



AGENDA
Committee of the Whole
Monday, August 28, 2017 – 5:00 p.m. (NOTE TIME)
City Council Chambers, City Hall 10th Floor
UPDATED 8/24/2017 P.M.

Council Member Spitzley, Chairperson
Council Member Wood, Vice Chair

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - August 14, 2017
4. **Public Comment on Agenda Items (Up to 3 Minutes)**
5. **Presentation**
 - LEPFA Update
6. **Discussion/Action:**
 - A.) RESOLUTION – Second Amendment to the Defined Contribution Plan
 - B.) DISCUSSION – Ordinance Amendments; Chapter 1300; Regulation and Licensing of Medical Marihuana Establishments
7. **Other**
 - 2018/2019 Budget Priorities
8. **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, August 14, 2017 @ 6:00 p.m.
City Council Chambers

CALL TO ORDER

Council Vice President Wood called the meeting to order at 6:00 p.m.

PRESENT

Councilmember Brown Clarke
Councilmember Kathie Dunbar
Councilmember Tina Houghton
Councilmember Adam Hussain
Councilmember Patricia Spitzley- arrived at 6:13 p.m.
Councilmember Jody Washington
Councilmember Carol Wood
Councilmember Jessica Yorko- excused

OTHERS PRESENT

Sherrie Boak, Council Staff
Eric Brewer, Council Internal Auditor
Randy Hannan, Mayors Executive
Chad Gamble, Director of Public Service
Angie Bennett, Finance Director
Gordon T. Wilson
Kirk Lytwyn
Elaine Womboldt

Minutes

MOTION BY COUNCIL MEMBER BROWN CLARKE TO APPROVE THE MINUTES FROM JULY 24, 2017 AS PRESENTED. MOTION CARRIED 6-0.

MOTION BY COUNCIL MEMBER BROWN CLARKE TO APPROVE THE MINUTES FROM JULY 31, 2017 AS PRESENTED. MOTION CARRIED 6-0.

Public Comment on Agenda Items

Ms. Womboldt spoke on her concerns with language on the ballot for the sidewalks.

Discussion/Action

RESOLUTION - Reappointments of 11 Individuals to Various Boards and Commissions

Council Member Brown Clarke read the 11 appointments, expiration date and their appointed positions. Those included Anthony Mullen, Josh Hovey, Scott Dedic, James Butler, Fred Sparrow, Maria Starr VanCore, Scott Gillespie, Veronica Gracia- Wing, Lynne Martinez and John Ruge.

Council Member Wood verified that the resolution did reflect that the Mayor's office had vetted all appointees.

Council Member Washington spoke in opposition to John Hovey for the appointments on the Board of Zoning Appeals and the Planning Board.

MOTION BY COUNCIL MEMBER BROWN CLARKE TO APPROVE THE RESOLUTION FOR THE REAPPOINTMENTS OF 11 INDIVIDUALS TO VARIOUS BOARDS AND COMMISSIONS. MOTION CARRIED 5-1.

DISCUSSION - Approval of Ballot Language for Bond Proposal for Sidewalks and Neighborhood Street

Mr. Gamble distributed the power point handout and a spreadsheet on millage paving since 2012, last dated August 14, 2017.

Mr. Hannan stated the City will need an estimated \$250 million a year to bring the streets up to an average condition, then another \$26 million to repair and replace sidewalks. With a home value of \$100,000 it would be a \$50 increase in property taxes per year. Funds generated by the millage will focus on the sidewalks. The millage would provide time for the Administration to continue to advocate at the State level for more funding, and will allow work to begin in Spring 2018.

Mr. Gamble began his presentation power point, highlighting the funding and liabilities. Under the current road millage, \$1.9 million is contributed to the Act 51 fund. These Act funds are audited and restricted to their expenditures. The road maintenance is restricted to the right away, and \$1.6 million is funded to sustain staffing and equipment.

Council Member Houghton asked if the \$1.9 millage is still in the 6th year, and if there are additional Act 51 funds. Mr. Gamble confirmed. There is \$1.6 million that pays for staff and equipment to perform the work, which includes catch basin cleaning, street cleaning and winter maintenance. The current road millage plays a significant roll and in the past the transfer was in the millions for Act 51, but the current balance below \$1 million. The millage also provides for \$300,000 annually worth of material. In reference to the spreadsheet that was handed out lists the 12,333 miles. With the proposed changes in FY2019, the State passed a road funding project, and at the height of it in 2021, the will receive \$6 million.

Council Member Wood asked for verification that the \$1.6 million of the millage dollars was used for staffing, which was confirmed and also noted included material to do the work in house. Council Member Spitzley asked if the proposed millage did not pass, would there be layoffs. Mr. Gamble assured her no, and that the millage that was renewed in 2016 had a high risk of layoffs, but at that time the gas tax had not passed.

Council Member Hussain asked the Administration to be more exact in the language on where the millage would be used.

Mr. Gamble moved onto the presentation which spoke to the 625 miles of sidewalk, and 20% of sidewalks requiring repair. There is 31 miles of sidewalk at \$1.28 million that have the cutting process, and the replacement of sidewalk is at 94 miles of \$24.8 million.

Council Member Brown Clarke asked if the staff was addressing and creating a strategy for the trees that upheave the sidewalks. Mr. Gamble confirmed they do an evaluation and work with the forestry department to consider options, and also work with the home owner. Any owner who has a concern on a tree they believe is affecting their sidewalk should contact Lansing Connect and report it so staff can do a site visit.

Mr. Gamble moved onto slide 7 which spoke to the 303 miles of neighborhood streets and total cost of \$55.3 million to improve 260 miles of those.

Slide 8 noted that the Administration is proposing using the millage to split at 75% at \$8.55 million for sidewalks and 25% or \$2.85 million for streets.

Council Member Hussain asked how the staff will prioritize the \$8.55 million on the sidewalks. Mr. Gamble admitted they will use the funds for non-intersection, non ADA improvement. This will be prioritizing for repair and maintenance only. If they locate an issue with an ADA ramp area, these funds will not be used for that, Mr. Gamble assured them. Council Member Spitzley asked what percentages of the streets that don't have the ramps have to be addressed, at which Mr. Gamble did not have that information but stated there would be a breakdown in the budget process next year. Council Member Hussain then asked for the percentage for replacement, at which Mr. Gamble did stated 95% of the sidewalks funds will be for repair and replace.

Council Member Wood asked when they use the cumulative amount of \$8.55 million, do they look at where there is a street and sidewalk at the same time that need repairs or where there are no sidewalks. Mr. Gamble answered that they will continue to use the gap closure program where there is a street with no sidewalks to complete those.

Council Member Dunbar referenced a past comprehensive study on sidewalks, and asked if that information is still utilized, at which point Mr. Gamble confirmed it is used to drive some of the repairs.

Council Member Houghton asked if 25% of the millage could be a street that needs ADA, then it comes from the street funds not the sidewalk, and Council Member Spitzley added that would potentially bring the funding for the sidewalks to more than 75%. Mr. Gamble assured the Committee they are trying to focus funds on sidewalks. In regards to the roads, they plan to overlay, resurface, and mill as opposed to reconstruct. Some cannot be overlay or repaired so those could be complete streets.

Council Member Wood asked if a sidewalk is done in front a home is it still the property owners responsibility to pay as well, and Mr. Gamble answered it is required by City Ordinance.

Council Member Brown Clarke asked if they are considering crushed stones for fill and if they are also collaborating with the abutting communities for their resources, and projects.

Ms. Bennett quickly overviewed the final slide, noting the City is currently at 19 mills and will cap, so they will seek bonds, and those bonds will be issued and the City will pay for the work, then the millage will pay off the bonds. In fall 2017 if the voters approve the millage they will seek bonds in winter, and issue the first series for 3 years, then in 3 years issues another.

Council Member Wood asked what the cost of the repayment on the \$11.4 million bond would be. Ms. Bennett was not able to provide an exact amount depending on interest rates. She did speculate that at 2.5% it could be \$500,000 over the 6 years, and if at 2% it could be \$400,000 for that time frame.

Council Member Wood referred to the spreadsheet, asking what the average cost of the work was. Mr. Gamble noted the list reflected the formal capital projects in the form of typical overlay or mill/fill, pot holes, skim patching. They only issued a couple contracts outside of the City Maintenance Division. The normal cost for a skim coat on a complete block could be \$45,000-\$60,000 depending on the width of the street. Out of the 12.333 miles done since 2012 less than 15% was contracted out. The Committee and Administration reviewed the streets done over the years listed in the spreadsheet, with a suggestion to the Administration to provide historical detailed information the website. The Committee added they should also look into reciprocal agreements with the County and Townships if there aren't, and concluded with continued emphasis on transparency.

Council Member Houghton asked if the Act 51 funds were audited annually, and was informed they are audited twice annually; once by the State as well as by a 3rd party through the City Finance Department.

Council Member Houghton referenced and read from the ballot language from 2016 which was broad in its content also because of the number of characters allowed. It stated Police, Fire, Local Roads and Sidewalk Maintenance.

Council Member Washington was concerned with the last minute submission to the Council and additional concerns with the proposed "piecemealing" of roads and sidewalks. She noted that based on a letter the Committee had received on the Dias, the Public Service Board just met on it today, August 14th. Mr. Hannan stated that the item was referred to Council on July 10th.

Council Member Spitzley encouraged the discussions, but also noted her frustration that some information such as the power point, spreadsheet and comments from the Public Service Advisory Board were just provided at this meeting. She then noted the letter from the Advisory Board confirmed their vote of 4-2; however it failed because they needed 5 to pass it, and there were also 2 members absent. Council Member Spitzley added that this information opens up more questions at this last minute as to why that Board just saw this today, and why did the 2 vote no. Mr. Gamble stated it was presented to that Board the week of August 7th, but this was the first time they could meet. Their concerns were on spending on the road and lack thereof. Council Member Dunbar also stated she spoke to Board members who had an issue with the lack of spending, and they wanted to go above and beyond, but agreed to support starting somewhere.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR THE BALLOT LANGUAGE FOR BOND PROPOSAL FOR SIDEWALKS AND NEIGHBORHOOD STREETS. MOTION FAILED 3-4.

Adjourn

Adjourned at 7:28 p.m.

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

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**SECOND AMENDMENT TO THE
CITY OF LANSING DEFINED CONTRIBUTION PLAN**

The City of Lansing Defined Contribution Plan is hereby amended, effective May 26, 2017, as set forth below.

1. The effective date of the Third Amendment to the Plan, executed November 15, 2013 (prior to the adoption of the restated Plan, which became effective on January 1, 2016) shall be changed from September 17, 2012 to January 1, 2013.

2. Section 19.2(a), which was added by Section E of Addendum A to the Adoption Agreement, shall be replaced in its entirety with the following:

(a) Effective Date: The provisions of this Article XIX shall be effective as of January 1, 2013.

3. Section I of Schedule A to the Adoption Agreement shall be replaced in its entirety with the following:

I. Bargaining Units

An individual whose terms of employment are governed by a collective bargaining agreement between the Employer and a bargaining unit that is listed below is eligible to participate in the Defined Contribution Plan pursuant to the terms of the Plan.

Name of Bargaining Unit	Effective Date
Teamsters Local No. 214 Supervisory and Non-supervisory	January 1, 2013
Teamster 243 – 54-A District Court (formerly Teamster 580 – 54-A District Court)	March 31, 2014
Teamster 243 Supervisory (formerly Teamster 580 Supervisory)	May 19, 2014
Teamster 243 Clerical, Technical, and Professional (formerly Teamster 580 Clerical, Technical, and Professional)	May 19, 2014

CITY OF LANSING

Dated: _____, 2017

By: _____

Its: _____

06326:00017:3132256-1

**CITY OF LANSING
CITY COUNCIL RESOLUTIONS**

RESOLVED: That the Second Amendment to the City of Lansing Defined Contribution Plan is hereby adopted effective as set forth therein; and

FURTHER RESOLVED: That _____, Chairperson of the Defined Contribution Board, is hereby authorized to execute the Second Amendment and any related documents that are necessary in order to implement the foregoing resolution on behalf of the City.

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 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; [Temporary Suspension of License](#).
- 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.

EXCEPT AS MAY BE REQUIRED OR PERMITTED BY LAW OR REGULATION, 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, THE MEDICAL MARIHUANA FACILITIES LICENSING ACT OR SECTION 8-501 OF THE LANSING CITY CHARTER.

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, MMFLA OR MTA, OR IF A TERM IS NOT DEFINED BUT IS DEFINED IN THE MMMA, MMFLA OR MTA, 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, MMFLA OR MTA AND THESE SE-~~SE~~ ACTS SUPERSEDE THIS ORDINANCE WHERE THERE IS A CONFLICT BETWEEN

1 | THEM AND THE IMMUNITIES AND PROTECTIONS^S ESTABLISHED IN
2 | THE MMMA UNLESS SUPERSEDED OR PREEMPTED BY THE MMFLA.

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

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

26
27 | (F) THE FOLLOWING TERMS SHALL HAVE THE DEFINITIONS GIVEN:

28
29 | “APPLICATION” MEANS AN APPLICATION FOR A LICENSE PURSUANT TO THE
30 | TERMS AND CONDITIONS SET FORTH IN SECTIONS 1300.5 AND 1300.6.

31
32 | “APPLICATION FOR A LICENSE RENEWAL” MEANS AN APPLICATION FOR A
33 | LICENSE RENEWAL PURSUANT TO THE TERMS AND CONDITIONS OF SECTION
34 | 1300.7.

35
36 | “BUFFERED USE” MEANS A USE SUBJECT TO THE BUFFERING AND
37 | DISPERSION REQUIREMENTS OF SECTIONS 1300.13 (A) AND 1300.13 (D).

38
39 | “BUILDING” MEANS AN INDEPENDENT, ENCLOSED STRUCTURE HAVING A
40 | ROOF SUPPORTED BY COLUMNS OR WALLS, INTENDED AND ~~OR~~ USED FOR
41 | SHELTER OR ENCLOSURE OF PERSONS OR CHATTELS. WHEN ANY PORTION OF A
42 | STRUCTURE IS COMPLETELY SEPARATED FROM EVERY OTHER PART BY
43 | DIVIDING WALLS FROM THE GROUND UP, AND WITHOUT OPENINGS, EACH
44 | PORTION OF SUCH STRUCTURE SHALL BE DEEMED A SEPARATE STRUCTURE,
45 | REGARDLESS OF WHETHER THE PORTIONS OF SUCH STRUCTURE SHARE
46 | 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.

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

“CULTIVATION” OR “CULTIVATE” AS USED IN THIS CHAPTER MEANS: (1) ALL PHASES OF GROWTH OF MARIHUANA FROM SEED TO HARVEST, AND DRYING TRIMMING, AND CURING DRIES, TRIMS OR CURES; (2) PREPARING, PACKAGING OR REPACKAGING, LABELING, OR RELABELING OF ANY FORM OF MARIHUANA.

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

“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.

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

1 “LICENSE APPLICATION” MEANS AN APPLICATION SUBMITTED FOR A
2 LICENSE PURSUANT TO THE REQUIREMENTS AND PROCEDURES SET FORTH IN
3 SECTIONS 1300.5 AND 1300.6.

4
5 “LICENSEE” MEANS A PERSON ISSUED A LICENSE FOR AN ESTABLISHMENT
6 PURSUANT TO THIS CHAPTER.

7
8 “MARIHUANA” MEANS ALL PARTS OF THE PLANT CANNABIS SATIVA L.,
9 GROWING OR NOT; THE SEEDS OF THE PLANT; THE RESIN EXTRACTED FROM
10 ANY PART OF THE PLANT; AND EVERY COMPOUND, MANUFACTURE, SALT,
11 DERIVATIVE, MIXTURE, OR PREPARATIONS OF THE PLANT OR ITS SEEDS OR
12 RESIN.

13 MARIHUANA DOES NOT INCLUDE:

- 14 1. THE MATURE STALKS OF THE PLANT;
- 15 2. FIBER PRODUCED FROM THE STALKS, OIL OR CAKE MADE FROM
16 THE SEEDS OF THE PLANT;
- 17 3. ANY OTHER COMPOUND, MANUFACTURE, SALT, DERIVATIVE,
18 MIXTURE, OR PREPARATION OF THE MATURE STALKS,
19 (EXCEPT THE RESIN EXTRACTED FROM THOSE STALKS, FIBER,
20 OIL OR CAKE); OR
- 21 4. ANY STERILIZED SEED OF THE PLANT THAT IS INCAPABLE OF
22 GERMINATION; OR
- 23 5. INDUSTRIAL HEMP GROWN OR CULTIVATED OR BOTH FOR
24 RESEARCH, PURPOSES UNDER THE INDUSTRIAL HEMP RESEARCH
25 ACT.

26
27 “MARIHUANA-INFUSED PRODUCT” MEANS A TOPICAL FORMULATION,
28 ~~TINCTURE TINCUTRE~~, BEVERAGE, EDIBLE SUBSTANCE, OR SIMILAR PRODUCT
29 CONTAINING ANY USABLE MARIHUANA THAT IS INTENDED FOR HUMAN
30 CONSUMPTION IN A MANNER OTHER THAN SMOKE INHALATION. MARIHUANA-
31 INFUSED PRODUCT SHALL NOT BE CONSIDERED A FOOD FOR PURPOSE OF THE
32 FOOD LAW, 2000 PA 92, MCL 289.1101 TO 289.8111.

33
34 “MARIHUANA TRACKING ACT” OR “MTA” MEANS PUBLIC ACT 282 OF 2016
35 .M.C.L. 333.27901, ET. SEQ.

36
37 “MEDICAL MARIHUANA” MEANS ANY MARIHUANA INTENDED FOR MEDICAL
38 USE THAT MEETS ALL DESCRIPTIONS AND REQUIREMENTS FOR MEDICAL
39 MARIHUANA CONTAINED IN THE MMMA, MMFLA AND THE MTA AND ANY
40 OTHER APPLICABLE LAW.

41
42 “MEDICAL MARIHUANA COMMISSION” OR “COMMISSION” MEANS THE
43 MEDICAL MARIHUANA COMMISSION ESTABLISHED UNDER SECTION 1300.3
44 OF THIS CHAPTER.

45
46 “MEDICAL MARIHUANA FACILITIES LICENSING ACT” OR “MMFLA” MEANS
47 PUBLIC ACT 281 OF 2016, MCL 333.27101, ET. SEQ.

“MEDICAL MARIHUANA ESTABLISHMENT(S), OR, “ESTABLISHMENT,” MEANS ANY FACILITY, ESTABLISHMENT AND/OR CENTER THAT IS REQUIRED TO BE LICENSED UNDER THIS CHAPTER AND POSSESSES A LICENSE TO OPERATE UNDER THE MMFLA, INCLUDING: A MEDICAL MARIHUANA PROVISIONING CENTER, A MEDICAL MARIHUANA GROWER FACILITY; A MEDICAL MARIHUANA PROCESSOR FACILITY; A MEDICAL MARIHUANA SECURE TRANSPORTER; AND A MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY.

“MEDICAL MARIHUANA GROWER FACILITY,” MEANS A COMMERCIAL OR BUSINESS ENTITY LOCATED IN THE CITY THAT IS LICENSED TO OPERATE BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO TERMS AND CONDITIONS OF THIS CHAPTER THAT CULTIVATES, DRIES, TRIMS OR CURES AND PACKAGES MARIHUANA IN ACCORDANCE WITH STATE LAW.

“MEDICAL MARIHUANA LICENSING BOARD” MEANS THE STATE BOARD ESTABLISHED PURSUANT TO THE MMFLA.

“MEDICAL MARIHUANA PROVISIONING CENTER,” MEANS A COMMERCIAL OR BUSINESS ENTITY LOCATED IN THE CITY THAT IS LICENSED TO OPERATE BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO THE TERMS AND CONDITIONS OF THIS CHAPTER, THAT SELLS, SUPPLIES, OR PROVIDES MARIHUANA TO REGISTERED QUALIFYING PATIENTS ONLY AS PERMITTED BY STATE LAW. MEDICAL MARIHUANA PROVISIONING CENTER, AS DEFINED IN THE MMMA, MMFLA AND MTA, INCLUDES ANY COMMERCIAL PROPERTY OR BUSINESS WHERE MARIHUANA IS SOLD IN CONFORMANCE WITH STATE LAW AND REGULATION. A NONCOMMERCIAL OR NONBUSINESS LOCATION USED BY A PRIMARY CAREGIVER TO ASSIST A QUALIFYING PATIENT, AS DEFINED IN THE MMMA, MMFLA OR MTA CONNECTED TO THE CAREGIVER THROUGH THE STATE’S MARIHUANA REGISTRATION PROCESS IN ACCORDANCE WITH THE MMMA, MMFLA OR MTA IS NOT A MEDICAL MARIHUANA PROVISIONING CENTER FOR PURPOSES OF THIS CHAPTER.

“MMFLA” MEANS THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, MCL 333.2701, ET.SEQ. AS AMENDED FROM TIME TO TIME.

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

“MTA” MEANS THE MARIHUANA TRACKING ACT, MCL 333.27901, ET. SEQ. AS AMENDED FROM TIME TO TIME.

“ORDINANCE” MEANS THE ORDINANCE ADOPTING THIS CHAPTER 1300.

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

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

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

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

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

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

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

“SECURE TRANSPORTER” OR “MEDICAL MARIHUANA SECURE TRANSPORTER” MEANS A COMMERCIAL **OR BUSINESS** ENTITY THAT IS LICENSED TO OPERATE BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED TO OPERATE BY THE

CITY PURSUANT TO ~~THE TERMS AND CONDITIONS OF~~ THIS CHAPTER, ~~THAT IS A COMMERCIAL ENTITY LOCATED IN THIS CITY~~ THAT STORES MARIHUANA AND TRANSPORTS MARIHUANA BETWEEN MEDICAL MARIHUANA FACILITIES FOR A FEE AND IN ACCORDANCE WITH STATE LAW.

“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 ESTABLISHMENT OF THE MEDICAL MARIHUANA COMMISSION; MEMBERSHIP; CHAIRPERSON; MEETINGS

(A) THE MEDICAL MARIHUANA COMMISSION IS HEREBY ESTABLISHED. THE COMMISSION SHALL CONSIST OF SEVEN (7) MEMBERS, WHO SHALL BE APPOINTED BY THE MAYOR WITH THE CONSENT OF COUNCIL. MEMBERS SHALL SERVE FOR TERMS OF OFFICE OF THREE (3) YEARS. EXCEPT FOR THE INITIAL APPOINTMENTS TO THE COMMISSION, TWO MEMBERS SHALL SERVE FOR A TERM OF ONE (1) YEAR, TWO MEMBERS SHALL SERVE FOR A TERM OF TWO (2) YEARS, AND THREE MEMBERS SHALL SERVE FOR A TERM OF THREE YEARS.

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

- (1) FOUR (4) MEMBERS, ONE FROM EACH WARD OF THE CITY, UPON BEING RECOMMENDED TO THE MAYOR BY THE COUNCIL PERSON IN THAT WARD;
- (2) ONE (1) MEMBER REPRESENTING A DULY ORGANIZED AND EXISTING MEDICAL MARIHUANA PATIENT ADVOCACY ORGANIZATION;
- (3) TWO (2) MEMBERS POSSESSING BUSINESS EXPERIENCE.

(C) THE CHAIRPERSON OF THE COMMISSION SHALL BE ELECTED ANNUALLY BY A MAJORITY VOTE OF THE 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 FOUR (4) MEMBERS SHALL CONSTITUTE A QUORUM FOR VOTING PURPOSES.

(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 VOTING AT A MEETING.

(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) AND THE DIRECTOR OF PLANNING AND NEIGHBORHOOD DEVELOPMENT (OR A DESIGNEE) SHALL ALSO SERVE THE COMMISSION IN AN EX OFFICIO NON-VOTING CAPACITY.

1300.4 - OPERATION WITHOUT LICENSE PROHIBITED.

(A) 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 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 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 TO THE COMMISSION. 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 SUBMITTED TO THE COMMISSION FOR CONSIDERATION, THE MEDICAL MARIHUANA ESTABLISHMENT MUST CEASE OPERATING WITHIN 30 CALENDAR DAYS FROM THE DATE OF SUCH NOTIFICATION. CONTINUING TO OPERATE AFTER NOTIFICATION FROM THE CLERK SHALL BE A FACTOR THAT MAY BE CONSIDERED BY THE COMMISSION IN SUBSEQUENT LICENSING DETERMINATIONS.

(C) THE CITY CLERK SHALL ISSUE A NEW LICENSE FOR A MEDICAL MARIHUANA ESTABLISHMENT ONLY AFTER THE COMMISSION HAS ISSUED A CERTIFICATE OF APPROVAL. 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.

~~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 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:~~

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- 1 (1) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICANT'S NAME,
2 DATE OF BIRTH, PHYSICAL ADDRESS, EMAIL ADDRESS, ONE OR
3 MORE PHONE NUMBERS, INCLUDING EMERGENCY CONTACT
4 INFORMATION, A COPY OF A GOVERNMENT ISSUED PHOTO
5 IDENTIFICATION CARD OF THE APPLICANT; ~~AND A COPY OF THE~~
6 ~~APPLICANT'S CAREGIVER REGISTRY IDENTIFICATION CARD ISSUED~~
7 ~~PURSUANT TO THE MMMA;~~
8
9 (2) IF THE APPLICANT IS NOT AN INDIVIDUAL, THE NAMES, DATES OF
10 BIRTH, PHYSICAL ADDRESSES, EMAIL ADDRESSES, AND ONE OR
11 MORE PHONE NUMBERS OF EACH STAKEHOLDER OF THE
12 APPLICANT, INCLUDING DESIGNATION OF A STAKEHOLDER AS AN
13 EMERGENCY CONTACT PERSON AND CONTACT INFORMATION FOR
14 THE EMERGENCY CONTACT PERSON, ARTICLES OF INCORPORATION,
15 INTERNAL REVENUE SERVICE SS-4 EIN CONFIRMATION LETTER, AND
16 THE OPERATING AGREEMENT OF THE APPLICANT, IF A LIMITED
17 LIABILITY COMPANY; ~~AND A COPY OF AT LEAST ONE~~
18 ~~STAKEHOLDER'S CAREGIVER REGISTRY IDENTIFICATION CARD~~
19 ~~ISSUED PURSUANT TO THE MMMA;~~
20
21 (3) THE NAME AND ADDRESS OF THE PROPOSED MEDICAL MARIHUANA
22 ESTABLISHMENT AND ANY ADDITIONAL CONTACT INFORMATION DEEMED
23 NECESSARY BY THE CITY CLERK;
24
25 (4) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS,
26 FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE APPLICANT,
27 AFFIRMATION THAT EACH IS AT LEAST 18 YEARS OF AGE AND HAS NOT BEEN
28 CONVICTED OF OR PLED GUILTY OR NO CONTEST TO A DISQUALIFYING
29 FELONY. WITH RESPECT TO ALL OTHER MEDICAL MARIHUANA
30 ESTABLISHMENTS, FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE
31 APPLICANT, AN AFFIRMATION THAT EACH AND EVERY AGENT OR EMPLOYEE
32 IS AT LEAST 18 YEARS OF AGE AND HAS NOT BEEN CONVICTED OF OR PLED
33 GUILTY OR NO CONTEST TO A DISQUALIFYING FELONY;
34
35 (5) A SIGNED RELEASE AUTHORIZING THE CITY OF LANSING POLICE
36 DEPARTMENT TO PERFORM A CRIMINAL BACKGROUND CHECK TO
37 ASCERTAIN WHETHER THE APPLICANT, EACH STAKEHOLDER OF THE
38 APPLICANT, EACH OPERATOR AND EMPLOYEE OF THE APPLICANT MEET THE
39 CRITERIA SET FORTH IN THIS CHAPTER;
40
41 (6) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS,
42 THE NAME, DATE OF BIRTH, PHYSICAL ADDRESS, COPY OF PHOTO
43 IDENTIFICATION, AND EMAIL ADDRESS FOR ANY OPERATOR OR EMPLOYEE
44 IF OTHER THAN THE APPLICANT;
45

(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 RELEVANT EXPERIENCE WITH MEDICAL MARIHUANA OR A RELATED INDUSTRY;

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

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

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

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

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

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

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

(14) A DESCRIPTION OF THE SECURITY PLAN FOR THE MEDICAL MARIHUANA ESTABLISHMENT, INCLUDING, BUT NOT LIMITED TO, ANY LIGHTING, ALARMS, BARRIERS, RECORDING/MONITORING DEVICES, AND/OR SECURITY GUARD ARRANGEMENTS PROPOSED FOR THE ESTABLISHMENT AND PREMISES. THE SECURITY PLAN MUST CONTAIN THE SPECIFICATION DETAILS OF EACH PIECE OF SECURITY EQUIPMENT. EACH MEDICAL

MARIHUANA ESTABLISHMENT MUST HAVE A SECURITY GUARD PRESENT DURING BUSINESS HOURS;

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

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

(17) A LOCATION AREA MAP, AS MEASURED PURSUANT TO SECTION 1300.13—(D) OF THE MEDICAL MARIHUANA ESTABLISHMENT AND SURROUNDING AREA THAT IDENTIFIES THE RELATIVE LOCATIONS AND THE DISTANCES, AS MEASURED PURSUANT TO SECTION 1300.13—(D), TO THE BUFFERED USES SET FORTH IN SECTION 1300.13 (A) ~~A LOCATION AREA MAP OF THE MEDICAL MARIHUANA ESTABLISHMENT AND SURROUNDING AREA THAT IDENTIFIES THE RELATIVE LOCATIONS AND THE DISTANCES (CLOSEST PROPERTY LINE TO THE SUBJECT ESTABLISHMENT'S PROPERTY LINE) FROM THE SUBJECT MEDICAL MARIHUANA ESTABLISHMENT TO THE CLOSEST REAL PROPERTY OF AN OPERATIONAL PUBLIC OR PRIVATE ELEMENTARY OR SECONDARY SCHOOL, CHURCH, PARK, 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., ANOTHER LICENSED MEDICAL MARIHUANA 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;~~

(18) 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;

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

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

(21) 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;

(22) VERIFICATION, INCLUDING COPIES OF ACTUAL BANK STATEMENTS, SHOWING THAT THE APPLICANT HAS MINIMUM NET WORTH OF ONE HUNDRED THOUSAND DOLLARS (\$100,000) IN THE APPLICANT'S NAME. 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;

(23) 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

(24) A SIGNED ACKNOWLEDGMENT 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 REQUIRMENTS 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 OCCUR AS A RESULT OF THE VIOLATION BY APPLICANT, ITS OFFICIALS, MEMBERS, PARTNERS, SHAREHOLDERS, EMPLOYEES AND AGENT 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.

(25) 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 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, MTA 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. THE APPLICANT SHALL SPECIFICALLY ACKNOWLEDGE THIS PROVISION.

(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. THE POLICY SHALL PROVIDE THAT THE CITY SHALL BE NOTIFIED BY THE INSURANCE CARRIER THIRTY (30) DAYS IN ADVANCE OF ANY CANCELLATION.

(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 OR OTHER INSTITUTION
APPROVED BY THE CITY ATTORNEY.

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

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

~~(28) — ANY OTHER INFORMATION WHICH MAY BE REQUIRED BY~~
COMMISSION RULE FROM TIME TO TIME, 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 THE 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 PURSUANT TO SECTION 1300.6.~~ 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 ~~COMMISSION CITY CLERK~~ SHALL ASSESS, ~~EVALUATE, AND SCORE~~ AND RANK EACH APPLICATION ~~BASED UPON A SCORING AND RANKING 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 EDUCATIONAL, SAFETY, AND NEIGHBORHOOD

AGREED UPON

(2)(3) OUTREACH ON BEHALF OF THE PROPOSED ESTABLISHMENT,
AND WHETHER THE APPLICANT OR ITS STAKEHOLDERS HAVE MADE
SIGNIFICANT PHYSICAL IMPROVEMENTS TO THE BUILDING OR
SURROUNDING NEIGHBORHOOD WHERE THE PROPOSED
ESTABLISHMENT IS TO BE LOCATED;

(3)(4) WHETHER THE APPLICANT OR ANY OF AND ITS
STAKEHOLDERS HAVE 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 PRIOR TO THE DATE OF THE APPLICATION;
WHETHER THE APPLICANTION HAS PREVIOUSLY OPERATED OR
CURRENTLY OPERATES AN ILLEGAL BUSINESS OF ANY KIND.

(4)(5) WHETHER THE APPLICANT HAS REASONABLY
DEMONSTRATED IT POSSESSES SUFFICIENT FINANCIAL RESOURCES
TO FUND AND THE REQUISITE BUSINESS EXPERIENCE TO EXECUTE
THE SUBMITTED BUSINESS PLAN AND OTHER PLANS REQUIRED BY
SECTION 1300.5.

(C) BASED UPON TESTIMONY, WRITTEN AND ORAL COMMENTS FROM THE
PUBLIC, PLANNING BOARD REVIEW, MAPS, HISTORICAL DATA, COUNCIL
COMMITTEE DELIBERATIONS, AND PUBLIC HEARINGS, THE CITY COUNCIL
FINDS AND DETERMINES THAT IT IS IN THE PUBLIC INTEREST AND SERVES A
PUBLIC PURPOSE THAT THE MAXIMUM NUMBER OF LICENSES ISSUED FOR
MEDICAL MARIHUANA PROVISIONING 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 COMMISSION CITY
SHALL WILL BEGIN EVALUATION OF APPLICATIONS FOR AUTHORIZATION OF
ISSUE A MAXIMUM OF UP TO TWENTY (20) PROVISIONING CENTER LICENSES
TO ALLOW FOR AN EFFICIENT AND MANAGABLE ADMINISTRATIVE REVIEW.
THE COMMISSION MAY ADJUST DISTRIBUTION OF PHASE TWO 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 APPLICATIONSANTS AND AMENDED APPLICATIONSANTS, THE
COMMISSION MAY AUTHORIZE A MAXIMUM OF ISSUE UP TO FIVE (5)
ADDITIONAL LICENSES. DURING THE TWO-PHASE PROCESS. AN APPLICATION
SUBMITTED DURING PHASE ONE AND APPROVED BY THE CLERK TO THE
COMMISSION, BUT NOT SELECTED FOR APPROVAL BY THE COMMISSION
DURING PHASE ONE, MAY BE CONSIDERED FOR APPROVAL DURING PHASE

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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 MINIMUM CRITERIA SET FORTH IN 1300.6(B) THAN ~~THERE ARE~~ LICENSES AVAILABLE IN EITHER PHASE ONE OR TWO, THE TOP SCORING ~~TWENTY (20) FIFTEEN (15)~~ APPLICANTS IN PHASE ONE AND TOP SCORING ~~FIVE (5) TEN (10)~~ APPLICANTS IN PHASE TWO, IF AUTHORIZED BY THE COMMISSION, SHALL BE ELIGIBLE TO RECEIVE PROVISIONING CENTER LICENSES. IN THE EVENT OF AN EVALUATION SCORING TIE DURING EITHER PHASE ONE OR PHASE TWO, WHICH CAUSES THERE TO BE MORE THAN ~~2015~~ AND ~~540~~ HIGHEST SCORING TOP APPLICANTS RESPECTIVELY, THE SCORING - TIED APPLICANTS WILL BE ENTERED INTO A RANDOM DRAW USING PROCEDURES SET BY THE COMMISSION. THOSE APPLICATIONS RANDOMLY SELECTED SHALL BE ELIGIBLE TO RECEIVE A LICENSE; HOWEVER, IN NO EVENT SHALL THE MAXIMUM NUMBER OF PROVISIONING CENTER LICENSES EVER EXCEED 25. ALL LICENSE APPLICATIONS MUST BE SUBMITTED DURING THE OPEN ENROLLMENT PERIODS SET BY THE CLERK.

Comment [OA1]: ONLY SUBSTANTIVE CHANGE. MADE TO MATCH LANGUAGE IN PARAGRAPH ABOVE.

~~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, ~~OR ENTITY~~ 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 OR MEDICAL 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, OR ENTITY 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 REGULARTORY 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 LAW ENFORCEMENT PERSONNEL TO CONFIRM THAT THE MEDICAL MARIHUANA GROWER 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 MARIHUANA SHALL BE CONTAINED WITHIN THE BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE MMFLA, ~~MTA~~, AND THE RULES AND REGUALTIONS OF THE MEDICAL MARIHUANA LICENSING BOARD, AS AMENDED;

1 (7) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL
2 PERMITS SHALL BE OBTAINED FROM THE CITY OF LANSING OR OTHER
3 APPLICABLE GOVERNMENT AUTHORITY FOR ANY PORTION OF THE
4 STRUCTURE IN WHICH ELECTRICAL WIRING, LIGHTING AND/OR WATERING
5 DEVICES THAT SUPPORT THE CULTIVATION, GROWING OR HARVESTING OF
6 MARIHUANA ARE LOCATED;
7

8 (8) THAT PORTION OF THE STRUCTURE WHERE ANY CHEMICALS SUCH AS
9 HERBICIDES, PESTICIDES, AND FERTILIZERS ARE STORED SHALL BE SUBJECT
10 TO INSPECTION AND APPROVAL BY THE LANSING FIRE DEPARTMENT TO
11 INSURE COMPLIANCE WITH THE MICHIGAN FIRE CODES;
12

13 (9) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
14 MARIHUANA GROWER FACILITY SHALL BE PROHIBITED;
15

16 (10) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN
17 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH CULTIVATING,
18 PROCESSING, OR TESTING MEDICAL MARIHUANA. MULTI-TENANT
19 COMMERCIAL BUILDINGS MAY PERMIT ACCESSORY USES IN SUITES
20 SEGREGATED FROM MEDICAL MARIHUANA GROWER FACILITY;
21

22 (11) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
23 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY,
24 INCLUDING BUT NOT LIMITED TO:
25

26 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;
27

28 (II) WASHING HANDS THOROUGHLY IN ADEQUATE HAND-WASHING
29 AREAS BEFORE STARTING WORK AND AT ANY OTHER TIME WHEN THE
30 HANDS MAY HAVE BECOME SOILED OR CONTAMINATED.
31

32 (III) REFRAINING FROM HAVING DIRECT CONTACT WITH MEDICAL
33 MARIHUANA IF THE PERSON HAS OR MAY HAVE AN ILLNESS, OPEN
34 LESION, INCLUDING BOILS, SORES OR INFECTED WOUNDS, OR ANY OTHER
35 ABNORMAL SOURCE OF MICROBIAL CONTAMINATION, UNTIL THE
36 CONDITION IS CORRECTED.
37

38 (12) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
39 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
40 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
41 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
42

43 (13) FLOORS, WALLS, AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
44 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
45 IN GOOD REPAIR;
46

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

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

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

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

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

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

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

1300.11 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY.

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

(1) THE SAFETY COMPLIANCE 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~~ 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 FACILITY;

(3) 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;

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

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

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

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

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

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

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

(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 A MEDICAL MARIHUANA PROCESSOR FACILITY AND A MEDICAL MARIHUANA 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

1 WHICH ELECTRICAL WIRING FOR DEVICES THAT SUPPORT THE PROCESSING
2 ~~OR SECURE TRANSPORTING OF MEDICAL~~ MARIHUANA ARE LOCATED;
3

4 (9) THAT PORTION OF THE STRUCTURE WHERE THE STORAGE OF ANY
5 CHEMICALS EXIST SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY
6 THE LANSING FIRE DEPARTMENT TO INSURE COMPLIANCE WITH THE
7 MICHIGAN FIRE PROTECTION CODE;
8

9 (10) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
10 MARIHUANA PROCESSOR OR SECURE TRANSPORTER FACILITY SHALL BE
11 PROHIBITED EXCEPT AS AUTHORIZED BY LANSING CITY CHARTER AND
12 STATE LAW;
13

14 (11) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN
15 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH THE
16 PROCESSING ~~MULTI-TENANT COMMERCIAL BUILDINGS MAY PERMIT~~
17 ~~ACCESSORY USES IN SUITES OR SECURE TRANSPORTING OF MEDICAL~~
18 ~~MARIHUANA. MULTI-TENANT COMMERCIAL BUILDINGS MAY PERMIT~~
19 ~~ACCESSORY USES IN SUITES~~ SEGREGATED FROM THE PROCESSOR FACILITY;
20

21 (12) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
22 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY,
23 INCLUDING BUT NOT LIMITED TO:
24

25 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;
26

27 (II) WASHING HANDS THOROUGHLY IN ADEQUATE HAND-WASHING
28 AREAS BEFORE STARTING WORK AND AT ANY OTHER TIME WHEN THE
29 HANDS MAY HAVE BECOME SOILED OR CONTAMINATED.
30

31 (III) REFRAINING FROM HAVING DIRECT CONTACT WITH MEDICAL
32 MARIHUANA IF THE PERSON HAS OR MAY HAVE AN ILLNESS, OPEN
33 LESION, INCLUDING BOILS, SORES OR INFECTED WOUNDS, OR ANY OTHER
34 ABNORMAL SOURCE OF MICROBIAL CONTAMINATION, UNTIL THE
35 CONDITION IS CORRECTED.
36

37 (13) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
38 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
39 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
40 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
41

42 (14) FLOORS, WALLS, AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
43 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
44 IN GOOD REPAIR;
45

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

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

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

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

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

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

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

1300.13 – LOCATION, BUFFERING, DISPERSION, AND ZONING REQUIREMENTS FOR OF MEDICAL MARIHUANA PROVISIONING CENTERS.

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

- (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~~ 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 ACT 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 MARIHUANA INFUSED PRODUCTS ON LICENSED PREMISES.

~~ALL MEDICAL MARIHUANA GROWER FACILITIES SHALL BE SUBJECT TO SUBSECTION (A) AND SHALL BE LIMITED TO THE LIGHT INDUSTRIAL OR 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 BY THE CITY CLERK AFTER AN ADMINISTRATIVE HEARING IF THE CITY CLERK FINDS AND DETERMINES THAT GROUNDS FOR REVOCATION EXIST AT WHICH A HEARING OFFICER APPOINTED BY THE CITY CLERK DETERMINES AND A DETERMINATION THAT ANY GROUNDS FOR REVOCATION MUST BE PROVIDED 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 WRITING 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(A5);

(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 ~~OR~~ 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 FOR A LICENSE OR FOR 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 TO HEAR AND EVALUATE THE APPEAL. 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 ON THE RECORD. 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

1 SAME REQUIREMENT OR PROVISION COMMITTED BY A PERSON OR
2 ESTABLISHMENT WITHIN ANY 12-MONTH PERIOD. UNLESS OTHERWISE
3 SPECIFICALLY PROVIDED IN THIS CHAPTER OR ANY OTHER CHAPTER FOR A
4 MUNICIPAL INFRACTION, THE PENALTY SCHEDULE IS AS FOLLOWS:

- 5
- 6 1. \$500, PLUS COSTS, FOR THE FIRST VIOLATION;
- 7 2. \$750, PLUS COSTS, FOR A REPEAT VIOLATION;
- 8 3. \$750, PLUS COSTS, PER DAY, PLUS COSTS, FOR ANY VIOLATION THAT
- 9 CONTINUES FOR MORE THAN ONE DAY.

10
11 (C) ALL FINES IMPOSED UNDER THIS CHAPTER SHALL BE PAID WITHIN 45
12 DAYS AFTER THE EFFECTIVE DATE OF THE ORDER IMPOSING THE FINE OR AS
13 OTHERWISE SPECIFIED IN THE ORDER;

14
15 (D) THE MAYOR MAY TEMPORARILY SUSPEND A MEDICAL MARIHUANA
16 ESTABLISHMENT LICENSE WITHOUT A PRIOR HEARING IF THE MAYOR FINDS
17 THAT PUBLIC SAFETY OR WELFARE REQUIRES EMERGENCY ACTION
18 AFFECTING THE PUBLIC HEALTH, SAFETY, OR WELFARE. THE MAYOR SHALL
19 CAUSE THE TEMPORARY SUSPENSION BY ISSUING A SUSPENSION NOTICE IN
20 CONNECTION WITH INSTITUTION OF PROCEEDINGS FOR NOTICE AND A
21 HEARING;

22
23 (E) IF THE MAYOR TEMPORARILY SUSPENDS A LICENSE WITHOUT A PRIOR
24 HEARING, THE LICENSEE IS ENTITLED TO A HEARING WITHIN THIRTY (30)
25 DAYS AFTER THE SUSPENSION NOTICE HAS BEEN SERVED ON THE LICENSEE
26 OR POSTED ON THE LICENSED PREMISES. IN THE CASE OF A LICENSE ISSUED
27 FOR A MEDICAL MARIHUANA GROWER FACILITY, THE HEARING SHALL BE
28 HELD WITHIN SEVEN (7) DAYS AFTER THE NOTICE HAS BEEN SERVED ON THE
29 LICENSEE OR POSTED ON THE PREMISES OF THE LICENSED FACILITY. THE
30 HEARING SHALL BE LIMITED TO THE ISSUES CITED IN THE SUSPENSION
31 NOTICE;

32
33 (F) IF THE MAYOR DOES NOT HOLD A HEARING WITHIN THIRTY (30) DAYS
34 AFTER THE DATE THE SUSPENSION WAS SERVED ON THE LICENSEE OR
35 POSTED ON THE LICENSED PREMISES, OR IN THE CASE OF A GROWER
36 FACILITY SEVEN (7) DAYS, THEN THE SUSPENDED LICENSE SHALL BE
37 AUTOMATICALLY REINSTATED AND THE SUSPENSION VACATED.

38
39 (G) THE PENALTY PROVISIONS OF THIS CHAPTER ARE NOT INTENDED TO
40 FORECLOSE ANY OTHER REMEDY OR SANCTION THAT MIGHT BE AVAILABLE
41 TO, OR IMPOSED BY THE CITY, INCLUDING CRIMINAL PROSECUTION.

42
43 **1300.17 -NO VESTED RIGHTS**

44 A PROPERTY OWNER LESSOR, LICENSE APPLICANT, OR LICENSEE SHALL NOT
45 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) ~~OR (2)~~ MAY SEEK A VARIANCE FROM THOSE REQUIREMENTS BY SUBMITTING WITH ~~TH~~ 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 THE BUFFERED USE DISTANCES SET FORTH IN SECTION 1300.13(A) ~~500 FEET OF~~ 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.

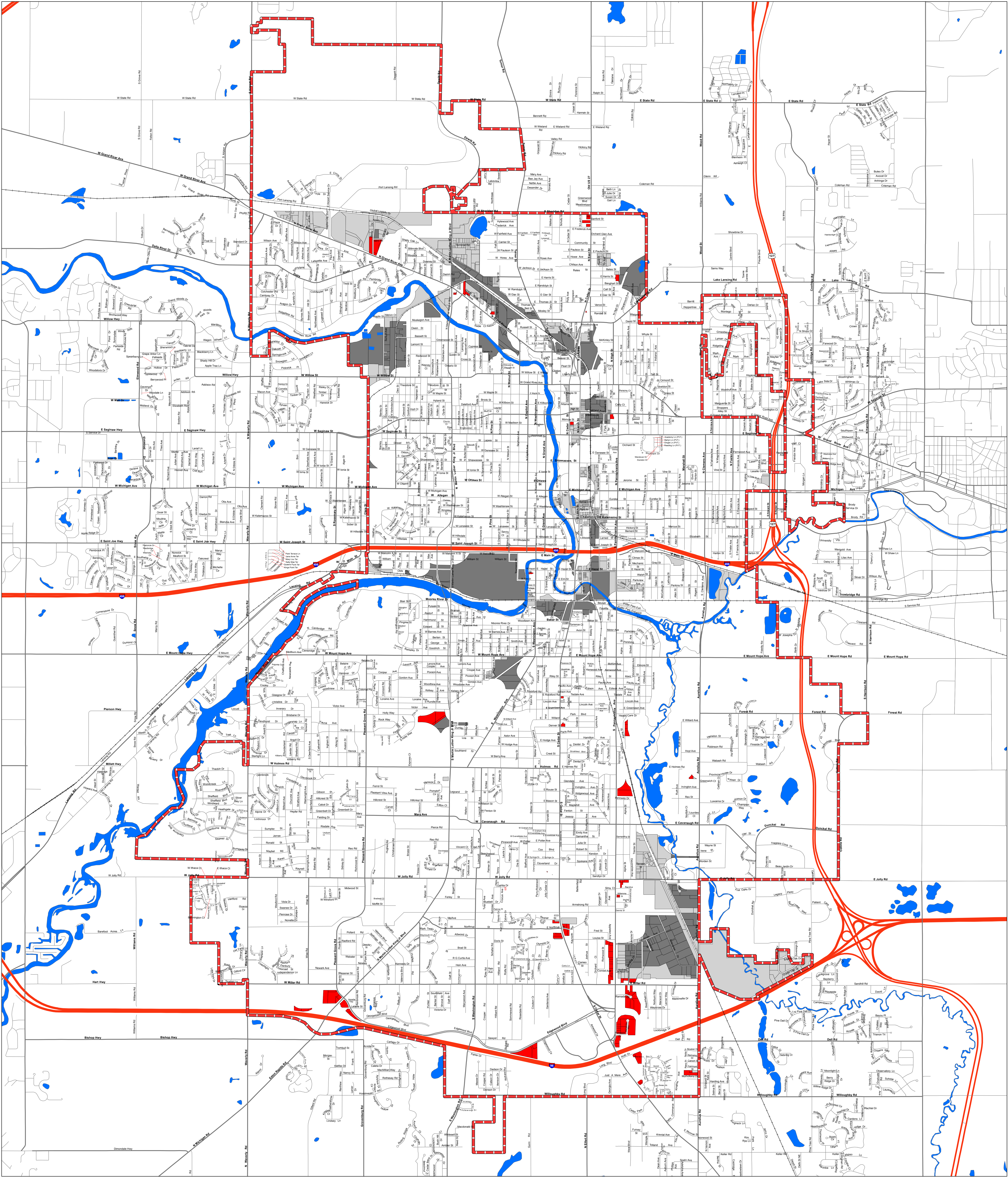
SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES, RESOLUTIONS OR RULES, INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY REPEALED IN THEIR ENTIRETY AND SHALL BE VOID AND OF NO EFFECT.

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.

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Medical Marihuana Grower, Safety Compliance, Processor, and Transporter Facilities
(Permitted in Zoning District G-2, H, & I)
Committee of the Whole Draft 1



Legend

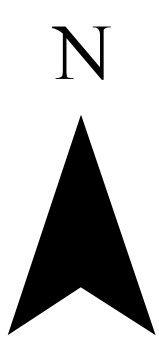
City Limit

- Lansing

Zoning Districts

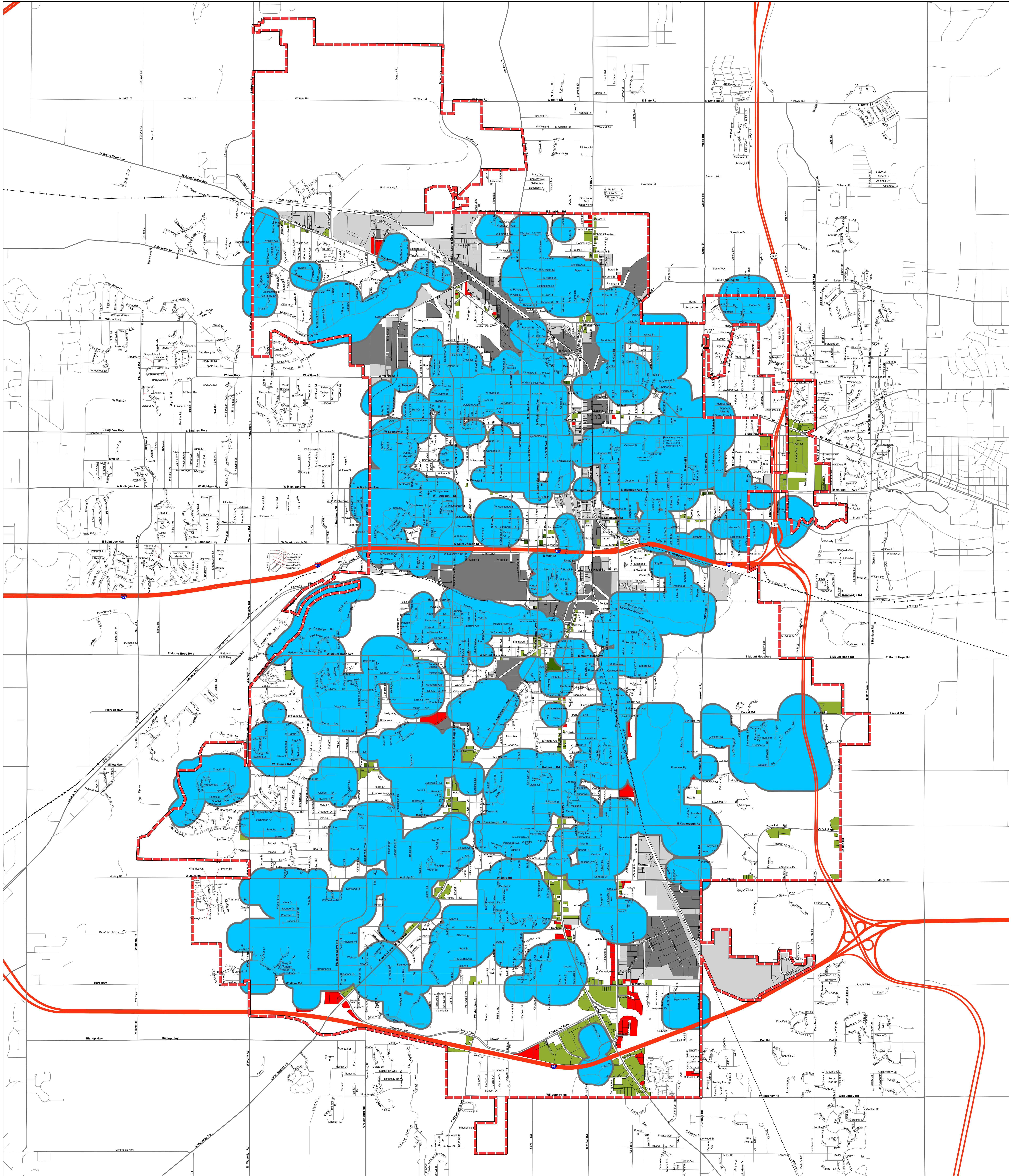
- G-2 Wholesale
- H Light Industrial
- I Heavy Industrial

Created by: Sam Quon, City of Lansing IT-GIS, 7-26-2017



Medical Marihuana Provisioning Facilities

1000' from Schools; 500' from Churches, Substance Abuse Facilities, Child Care Facilities, and Parks with Playground Equipment
(Permitted in Zoning District F, F-1, G-2, H, & I) Committee of the Whole Draft 1



Created by: Sam Quon, City of Lansing IT-GIS, 7-26-2017



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As Adopted in 2016, under Resolution 2016-206 9/26/2016

**1st Draft Working Copy for the FY2018/2019 Budget
Must be adopted by 10/1/2017 (Council Meeting 9/25/2017)**

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

WHEREAS, the Charter of the City of Lansing requires the Council to adopt an annual statement of Budget Policies and Priorities serving to guide the Administration in developing and presenting the Fiscal Year ~~2017-2018~~ **2018-2019** Budget; and

WHEREAS, the City Council, with joint efforts from the Administration and the Financial Health Team, established the following Mission/Vision and goals; and

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
 - a. The City's diverse economy generates and retains (sustains) high quality stable jobs that strengthen the sales and property tax base and contribute to an exceptional quality of life.
 - b. The City is governed in a transparent, efficient, accountable and responsive manner on behalf of all citizens.
 - c. The City's neighborhoods have various resources that allow them to be on a long term viable and appealing basis.
 - d. Support economic development initiatives that promote and retain new industries and markets.
- II. Securing short and long term financial stability through prudent management of city resources.
 - a. Wise stewardship of financial resources results in the City's ability to meet and exceed service demands and obligations without compromising the ability of future generations to do the same.
 - b. Pursue and facilitate shared services regionally that allow for cost savings and revenue enhancement.
 - c. Support initiatives that build the City's property and income tax base.
- III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.
 - a. The City's core services and infrastructure are efficiently, effectively and strategically delivered to enable economic development and to maintain citizen's health, safety and general welfare.

IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.

- a. Seek partnership opportunities with educational and corporate institutions and to maintain and expand our talent base.
- b. Create vibrant places, support events and activities that showcase our waterfront and green spaces.
- c. Raise the level of support for projects and initiatives that showcase local and state history.

V. Facilitating regional collaboration and connecting communities.

- a. The City has a safe efficient and well connected multimodal transportation system that contributes to a high quality of life and is sensitive to surrounding uses.
- b. Seek a balanced distribution of affordable housing in the tri-county region.

WHEREAS, the City Council would like to continue its commitment, if funding is available, to:

- Maintain and improve the City's infrastructure;
- Preserve and ensure clean, safe, well-maintained housing and neighborhoods;
- Provide comprehensive and affordable recreational programs and youth and family services;
- Explore alternatives for improved efficiency in service and delivery; and

WHEREAS, in considering these Fiscal Year ~~2017-2018~~ ~~2018-2019~~ Budget priorities, the Administration is encouraged to ascertain the feasibility of funding any new programs through either the reduction of spending in existing program areas or the exploration of new funding sources that would assure the sustainability of the program; and

WHEREAS, the Administration is encouraged to supplement, not supplant any existing resources for police, fire and local roads with the General Fund revenues collected under this millage; and

WHEREAS, the Administration was requested to include in its Fiscal Year ~~2016-2017~~ ~~2018-2019~~ Budget, the necessary funding to accomplish all requested plans, studies, evaluations, reviews, report submissions, program assessments, and analyses noted within this resolution below, or alternatively documentation as to why such activities are prohibitively costly; and

WHEREAS, the Lansing City Charter states that the budget proposal due on the fourth Monday in March of each year shall contain "the necessary information for

understanding the budget” and how the proposal addresses the priorities proposed by the City Council.

NOW BE IT RESOLVED, that the Lansing City Council, hereby, acknowledges that the City will likely need to adopt, at best, a budget which recognizes the structural changes that are the result of lost revenues and future liabilities, encourages the Administration to prudently develop next year’s budget with the following conditions:

- Protection of public and emergency services.

BE IT FURTHER RESOLVED, that the Administration review the attached statement of policies and priorities and implement those items that would boost efficiencies to increase productivity or reduce costs, that could replace existing programming, or if funding becomes available, that could be considered as new programming; and

BE IT FURTHER RESOLVED, that the Administration is requested to the extent practicable to include non-appropriations clauses and other similar out provisions in existing and future leases, and vendor contracts upon review of City Council; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Administration provide all requested plans, studies, evaluations, reviews, report submissions, program assessments, and analyses noted within this resolution below, or alternatively documentation as to why such activities were prohibitively costly, by the fourth Monday in March ~~2017~~ 2018.

- I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors.
 - a) The City’s diverse economy generates and retains (sustains) high quality stable jobs that strengthen the sales and property tax base and contribute to an exceptional quality of life
 - (1) Economic Development The Administration should require a beautification standard/expectation and a storm water mitigation plan for all proposed development projects that receive incentives from the City. Such standards should serve as a planning and economic development tool that will enhance property values, create jobs, and revitalize neighborhoods and business areas. These standards and plan should be presented to the City Council.
 - b) The City is governed in a transparent efficient accountable and responsive manner on behalf of all citizens.

- (1) Administration is to present to City Council a delineation of recommendations of the Financial Health Team, noting which recommendations have been implemented, which are in the FY ~~2017/2018~~ 2018/2019 proposed Budget, which are planned to be implemented at a future time, and which have been determined not to be implemented at any time. A timetable for future implementation is requested.
 - (2) Administration is to present to Council a Supplemental Accounting Level Detail. Administration is to develop a plan and timeline for the implementation of performance based budgeting.
 - (3) Develop and analyze a cost recovery schedule for City services.
 - (4) Develop a return on investment analysis for all proposed changes in City services.
 - (5) Identify and provide a complete and ongoing analysis of the City's structural deficits and the Administration's plan to eliminate the same.
 - (6) Incorporate into the proposed Budget a 5-Year projection of revenues and expenditures.
- c) The City's neighborhoods have various resources that allow them to be long term viable and appealing.
- (1) Administration research and issue a report on surrounding community models for neighborhood organization technical support structure within the City.
 - (2) Working with the City Attorney and Fire Department Code Compliance Division to expedite improvements or closure of abandoned, neglected, and burned out houses and commercial building by using the International Property Maintenance Code (IPMC).
 - (3) Grocery Stores: The Administration and the City of Lansing Economic Development Corporation should pursue grocery stores in the urban core using all State and Federal incentives, such as Public Act 231 of 2008 (Tax Incentive for the establishment of retail groceries promoting healthy foods), the Federal Community and Economic Development Healthy Food Financing Initiative and the

issuance of a national request for proposals, to be shared with the Lansing City Council, to encourage the location of urban grocery stores.

- (4) Code Compliance: The Administration shall ensure the Code Compliance Department is conducting the appropriate inspections and issuing appropriate fines to ensure the buildings in our City are safe and that we have quality neighborhoods. The Administration is to conduct a study of the Code Compliance needs for the City and report back to the City Council on the findings of the study.

- d) Support economic development initiatives that promote and retain new industries and markets.

II. Securing short and long term financial stability through prudent management of City resources.

- a) Wise stewardship of financial resources results in the City's ability to meet and exceed service demands and obligations without compromising the ability of future generations to do the same.

- (1) Administration is requested to submit the following list of deliverables when they are due per City Charter and State Statute and adhere to them based on these priorities.

- (a) Comprehensive Annual Financial Audit (CAFR)- annually, no later than December 31st of each year, in accordance with the State Statute.

- (b) During the months of October, January and April of each fiscal year, the Director of Finance shall provide a written report showing the control of expenditures. (Charter- Article 7-110)

- (c) By September 1st of each fiscal year, the Administration shall provide a written budget update report so that Council can review their standings on current budget items in preparation for the Council required creation of Budget Policies and Priorities that need to be adopted by October 1, ~~2016~~ 2017. (Charter- Article 7-102)

- (d) No later than the last regular City Council meeting in January of each year, the Mayor shall present a state of the City report to the City Council and to the public. (Charter- Article 4 -102.4)

- (e) The Mayor shall submit the Proposed Budget with annual estimate of all revenues and annual appropriation of expenditures no later than the 4th Monday in March of each year. (Charter – Article 7-101)
 - (f) Administration shall present to Council each department budget in preparation for Council to adopt the Budget Resolution no later than the 3rd Monday in May each year.
- b) Pursue and facilitate shared services regionally that allow for cost savings and revenue enhancement.
 - (1) Administration pursue partnerships with stakeholders, (intra municipal and intergovernmental), to align services in relation to public services.
 - (2) Facilities Plan: The Administration is requested to submit to the City Council a five and ten year Master Facilities Plan including school and county facilities that are used for current and future City uses. City Council is also requesting that the Administration continue to work on any delayed maintenance issues with regard to all City Facilities.
- c) Support initiatives that build City's property and income tax base

III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.

- a) The City's core services and infrastructure are efficiently, effectively and strategically delivered to enable economic development and to maintain citizen's health, safety and general welfare.
 - (1) Establish funding for an additional Code Compliance Officer dedicated to Commercial buildings based under the authority of the International Property Maintenance Code (IPMC). As well as an additional support staff to track down property owners that have not scheduled re-inspection and to research properties suspected of being unregistered rentals.
 - (2) City-wide Emergency Preparedness: The Administration should allocate sufficient funding for the Emergency Management Division to prepare City Employees with appropriate emergency training,

continue efforts to prepare the public and neighborhood groups to assist in emergencies, and provide basic search and rescue operations and necessary emergency equipment at key City facilities, and communicate the plan to the Lansing City Council and the public. Updated and continual training should be provided. The Administration shall assist residents in times of unforeseen disasters.

- (3) Fire Facilities Maintenance: The Administration is to conduct a study of the maintenance needs of all fire stations and report to City Council an update of the status of the study by the 4th Monday of March. Along with a funding recommendation for short and long term improvement to these structures.
- (4) Regionalism: The Administration should continue with the current regional efforts, and look into the possibility of expanding the efforts.
- (5) Police-Community Relations: Designate funding to help the Police Department to ensure the improvement of police-community relations. Reaffirming the City's commitment to equality and freedom for all people regardless of actual or perceived race, sex, religion, ancestry, national origin, color, age, height, weight, student status, marital status, familiar status, housing status, military discharge status, sexual orientation, gender identification or express, mental or physical limitation, and legal source of income.
- (6) Crime Prevention: Designate funding to invest in programs for long-term crime prevention strategies.
- (7) Allocate Overtime for Problem Solving Area: Designate sufficient funding for overtime for police officers to address problem solving to help certain crime and address quality of life issues.
- (8) Community Policing: Continue and increase funding along with searching for grant funds for COPs in neighborhoods with goal not only to reduce crime but to stabilize the neighborhood over an extended period of time that will help to ensure its ability to rebound.
- (9) Leadership vacancies: Develop and implement a plan and timeline to fill all funded vacancies and provide a report to City Council.

IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.

- a) Seek partnership opportunities with educational and corporate institutions and to maintain and expand our talent base.
- b) Create vibrant places, support events and activities that showcase our waterfront and green spaces.
 - (1) Trail/Greenways The Administration should encourage the Parks and Recreation Department to work collaboratively with the Tri-County Planning Commission to develop/expand our citywide/regional trail system and seek opportunities to reduce expenses in this effort. Additionally, look at the feasibility of connecting the River Trail (through bike lanes/Greenways to Trails) where there is currently no access to the trail.
- c) Raise the level of support for projects and initiatives that showcase local and state history.

V. Facilitating regional collaboration and connecting communities

- a) The City has a safe efficient and well connected multimodal transportation system that contributes to a high quality of life and is sensitive to surrounding uses.
 - (1) Corridor: City Council encourages the Administration continue to develop a plan and report its status to the Lansing City Council that seeks to revitalize and enhance all major corridors that lead into the City.
- b) Seek a balanced distribution of affordable housing in the tri-county region.