISING AN OPERATIONAL SCHOOL; A COMMERCIAL CHILD CARE ORGANIZATION (NON HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ; OR~~

~~(2) WITHIN FIVE HUNDRED (500) FEET, MEASURED PROPERTY LINE TO PROPERTY LINE, OF A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED; A CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS SERVICES ARE CONDUCTED; PARKS; OR ANOTHER MEDICAL MARIHUANA ESTABLISHMENT.~~

(R) CERTIFIED LABORATORY TESTING RESULTS THAT DISPLAY AT A MINIMUM THE TETRAHYDROCANNABINOL (THC), CANNABIDIOL (CBD), TOTAL CANNABINOID TESTING RESULTS, AND A PASS/FAIL RATING BASED ON THE CERTIFIED LABORATORY'S STATE-REQUIRED TESTING MUST BE AVAILABLE TO ALL MEDICAL MARIHUANA PROVISIONING CENTER PATIENTS/CUSTOMERS UPON REQUEST AND PROMINENTLY DISPLAYED.

1300.10 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA GROWER FACILITY.

(A) THE FOLLOWING MINIMUM STANDARDS FOR MEDICAL MARIHUANA GROWER FACILITIES SHALL APPLY:

(1) THE MEDICAL MARIHUANA GROWER FACILITY SHALL COMPLY AT ALL TIMES AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, THE MTA, AND THE GENERAL RULES OF THE ~~MEDICAL MARIHUANA LICENSING BOARD AND THE~~ DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR THEIR SUCCESSORS, AS **THEY MAY BE AMENDED FROM TIME TO TIME.** ~~THE FOREGOING LAWS AND REGULATIONS MAY BE AMENDED FROM TIME TO TIME;~~

(2) EXCEPT AS PROVIDED BY STATE LAW AND LANSING CITY CHARTER, CONSUMPTION AND/OR USE OF MEDICAL MARIHUANA SHALL BE PROHIBITED AT THE GROWER FACILITY;

(3) ALL GROWER ACTIVITY RELATED TO THE GROWER FACILITY SHALL BE PERFORMED IN A BUILDING;

(4) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT ON THE PREMISES;

(5) ANY MEDICAL MARIHUANA GROWER FACILITY SHALL COMPLY WITH THE MTA AND SHALL MAINTAIN A LOG BOOK AND/OR DATABASE IDENTIFYING BY DATE THE AMOUNT OF MEDICAL MARIHUANA AND THE NUMBER OF MEDICAL MARIHUANA PLANTS ON THE PREMISES WHICH SHALL NOT EXCEED THE AMOUNT PERMITTED UNDER THE GROWER LICENSE ISSUED BY THE STATE OF MICHIGAN. THIS LOG SHALL BE AVAILABLE TO

1 LAW ENFORCEMENT PERSONNEL TO CONFIRM THAT THE MEDICAL
2 MARIHUANA GROWER DOES NOT HAVE MORE MEDICAL MARIHUANA THAN
3 AUTHORIZED AT THE LOCATION AND SHALL NOT BE USED TO DISCLOSE
4 MORE INFORMATION THAN IS REASONABLY NECESSARY TO VERIFY THE
5 LAWFUL AMOUNT OF MEDICAL MARIHUANA AT THE FACILITY;
6

7 (6) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
8 BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE
9 MMFLA, MTA, AND THE RULES AND REGUALTIONS OF THE MEDICAL
10 MARIHUANA LICENSING BOARD, AS AMENDED;
11

12 (7) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL
13 PERMITS SHALL BE OBTAINED FROM THE CITY OF LANSING OR OTHER
14 APPLICABLE GOVERNMENT AUTHORITY FOR ANY PORTION OF THE
15 STRUCTURE IN WHICH ELECTRICAL WIRING, LIGHTING AND/OR WATERING
16 DEVICES THAT SUPPORT THE CULTIVATION, GROWING OR HARVESTING OF
17 MARIHUANA ARE LOCATED;
18

19 (8) THAT PORTION OF THE STRUCTURE WHERE ANY CHEMICALS SUCH AS
20 HERBICIDES, PESTICIDES, AND FERTILIZERS ARE STORED SHALL BE SUBJECT
21 TO INSPECTION AND APPROVAL BY THE LANSING FIRE DEPARTMENT TO
22 INSURE COMPLIANCE WITH THE MICHIGAN FIRE CODES;
23

24 (9) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
25 MARIHUANA GROWER FACILITY SHALL BE PROHIBITED;
26

27 (10) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN
28 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH CULTIVATING,
29 PROCESSING, OR TESTING MEDICAL MARIHUANA. MULTI-TENANT
30 COMMERCIAL BUILDINGS MAY PERMIT ACCESSORY USES IN SUITES
31 SEGREGATED FROM MEDICAL MARIHUANA GROWER FACILITY;
32

33 (11) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
34 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY,
35 INCLUDING BUT NOT LIMITED TO:
36

37 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;
38

39 (II) WASHING HANDS THOROUGHLY IN ADEQUATE HAND-WASHING
40 AREAS BEFORE STARTING WORK AND AT ANY OTHER TIME WHEN THE
41 HANDS MAY HAVE BECOME SOILED OR CONTAMINATED.
42

43 (III) REFRAINING FROM HAVING DIRECT CONTACT WITH MEDICAL
44 MARIHUANA IF THE PERSON HAS OR MAY HAVE AN ILLNESS, OPEN
45 LESION, INCLUDING BOILS, SORES OR INFECTED WOUNDS, OR ANY OTHER

1 ABNORMAL SOURCE OF MICROBIAL CONTAMINATION, UNTIL THE
2 CONDITION IS CORRECTED.

3
4 (12) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
5 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
6 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
7 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
8

9 (13) FLOORS, WALLS, AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
10 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
11 IN GOOD REPAIR;
12

13 (14) THERE SHALL BE ADEQUATE SCREENING OR OTHER PROTECTION
14 AGAINST THE ENTRY OF PESTS. RUBBISH SHALL BE DISPOSED OF SO AS TO
15 MINIMIZE THE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR
16 WASTE DEVELOPMENT AND MINIMIZE THE POTENTIAL FOR WASTE
17 BECOMING AN ATTRACTANT, HARBORAGE OR BREEDING PLACE FOR PESTS;
18

19 (15) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
20 MAINTAINED IN A SANITARY CONDITION;
21

22 (16) EACH CULTIVATION CENTER SHALL PROVIDE ITS OCCUPANTS WITH
23 ADEQUATE AND READILY ACCESSIBLE TOILET FACILITIES THAT ARE
24 MAINTAINED IN A SANITARY CONDITION AND GOOD REPAIR;
25

26 (17) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
27 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
28 PREVENTS THE GROWTH OF THESE MICROORGANISMS;
29

30 (18) MEDICAL MARIHUANA GROWER FACILITIES SHALL BE FREE FROM
31 INFESTATION BY INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;
32

33 (19) MEDICAL MARIHUANA GROWER FACILITIES SHALL PRODUCE NO
34 PRODUCTS OTHER THAN USEABLE MEDICAL MARIHUANA INTENDED FOR
35 HUMAN CONSUMPTION.
36

37 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
38 MEDICAL MARIHUANA GROWER FACILITY SHALL BE PROHIBITED.
39

40 **1300.11 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
41 **SAFETY COMPLIANCE FACILITY.**
42

43 (A) THE FOLLOWING MINIMUM STANDARDS FOR SAFETY COMPLIANCE
44 FACILITIES SHALL APPLY:
45

1 (1) THE SAFETY COMPLIANCE FACILITY SHALL COMPLY AT ALL TIMES
2 AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, THE MTA, AND
3 THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD ~~AND~~
4 ~~THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR THEIR~~
5 ~~SUCCESSORS, AS THE FOREGOING LAWS AND REGULATIONS~~ AS THEY MAY
6 BE AMENDED FROM TIME TO TIME
7

8 (2) EXCEPT AS PROVIDED BY STATE LAW AND SECTION 8-501 OF THE
9 LANSING CITY CHARTER CONSUMPTION AND/OR USE OF MEDICAL
10 MARIHUANA SHALL BE PROHIBITED AT THE FACILITY;
11

12 (3) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
13 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT
14 ON THE PREMISES;
15

16 (4) ANY SAFETY COMPLIANCE FACILITY SHALL MAINTAIN A LOG BOOK
17 AND/OR DATABASE IDENTIFYING BY DATE THE AMOUNT OF MEDICAL
18 MARIHUANA ON THE PREMISES AND FROM WHICH PARTICULAR SOURCE.
19 THE FACILITY SHALL MAINTAIN THE CONFIDENTIALITY OF QUALIFYING
20 PATIENTS IN COMPLIANCE WITH THE MICHIGAN MEDICAL MARIHUANA ACT
21 ~~MMMA, MMFLA, AND MTA~~, AS AMENDED;
22

23 (5) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
24 BUILDING IN AN ENCLOSED, LOCKED FACILITY IN ACCORDANCE WITH THE
25 MMMA, THE MMFLA, THE MTA, AND THE RULES AND REGULATIONS OF THE
26 MEDICAL MARIHUANA LICENSING BOARD, AS AMENDED;
27

28 (6) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN THE
29 SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH TESTING MEDICAL
30 MARIHUANA;
31

32 (7) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
33 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY;
34

35 (8) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
36 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
37 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
38 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
39

40 (9) FLOORS, WALLS AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
41 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
42 IN GOOD REPAIR;
43

44 (10) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
45 MAINTAINED IN A SANITARY CONDITION;
46

(11) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT PREVENTS THE GROWTH OF THESE MICROORGANISMS;

(B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE PROHIBITED.

1300.12 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA PROCESSOR FACILITY AND A MEDICAL MARIHUANA SECURE TRANSPORTER.

(A) THE FOLLOWING MINIMUM STANDARDS FOR PROCESSOR AND A SECURE TRANSPORTER SHALL APPLY:

(1) THE PROCESSOR AND SECURE TRANSPORTER SHALL COMPLY AT ALL TIMES AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, ~~MTA AND THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD AND THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR THEIR SUCCESSORS, AS THE FOREGOING LAWS AND REGULATIONS~~ AS THEY MAY BE AMENDED FROM TIME TO TIME;

(2) EXCEPT AS PROVIDED BY STATE LAW AND SECTION 8-501 OF THE LANSING CITY CHARTER, CONSUMPTION AND/OR USE OF MEDICAL MARIHUANA SHALL BE PROHIBITED AT THE PROCESSOR OR SECURE TRANSPORTER FACILITY;

(3) ALL ACTIVITY RELATED TO THE PROCESSOR FACILITY SHALL BE PERFORMED INDOORS IN A BUILDING;

(4) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT ON THE PREMISES;

(5) ANY PROCESSOR AND/OR SECURE TRANSPORTER FACILITY SHALL MAINTAIN A LOG BOOK AND/OR DATABASE IN ACCORDANCE WITH THE MMFLA, THE MTA AND THE RULES AND REGULATIONS OF THE MEDICAL MARIHUANA LICENSING BOARD IDENTIFYING BY DATE THE AMOUNT OF MEDICAL MARIHUANA ON THE PREMISES WHICH SHALL NOT EXCEED THE AMOUNT PERMITTED UNDER THE PROCESSOR LICENSE ISSUED BY THE STATE OF MICHIGAN, TO THE EXTENT A STATE PERMIT PROCESS EXISTS. THIS LOG SHALL BE AVAILABLE TO LAW ENFORCEMENT PERSONNEL TO CONFIRM THAT THE PROCESSOR DOES NOT HAVE MORE MEDICAL MARIHUANA THAN AUTHORIZED AT THE LOCATION AND SHALL NOT BE USED TO DISCLOSE MORE INFORMATION THAN IS REASONABLY NECESSARY TO VERIFY THE LAWFUL AMOUNT OF MEDICAL MARIHUANA AT THE FACILITY;

(6) ALL MEDICAL MARIJUANA WILL BE TAGGED WITH UNIQUE IDENTIFICATION.

(7) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE MMFLA, MTA AND THE RULES AND REGULATIONS OF THE MEDICAL MARIHUANA LICENSING BOARD, AS AMENDED;

(8) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL PERMITS SHALL BE OBTAINED FOR ANY PORTION OF THE STRUCTURE IN WHICH ELECTRICAL WIRING FOR DEVICES THAT SUPPORT THE PROCESSING ~~OR SECURE TRANSPORTING OF MEDICAL~~ MARIHUANA ARE LOCATED;

(9) THAT PORTION OF THE STRUCTURE WHERE THE STORAGE OF ANY CHEMICALS EXIST SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LANSING FIRE DEPARTMENT TO INSURE COMPLIANCE WITH THE MICHIGAN FIRE PROTECTION CODE;

(10) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL MARIHUANA PROCESSOR OR SECURE TRANSPORTER FACILITY SHALL BE PROHIBITED EXCEPT AS AUTHORIZED BY LANSING CITY CHARTER AND STATE LAW;

(11) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH THE PROCESSING ~~MULTI-TENANT COMMERCIAL BUILDINGS MAY PERMIT ACCESSORY USES IN SUITES OR SECURE TRANSPORTING OF MEDICAL MARIHUANA. MULTI-TENANT COMMERCIAL BUILDINGS MAY PERMIT ACCESSORY USES IN SUITES~~ SEGREGATED FROM THE PROCESSOR FACILITY;

(12) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY, INCLUDING BUT NOT LIMITED TO:

(I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;

(II) WASHING HANDS THOROUGHLY IN ADEQUATE HAND-WASHING AREAS BEFORE STARTING WORK AND AT ANY OTHER TIME WHEN THE HANDS MAY HAVE BECOME SOILED OR CONTAMINATED.

(III) REFRAINING FROM HAVING DIRECT CONTACT WITH MEDICAL MARIHUANA IF THE PERSON HAS OR MAY HAVE AN ILLNESS, OPEN LESION, INCLUDING BOILS, SORES OR INFECTED WOUNDS, OR ANY OTHER ABNORMAL SOURCE OF MICROBIAL CONTAMINATION, UNTIL THE CONDITION IS CORRECTED.

1 (13) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
2 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
3 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
4 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
5

6 (14) FLOORS, WALLS, AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
7 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
8 IN GOOD REPAIR;
9

10 (15) THERE SHALL BE ADEQUATE SCREENING OR OTHER PROTECTION
11 AGAINST THE ENTRY OF PESTS. RUBBISH SHALL BE DISPOSED OF SO AS TO
12 MINIMIZE THE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR
13 THE WASTE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR
14 WASTE BECOMING AND ATTRACTANT, HARBORAGE OR BREEDING PLACES
15 FOR PESTS;
16

17 (16) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
18 MAINTAINED IN A SANITARY CONDITION;
19

20 (17) EACH MEDICAL MARIHUANA PROCESSOR FACILITY SHALL PROVIDE
21 ITS OCCUPANTS WITH ADEQUATE AND READILY ACCESSIBLE TOILET
22 FACILITIES THAT ARE MAINTAINED IN A SANITARY CONDITION AND GOOD
23 REPAIR;
24

25 (18) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
26 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
27 PREVENTS THE GROWTH OF THESE MICROORGANISMS;
28

29 (19) PROCESSOR FACILITIES SHALL BE FREE FROM INFESTATION BY
30 INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;
31

32 (20) PROCESSOR FACILITIES SHALL PRODUCE NO PRODUCTS OTHER THAN
33 USEABLE MEDICAL MARIHUANA INTENDED FOR HUMAN CONSUMPTION.
34

35 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
36 MEDICAL MARIHUANA PROCESSOR FACILITY AND/OR MEDICAL MARIHUANA
37 SECURE TRANSPORTER FACILITY SHALL BE PROHIBITED.
38

39 **1300.13 – LOCATION, BUFFERING, DISPERSION, AND ZONING REQUIREMENTS**
40 **FOR MEDICAL MARIHUANA PROVISIONING CENTERS .**
41

42 (A) EXCEPT IN ACCORDANCE WITH SECTION 1300.18, FOR BUFFERING AND
43 DISPERSION PURPOSES, NO MEDICAL MARIHUANA PROVISIONING CENTER
44 SHALL BE LOCATED WITHIN:
45

(1) ONE THOUSAND (1000) FEET, ~~MEASURED FROM PROPERTY LINE TO PROPERTY LINE,~~ OF AN OPERATIONAL SCHOOL INCLUDING PRE-KINDERGARTEN THAT IS LOCATED WITHIN A SCHOOL; OR ; A COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ.;

(2) FIVE HUNDRED (500) FEET, OF THE FOLLOWING BUFFERED USES: PUBLIC PLAYGROUND EQUIPMENT LOCATED IN A PARK; A COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT 173 PA 116, MCL 722.11 ET. SEQ.~~MEASURED FROM PROPERTY LINE TO PROPERTY LINE, OF; A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED; A CHURCH A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES AND THOSE TERMS ARE DEFINED IN PART 61 OR PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED, OR ANOTHER MEDICAL MARIHUANA PROVISIONING CENTER. OR OTHER STRUCTURE IN WHICH RELIGIOUS SERVICES ARE CONDUCTED; PARKS; OR ANOTHER MEDICAL MARIHUANA ESTABLISHMENT.~~

(B) MEDICAL MARIHUANA PROVISIONING CENTERS SHALL BE LIMITED TO F AND F1-COMMERCIAL, G2-WHOLESALE, H-LIGHT INDUSTRIAL, AND I-HEAVY INDUSTRIAL AS SUCH DISTRICTS ARE DESCRIBED AND DESIGNATED PROVIDED BY THE ZONING PROVISIONS OF THE LANSING CODIFIED ORDINANCES.

(C) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE LOCATED WITHIN ANOTHER BUSINESS EXCEPT AS PERMITTED BY THE MEDICAL MARIHUANA LICENSING BOARD REGULATIONS.

(D) FOR THE PURPOSE OF CALCULATING THE BUFFERING AND DISPERSION REQUIREMENTS OF THIS SECTION 1300.13, THE DISTANCE SHALL BE MEASURED ALONG THE CENTER LINE OF THE STREET OR STREETS OF ADDRESS BETWEEN TWO FIXED POINTS ON THE CENTER LINE DETERMINED BY PROJECTING STRAIGHT LINES, AT RIGHT ANGLES TO THE CENTER LINE, FROM THE PART OF THE BUFFERED USE NEAREST TO THE CONTEMPLATED LOCATION OF THE MEDICAL MARIHUANA ESTABLISHMENT AND FROM THE PART OF THE

CONTEMPLATED LOCATION NEAREST TO THE BUFFERED USE. THE DISTANCES FROM THE MEDICAL MARIHUANA ESTABLISHMENT TO THE POINT ON THE CENTERLINE AND FROM THE BUFFERED USE TO THE POINT ON THE CENTERLINE SHALL BE INCLUDED IN THE CALCULATION. ~~NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE LOCATED IN AN UNZONED AREA OR IN AN AREA SUBJECT TO AN AGREEMENT ENTERED INTO PURSUANT TO PUBLIC ACT 425 OF 1984~~

(E) EXCEPT AS OTHERWISE PERMISSIBLE UNDER THE LANSING CITY CHARTER AT SECTION 8-501, NO PERSON SHALL ALLOW THE CONSUMPTION OF MARIHUANA OR MARIHUANA INFUSED PRODUCTS ON LICENSED PREMISES.

(F) NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE LOCATED IN AN UNZONED AREA OR IN AN AREA SUBJECT TO AN AGREEMENT ENTERED INTO PURSUANT TO PUBLIC ACT 425 OF 1984.

1300.14 - LOCATION OF MEDICAL MARIHUANA GROWER FACILITIES, MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL MARIHUANA PROCESSOR FACILITIES, MEDICAL MARIHUANA GROWER FACILITIES, AND MEDICAL MARIHUANA SECURE TRANSPORTERS.

(A) ALL MEDICAL MARIHUANA GROWER FACILITIES SHALL BE SUBJECT TO SUBSECTION 1300.13(E) AND LIMITED TO H-LIGHT INDUSTRIAL AND I-HEAVY INDUSTRIAL ZONING DISTRICT AS IDENTIFIED IN THE LANSING CODIFIED ORDINANCES. ~~NO MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY, MEDICAL MARIHUANA PROCESSOR FACILITY, MEDICAL MARIHUANA GROWER FACILITY, OR MEDICAL MARIHUANA SECURE TRANSPORTER SHALL BE LOCATED WITHIN~~

~~(1) ONE THOUSAND (1,000) FEET, MEASURED FROM THE PROPERTY LINE OF THE MEDICAL MARIHUANA ESTABLISHMENT TO THE PROPERTY LINE OF AN OPERATIONAL SCHOOL; A COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ.; OR~~

~~(2) FIVE HUNDRED (500) FEET, MEASURED FROM THE PROPERTY LINE OF THE MEDICAL MARIHUANA ESTABLISHMENT TO THE PROPERTY LINE OF A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED; OR A CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS SERVICES ARE CONDUCTED; PARKS; OR ANOTHER MEDICAL MARIHUANA ESTABLISHMENT.~~

(B) ALL MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL MARIHUANA PROCESSOR FACILITIES, AND MEDICAL MARIHUANA SECURE TRANSPORTER FACILITIES SHALL BE SUBJECT TO **SECTION 1300.13(E) SUBSECTION (A)** AND SHALL BE LIMITED TO THE H-LIGHT INDUSTRIAL, I-HEAVY INDUSTRIAL, OR G2-WHOLESALE ZONING DISTRICTS AS IDENTIFIED IN THE LANSING CODIFIED ORDINANCES.

(C) **NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE LOCATED IN AN UNZONED AREA OR IN AN AREA SUBJECT TO AN AGREEMENT ENTERED INTO PURSUANT TO PUBLIC AT 425 OF 1984.**

(D) **EXCEPT AS OTHERWISE PERMISSIBLE UNDER THE LANSING CITY CHARTER AT SECTION 8-501, NO PERSON SHALL ALLOW THE CONSUMPTION OF MARIHUANA OR MARIHUNAN INFUSED PRODUCTS ON LICENSED PREMISES.**

~~ALL MEDICAL MARIHUANA GROWER FACILITIES SHALL BE SUBJECT TO SUBSECTION (A) AND SHALL BE LIMITED TO THE H-LIGHT INDUSTRIAL OR I-HEAVY INDUSTRIAL ZONING DISTRICTS AS IDENTIFIED IN THE LANSING CODIFIED ORDINANCES.~~

1300.15 - LICENSE REVOCATION; BASES FOR REVOCATION; APPEAL OF LICENSE DENIAL.

(A) **ANY** LICENSE ISSUED UNDER THIS CHAPTER MAY BE REVOKED AFTER AN ADMINISTRATIVE HEARING **AT WHICH A HEARING OFFICER APPOINTED BY THE CITY CLERK DETERMINES** ~~AND A DETERMINATION~~ THAT ANY GROUNDS FOR REVOCATION **MUST BE GIVEN TO THE LICENSEE AT LEAST TEN (10) DAYS PRIOR TO THE DATE OF THE HEARING BY FIRST CLASS MAIL TO THE ADDRESS GIVEN ON THE LICENSE APPLICATION OR ANY ADDRESS PROVIDED TO THE CITY CLERK IN WRITINIG SUBSEQUENT TO THE FILING OF AN APPLICATION.** ~~UNDER SUBSECTION (B) EXIST. NOTICE OF THE TIME AND PLACE OF THE HEARING AND THE GROUNDS FOR REVOCATION MUST BE GIVEN TO THE LICENSEE AT LEAST FIVE DAYS PRIOR TO THE DATE OF THE HEARING, BY FIRST CLASS MAIL TO THE ADDRESS GIVEN ON THE LICENSE APPLICATION OR ANY ADDRESS PROVIDED PURSUANT TO 1300.4(A)(1) OR (2);~~

(B) A LICENSE **APPLIED FOR OR** ISSUED UNDER THIS CHAPTER MAY BE DENIED OR REVOKED ON ANY OF THE FOLLOWING BASES:

(1) A MATERIAL VIOLATION OF ANY PROVISION OF THIS CHAPTER, **INCLUDING, BUT NOT LIMITED TO, THE FAILURE TO PROVIDE THE INFORMATION REQUIRED BY SUBSECTION 1300.16(5);**

(2) ANY CONVICTION OF A DISQUALIFYING FELONY BY THE LICENSEE, STAKEHOLDER, OR ANY PERSON HOLDING AN OWNERSHIP INTEREST IN THE LICENSE;

(3) COMMISSION OF FRAUD OR MISREPRESENTATION OR THE MAKING OF A FALSE STATEMENT BY THE APPLICANT, LICENSEE, OR ANY STAKEHOLDER OF THE APPLICANT OR LICENSEE WHILE ENGAGING IN ANY ACTIVITY FOR WHICH THIS CHAPTER REQUIRES A LICENSE;

(4) FAILURE TO OBTAIN AND MAINTAIN A CERTIFICATE OF APPROVAL FROM THE ~~MEDICAL MARIHUANA COMMISSION~~CITY CLERK;

(5) FAILURE OF THE LICENSEE OR THE MEDICAL MARIHUANA ESTABLISHMENT TO OBTAIN OR MAINTAIN A LICENSE FROM THE STATE PURSUANT TO THE MMFLA;

~~(6) THE MEDICAL MARIHUANA ESTABLISHMENT IS DETERMINED BY THE CITY TO HAVE BECOME A PUBLIC NUISANCE OR OTHERWISE IS OPERATING IN A MANNER DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY OR WELFARE.~~

~~THE MEDICAL MARIHUANA ESTABLISHMENT IS DETERMINED BY THE CITY TO HAVE BECOME A PUBLIC NUISANCE.~~

(C) APPEAL OF DENIAL OF APPLICATION OR REVOCATION OF LICENSE: THE CITY CLERK SHALL NOTIFY AN APPLICANT OF THE REASON(S) FOR DENIAL OF AN APPLICATION OR REVOCATION OF A LICENSE AND PROVIDE THE APPLICANT WITH THE OPPORTUNITY TO BE HEARD. ANY APPLICANT AGGRIEVED BY THE DENIAL OR REVOCATION OF A LICENSE UNDER THIS CHAPTER MAY APPEAL TO THE CITY CLERK, WHO SHALL APPOINT A HEARING OFFICER. SUCH APPEAL SHALL BE TAKEN BY FILING WITH THE CITY CLERK, WITHIN 14 DAYS AFTER NOTICE OF THE ACTION COMPLAINED OF HAS BEEN MAILED TO THE APPLICANT'S LAST KNOWN ADDRESS ON THE RECORDS OF THE CITY CLERK, A WRITTEN STATEMENT SETTING FORTH FULLY THE GROUNDS FOR THE APPEAL. THE REVIEW ON APPEAL OF A DENIAL OR REVOCATION SHALL BE LIMITED TO WHETHER THERE HAS BEEN AN ABUSE OF DISCRETION IN THE DECISION OR THAT THE DECISION IS NOT SUPPORTED BY MATERIAL AND COMPETENT EVIDENCE. THE FINAL AND CONCLUSIVE DECISION ON APPEAL SHALL BE THE CITY COUNCIL WHO SHALL RECEIVE A REPORT AND RECOMMENDATION FROM THE HEARING OFFICER.

1300.16 – PENALTIES; TEMPORARY SUSPENSION OF A LICENSE

(A) THE CITY OF LANSING MAY REQUIRE AN APPLICANT OR LICENSEE OF A MEDICAL MARIHUANA FACILITY TO PRODUCE DOCUMENTS, RECORDS, OR ANY OTHER MATERIAL PERTINENT TO THE INVESTIGATION OF AN APPLICATION OR ALLEGED VIOLATION OF THIS CHAPTER. FAILURE TO PROVIDE THE REQUIRED MATERIAL MAY BE GROUNDS FOR APPLICATION DENIAL OR LICENSE REVOCATION;

(B) ANY PERSON IN VIOLATION OF ANY PROVISION OF THIS CHAPTER SHALL BE SUBJECT TO A CIVIL FINE AND COSTS. INCREASED CIVIL FINES MAY BE IMPOSED FOR A REPEAT VIOLATION. AS USED IN THIS SECTION “REPEAT VIOLATION” SHALL MEAN A SECOND OR ANY SUBSEQUENT INFRACTION OF THE SAME REQUIREMENT OR PROVISION COMMITTED BY A PERSON OR ESTABLISHMENT WITHIN ANY 12-MONTH PERIOD. UNLESS OTHERWISE SPECIFICALLY PROVIDED IN THIS CHAPTER OR ANY OTHER CHAPTER FOR A MUNICIPAL INFRACTION, THE PENALTY SCHEDULE IS AS FOLLOWS:

1. \$500, PLUS COSTS, FOR THE FIRST VIOLATION;
2. \$750, PLUS COSTS, FOR A REPEAT VIOLATION;
3. \$750, PLUS COSTS, PER DAY, PLUS COSTS, FOR ANY VIOLATION THAT CONTINUES FOR MORE THAN ONE DAY.

(C) ALL FINES IMPOSED UNDER THIS CHAPTER SHALL BE PAID WITHIN 45 DAYS AFTER THE EFFECTIVE DATE OF THE ORDER IMPOSING THE FINE OR AS OTHERWISE SPECIFIED IN THE ORDER;

(D) THE MAYOR MAY TEMPORARILY SUSPEND A MEDICAL MARIHUANA ESTABLISHMENT LICENSE WITHOUT A PRIOR HEARING IF THE MAYOR FINDS THAT PUBLIC SAFETY OR WELFARE REQUIRES EMERGENCY ACTION AFFECTING THE PUBLIC HEALTH, SAFETY, OR WELFARE. THE MAYOR SHALL CAUSE THE TEMPORARY SUSPENSION BY ISSUING A SUSPENSION NOTICE IN CONNECTION WITH INSTITUTION OF PROCEEDINGS FOR NOTICE AND A HEARING;

(E) IF THE MAYOR TEMPORARILY SUSPENDS A LICENSE WITHOUT A PRIOR HEARING, THE LICENSEE IS ENTITLED TO A HEARING WITHIN THIRTY (30) DAYS AFTER THE SUSPENSION NOTICE HAS BEEN SERVED ON THE LICENSEE OR POSTED ON THE LICENSED PREMISES. IN THE CASE OF A LICENSE ISSUED FOR A MEDICAL MARIHUANA GROWER FACILITY, THE HEARING SHALL BE HELD WITHIN SEVEN (7) DAYS AFTER THE NOTICE HAS BEEN SERVED ON THE LICENSEE OR POSTED ON THE PREMISES OF THE LICENSED FACILITY. THE HEARING SHALL BE LIMITED TO THE ISSUES CITED IN THE SUSPENSION NOTICE;

(F) IF THE MAYOR DOES NOT HOLD A HEARING WITHIN THIRTY (30) DAYS AFTER THE DATE THE SUSPENSION WAS SERVED ON THE LICENSEE OR POSTED ON THE LICENSED PREMISES, OR IN THE CASE OF A GROWER FACILITY SEVEN (7) DAYS, THEN THE SUSPENDED LICENSE SHALL BE AUTOMATICALLY REINSTATED AND THE SUSPENSION VACATED.

(G) THE PENALTY PROVISIONS OF THIS CHAPTER ARE NOT INTENDED TO FORECLOSE ANY OTHER REMEDY OR SANCTION THAT MIGHT BE AVAILABLE TO, OR IMPOSED BY THE CITY, INCLUDING CRIMINAL PROSECUTION.

1300.17 -NO VESTED RIGHTS

A PROPERTY OWNER LESSOR, LICENSE APPLICANT, OR LICENSEE SHALL NOT HAVE VESTED RIGHTS OR NONCONFORMING USE RIGHTS THAT WOULD SERVE AS A BASIS FOR FAILING TO COMPLY WITH THIS CHAPTER OR ANY AMENDMENT OF THIS CHAPTER.

1300.18 –ZONING BOARD OF APPEALS

~~THE DISTANCE REQUIREMENTS UNDER THIS CHAPTER SHALL BE REVIEWABLE BY THE BOARD OF ZONING APPEALS FOLLOWING THE CRITERIA PROVIDED IN SECTION 1244.06(C).~~

(A) WHEN APPLYING FOR A LICENSE AS A PROVISIONING CENTER, AN APPLICANT WHO DOES NOT MEET THE REQUIREMENTS OF SECTION 1300.13(A)(1) MAY SEEK A VARIANCE FROM THOSE REQUIREMENTS BY SUBMITTING WITH THEIR APPLICATION A WRITTEN APPLICATION TO THE BOARD OF ZONING APPEALS AND PAYING A FEE SET BY COUNCIL RESOLUTION. UPON RECEIVING AN APPLICATION WITH AN ACCOMPANYING APPLICATION FOR A VARIANCE, THE CITY CLERK SHALL DETERMINE WHETHER THE APPLICANT HAS SUBMITTED A COMPLETE APPLICATION MEETING THE REQUIREMENTS OF SECTION 1300.5, AN APPROPRIATE NONREFUNDABLE LICENSE APPLICATION FEE, AND AN APPROPRIATE VARIANCE APPLICATION FEE. IF THE APPLICANT HAS SATISFIED THESE REQUIREMENTS AND THE APPLICANT HAS RECEIVED WRITTEN APPROVALS UNDER SECTION 1300.5(E), THE CITY CLERK SHALL IMMEDIATELY FORWARD THE APPLICATION TO THE BOARD OF ZONING APPEALS.

(1) THE APPLICATION MUST IDENTIFY ALL OF THE REASONS THE APPLICANT DOES NOT MEET THE REQUIREMENTS OF SECTION 1300.13(A)(2), INCLUDING, IF APPLICABLE, THE NAME AND ADDRESS OF ANY SUBSTANCE ABUSE TREATMENT, PREVENTION, OR REHABILITATION FACILITY; CHURCH OR OTHER STRUCTURE USED FOR RELIGIOUS SERVICES; PUBLIC PARK CONTAINING PUBLIC PLAYGROUND EQUIPMENT; OR PROVISIONING CENTER THAT IS WITHIN 500 FEET OF THE APPLICANT'S LOCATION.

(2) UPON RECEIPT OF A APPLICATION MEETING THE REQUIREMENTS OF SUBSECTION (A), THE BOARD SHALL GIVE NOTICE TO THE OCCUPANTS OF ANY RESIDENTIAL OR COMMERCIAL BUILDINGS WITHIN 500 FEET OF THE APPLICANT'S LOCATION. IF THE OCCUPANT'S NAME IS NOT KNOWN, THE TERM "OCCUPANT" MAY BE USED. THE NOTICES SHALL BE DELIVERED PERSONALLY OR BY MAIL AT THE ADDRESS GIVEN IN THE LAST ASSESSMENT ROLL.

3) THE BOARD OF ZONING APPEALS SHALL EITHER GRANT OR DENY THE VARIANCE WITHIN A REASONABLE TIME. IN DETERMINING WHETHER TO GRANT OR DENY THE VARIANCE,

THE BOARD OF ZONING APPEALS SHALL CONSIDER ALL OF THE FOLLOWING:

- (I) THE AMOUNT OF TIME, IF ANY, THAT THE APPLICANT HAS BEEN OPERATING AT THE PRESENT LOCATION;
- (II) THE EXTENT TO WHICH THE APPLICANT HAS DEMONSTRATED A COMMITMENT TO THE BETTERMENT OF THE NEIGHBORHOOD;
- (III) THE DISTANCE BETWEEN THE APPLICANT'S LOCATION AND ANY RELEVANT FACILITY THAT IS WITHIN 500 FEET OF THE APPLICANT'S LOCATION.
- (IV) THE NEED FOR A PROVISIONING CENTER AT THE LOCATION IN ORDER TO PROVIDE THE SAFE AND EFFICIENT ACCESS TO MEDICAL MARIHUANA WITHIN THE CITY;
- (IV) THE CHARACTER OF THE STRUCTURE AND ITS SURROUNDINGS; AND
- (VI) THE IMPACT OF THE VARIANCE ON THE CHARACTER OF THE STRUCTURE'S SURROUNDINGS AND OWNERS OF OTHER PROPERTIES IN THE VICINITY.

- (4) IF THE BOARD OF ZONING APPEALS APPROVES THE VARIANCE, THE APPLICATION SHALL IMMEDIATELY BE SUBMITTED TO THE MEDICAL MARIHUANA COMMISSION.

1300.19-SUNSET

PURSUANT TO SECTION 3-307 OF THE LANSING CITY CHARTER, THIS CHAPTER SHALL EXPIRE DECEMBER 1, 2027.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules, inconsistent with the provisions hereof are hereby repealed in their entirety and shall be void and of no effect.

Section 3. Should any section, clause or phrase of this Ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 4. This Ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.