



AGENDA
Special Committee of the Whole
Thursday, September 7, 2017 – 5:00 p.m. (note date & time)
City Council Chambers, City Hall 10th Floor

Council Member Spitzley, Chairperson
Council Member Wood, Vice Chair

- 1. Call to Order**
- 2. Roll Call**
- 3. Public Comment on Agenda Items (Up to 3 Minutes)**
- 4. Discussion/Action:**
 - A.) ORDINANCE – Ordinance Amendments; Chapter 1300; Regulation and Licensing of Medical Marihuana Establishments
- 5. 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

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.

1 SPECIFICALLY, THAT THE APPLICANT OR STAKEHOLDER OF THE APPLICANT
2 HAS NOT FAILED TO PAY ANY PROPERTY TAXES, SPECIAL ASSESSMENTS,
3 FINES, FEE OR OTHER FINANCIAL OBLIGATIONS TO THE CITY;

4
5 (22) VERIFICATION, INCLUDING COPIES OF ACTUAL BANK STATEMENTS,
6 SHOWING THAT THE APPLICANT HAS MINIMUM NET WORTH OF ONE
7 HUNDRED THOUSAND DOLLARS (\$100,000) IN THE APPLICANT'S NAME. WITH
8 COPIES OF ACTUAL BANK STATEMENTS, SHOWING THAT THE APPLICANT HAS
9 TANGIBLE FINANCIAL CAPITAL IN THE APPLICANT'S NAME IN THE AMOUNT
10 SUFFICIENT TO COMPLETE THE MEDICAL MARIHUANA ESTABLISHMENT AND
11 TO FUND THE BUSINESS PLAN AND OTHER PLANS REQUIRED BY THIS
12 SECTION 1300.5;

13
14 (23) AN ESTIMATE OF THE NUMBER AND TYPE OF JOBS THAT THE
15 MEDICAL MARIHUANA ESTABLISHMENT IS EXPECTED TO CREATE, THE
16 AMOUNT AND TYPE OF COMPENSATION EXPECTED TO BE PAID FOR SUCH
17 JOBS, AND THE PROJECTED ANNUAL BUDGET AND REVENUE OF THE
18 MEDICAL MARIHUANA ESTABLISHMENT; AND

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

40
41
42 (25) AS IT RELATES TO A MEDICAL MARIHUANA GROWER FACILITY, THE
43 FOLLOWING ADDITIONAL ITEMS SHALL BE REQUIRED:
44

(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 TWO2 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 416, 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~~ AND MAINTAIN A CERTIFICATE OF APPROVAL FROM THE MEDICAL MARIHUANA COMMISSION CITY CLERK;

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

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

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

(C) APPEAL OF DENIAL OF APPLICATION OR REVOCATION OF LICENSE: THE CITY CLERK SHALL NOTIFY AN APPLICANT OF THE REASON(S) FOR DENIAL OF AN APPLICATION 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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MINUTES
Committee of the Whole
Monday, June 26, 2017 @ 4:00 p.m.
City Council Chambers

CALL TO ORDER

Council President Spitzley called the meeting to order at 4:00 p.m.

PRESENT

Councilmember Brown Clarke
Councilmember Kathie Dunbar
Councilmember Tina Houghton
Councilmember Adam Hussain
Councilmember Patricia Spitzley
Councilmember Jody Washington
Councilmember Carol Wood
Councilmember Jessica Yorko- arrived at 4:20 p.m.

DISCUSSION – Ordinance Amendments; Chapter 1300 Regulation and Licensing of Medical Marihuana Establishments

Council Member Dunbar stepped away from the meeting at 5:04 p.m.

Council President Spitzley acknowledged Council Member Wood and Hussain for their roles as Committee on Public Safety Chairperson's during the creation process of the Medical Marihuana Regulation and Licensing Ordinance. She also acknowledged all the public that attended those meetings over the last 18 months, and now she stated it was time for the review to begin at Committee of the Whole for all of the Lansing residents to participate. Council Member Spitzley then pointed out this would be not a circumvention of the process, and the ordinance in the end will remain intact once it is adopted. The Committee of the Whole will now continue and complete the process, and without a hastily review, she appreciated all of Council coming in early to address the task, and anticipated it would take a couple meetings to make sure they adopt something protective to residents and provide a regulatory structure. From this point on she stated the Ordinance will be referred to as COW Draft #1 and then began the discussion on the pending discussion from the last meeting on the "Commission". The Committee was referred to the blue covered document, which was the D & P Draft #1 which incorporated all of Draft #6d from Public Safety noting strike outs and additions.

Council Member Wood referred the Committee to the Draft #6a, which spoke to 7 members; one from each Ward, one representative from a patient advocacy group and 2 members from the business world. The last discussion ended with whether all eight (8) Council Members could make recommendations for the 4 Ward members.

Council Member Dunbar returned to the meeting at 5:11 p.m.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE TO REPLACE 1300.3 IN THE NOW COW DRAFT #1 WITH ALL THE LANGUAGE FROM DRAFT #6A 1300.3.

The Committee held discussion on the recommendations from all of Council for the 4 Ward positions, with the final consensus that Council will submit 8 names with the Mayor finalizing the 4, with one from each Ward. Mr. Hannan pointed out that any Council Member at any time can make a recommendation to the Mayor for any appointment to the City. Council Member Yorko asked Mr. Smiertka if there was a connection or possibility to write the Ordinance Section 1300.3 "Commission" to follow the same requirements as the Ethics Board. Mr. Smiertka read details on the Ethics Board from the Charter, however noted that to set this Commission the same way would require a Charter amendments.

Council Member Dunbar stated her opposition to the "Commission" and wanted the duties performed in the Clerk's office. She added she would agree to the "Commission" however wants every Council Member to have a say in the membership and it should be one from each Ward. Council Member Brown Clarke pointed out that the problem will only occur with the initial creation of the "Commission" because the positions rotate every 2 years. The consensus of the Committee was again for a seven (7) member "Commission". There was also a consensus to have four (4) members recommended by Council in any form, and the other three (3) appointed by the Mayor. Those consist of one (1) from a patient advocacy group and two (2) from businesses.

COUNCIL MEMBER HOUGHTON MADE A MOTION TO AMEND THE LANGUAGE TO THE PROPOSED DRAFT #6A ON THE TABLE FOR 1300.3 (B) (1) TO STRIKE IN LINE 42 – 44 "EACH WHO REPRESENTS A DULY ORGANIZED AND EXISTING RESIDENTIAL OR NEIGHBORHOOD ORGANIZATION OR NEIGHBORHOOD WATCH GROUP. MOTION TO AMEND CARRIED 5-3.

Council Member Hussain asked if the Ward members would have to be residents of the City. Mr. Smiertka reviewed the Charter for Board member qualifications.

Council Member Yorko stepped away from the meeting at 5:48 p.m.

Mr. Smiertka read the Charter, citing that the member can only be appointed after meeting all qualifications, so they have to be a registered voter in the City.

Council Member Yorko returned to the meeting at 5:49 p.m.

MOTION TO REPLACE 1300.3 IN THE COW DRAFT #1 WITH ALL THE LANGUAGE IN 1300.3 FROM DRAFT #6A CARRIED 8-0.

Council Member Spitzley moved the Committee discussion to the Clerk memo in the packet, asking the Committee to review 1300.6 for the next meeting and take into account for his concerns. She noted and supported the Clerk's recommendation for an ordinance that would provide a license only upon the applicant receiving a license from the State of Michigan. Lastly, the memo spoke to application fees, and Council Member Spitzley noted that would be referred back to when the Committee got to that point in the ordinance.

Council Member Spitzley moved on to the ordinance beginning on page 2, line 38 with the proposed strike out and new language. Council Member Wood stated the language was in 6D because the public wanted all the ACT's listed, and was not sure if Law required it. Council

Member Brown Clarke stated she proposes to remove it based on discussions with Law after the City Attorney attended workshops on the topic. Mr. Smiertka confirmed to the Committee that it is not applicable in this portion of the ordinance, but it would be okay to leave it in. The consensus of the Committee was to include “MTA” wherever “MMMA and MMFLA” is listed. It was the consensus of the Committee also to add back in “given in those acts, as amended, and the marihuana tracking act (“MTA”, MCL33.27901, ET SEQ. and removed the proposed new language of “provided in those statues, as applicable”.

Page 3, lines 1-5 was reviewed and the consensus was to change line 2 to “entity’s rights under the MMMA, MFLA and MTA.”

Page 3, line 9, the Committee discussed the inclusion of “cultivation facility” and removal of “grower facility”. Mr. Smiertka confirmed the language in the State documents for definition was “grower facility”. The consensus of the Committee was to add back in “grower facility” and remove the proposed “cultivation facility”.

Changes on lines 13, 22, 23 25 and 26 were reviewed and determined to accept the suggested changes.

Council President Spitzley noted that the proposed definition of “Buffered Use” would be noted and the Committee will return to that in a later discussion.

Page 4, lines 23-24 was determined to be removed because it was also noted later on page 5 lines 42-45. (Definition for “Commission” was removed and “Medical Marihuana Commission” or “Commission “remained.)

Page 4, line 29 the consensus was to reinsert “chapter” and remove the suggested “ordinance”. The Committee briefly moved to page 6, line 16 where it also spoke to “dries, trims and cures”, and after a discussion on the cultivation definition, the definition in the MMMA and definitions in the health code, they added those same three words to the definition of “Cultivation” or “Cultivate” on page 4.

Page 5, line 13-27, definition for “Marihuana”, it was the consensus to use the definition from the public health code as read by Mr. Smiertka.

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

MARIHUANA DOES NOT INCLUDE:

1. THE MATURE STALKS OF THE PLANT;
2. FIBER PRODUCED FROM THE STALKS, OIL OR CAKE MADE FROM THE SEEDS OF THE PLANT;
3. ANY OTHER COMPOUND, MANUFACTURE, SALT, DERIVATIVE, MIXTURE, OR PREPARATION OF THE MATURE STALKS, (EXCEPT THE RESIN EXTRACTED FROM THOSE STALKS, FIBER, OIL OR CAKE; OR
4. ANY STERILIZED SEED OF THE PLANT THAT IS INCAPABLE OF GERMINATION; OR
5. INDUSTRIAL HEMP GROWN OR CULTIVATED OR BOTH FOR RESEARCH, PURPOSES UNDER THE INDUSTRIAL HEMP RESEARCH ACT.

Council President Spitzley moved the group onto page 5, line 29-33. Council Member Wood asked for the State definition on “Marihuana-Infused Product”.

Council President Spitzley stepped away from the meeting at 6:26 p.m. and passed the gavel.

Mr. Smiertka read the following:

"Marihuana-infused product" means a topical formulation, tincture, beverage, edible substance, or similar product containing any usable marihuana that is intended for human consumption in a manner other than smoke inhalation. Marihuana-infused product shall not be considered a food for purposes of the food law, 2000 PA 92, MCL 289.1101 to 289.8111.

The consensus of the Committee was to replace the proposed definition for “Marihuana-Infused Product” with the one read by Law.

Page 5, line 36, consensus to keep the recommended addition, along with lines 38-41.

Council Member Houghton stepped away from the meeting at 6:28 p.m.

Page 5, lines 43-45 was confirmed to remain.

Page 6 lines 4-10, and the consensus was to return to the definition, and Council President Spitzley asked the Committee to come to the next meeting with recommendations. After a discussion on operationalizing, multiple sites, the license issued for an establishment, and Law’s direction to keep a consistent definition, the consensus was determined to make no recommendations or changes to line 4-10 “Medical Marihuana Establishment”.

Council Member Spitzley and Houghton returned to the meeting at 6:30 p.m.

A typo on line 6 was corrected to “possesses”.

Page 6, lines 12-17 received a consensus to remove “also known as “medical marihuana cultivation facility”.

Page 6, lines 19-20 were deemed okay as presented with “certain” changed to “State”.

Council Member Wood asked why the addition of “business” in line 13. Council Member Dunbar answered it was related to the zoning aspect, and that was confirmed by Council Member Brown Clarke.

Page 6, line 22-35 was reviewed and it was the consensus was determined to keep as written.

Page 6 line 38 received a consensus to remain.

Council President Spitzley stated to the Committee and the public that the discussion will continue at the Committee of the Whole meeting on July 10th at 5:00 p.m.

Adjourn

Adjourned at 6:46 p.m.

Respectfully Submitted by,
Sherrie Boak, Recording Secretary
Lansing City Council

Approved by Committee on July 10, 2017

Changes to the COW Draft 1 ordinance 08/28/17

Remove under definitions:

"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 owned and operated by local unit of government, school district, or other unit or agency of government.

Adado Riverfront Park.

Cooley Gardens

Crego Park

Dodge Park

Elm Park

Everett Park

Fairview Park

Fenner nature Center

Pine Park

Glen Eden Park

Grand River Park

Greencroft Park

Irving Park

Kalamazoo Plaza

Kendon Park

Kimberly Park

Larch Park

Lewton Park

Lyons Park

Michigan Ave. (up for sale)

Miller Road Community Center (up for sale)

Pleasant View Park

Ranney Park

Reutter Park

Risdale Park (Did have equipment removed for the foot stadium)

Riverside Park

Scott Park

Shubel Park

Stroud Park

Sunset Hills Park

Trager Park

Turner Park

Wainwright Park

Wentworth Park

Westside Park

Willoughby Park

1300.4 Operation without license prohibited.

Strike (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 reviewing periods provided for in sections 1300.5 and 1300.6 only so long as it submits its application for license within 30 days of effective date of this Chapter and only so long as it has not been notified by the 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 the notification from the clerk shall be a factor that may be considered the Commission in subsequent licensing determinations.

1300.5 License Application Submission.

Change to read

(17) 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 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

Submitted 8/28/17

rehabilitation services, as those terms are defined in Part 61 or PA 368 of 1978, MCL 333.6101 ET SEQ., another licensed Medical Marihuana Establishment or Commercial Child Care Organization (not Home Occupation) that is required to be licensed or registered with the Michigan Department of Health and Human Services.

1300.6 License Application Evaluation.

(C) Cap on license should include language per ward and limit to 20 licenses for dispensaries.

1300.9 Minimum Operational Standards of a Medical Marihuana Provisioning Center

(Q) Strike within the distance limitation set forth in Section 1300.13 (A)

(1) Include back in: Within one thousand (1,000) feet measured property line to property line for 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 successor agency, under the Child Care Organization Act, 1973 PA 116, MCL 722.11 ET SEQ., or

(2) Within five hundred (500) feet measured property line to property line, or 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; park or another medical marihuana establishment.

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 medical marihuana processor facility and a medical marihuana secure transporter.

(11) There shall be no other accessory use permitted within the same facility other than those associated with the processing MULTI-TENANT COMMERCIAL BUILDING MAY PERMIT ACCESSORY USE IN SUITES ~~or secure transporting or medical marihuana multi-tenant commercial building may permit accessory use in suites~~ segregated from the processor facility.

1300.13 Location, Buffering, Dispersion, and Zoning Requirements for Medical Marihuana Provisioning Center.

(A) (1) change to read: Within one thousand (1,000) feet measured property line to property line for 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 successor agency, under the Child Care Organization Act, 1973 PA 116, MCL 722.11 ET SEQ., or

(2) Within five hundred (500) feet measured property line to property line, or 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; park or another medical marihuana establishment.

(D) Strike

1300.14 Location of Medical Marihuana Grower Facilities, Medical Marihuana Safety Compliance Facilities, Medical Marihuana Processor Facilities, Medical Marihuana Secure Transporters.

(A) (1) change to: One thousand (1,000) feet measured property line to property line for 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 successor agency, under the Child Care Organization Act, 1973 PA 116, MCL 722.11 ET SEQ., or

(2) Within five hundred (500) feet measured property line to property line, or 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; park or another medical marihuana establishment.

1300.18 Zoning Board of Appeals

Strike (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 the relevant facility that is within 500 feet of the applicant's location;
- (IV) The need for a Provision Center at the location in order to provide the safe and efficient access to Medical Marihuana within the City;
- (V) 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 in the vicinity.

SUBSTITUTE ORDINANCE -COW- AUGUST 28, 2017

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 THE MAXIMUM NUMBER OF PROVISIONING CENTERS AND TO ESTABLISH PROCEDURES FOR THE GRANTING OF LICENSES; TO ESTABLISH OPERATIONAL, LAND USE, AND ZONING REQUIREMENTS, AND STANDARDS ATTENDANT THERETO; TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITY OF LANSING AND ITS NEIGHBORHOODS; TO ESTABLISH ECONOMIC DEVELOPMENT, JOB TRAINING, AND JOB CREATION PURPOSES; TO ESTABLISH A MEDICAL MARIHUANA COMMISSION; TO PROVIDE AN APPEAL PROCESS FOR LICENSE DENIAL OR REVOCATION; TO SET LICENSING FEES FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH THE IMPLEMENTATION AND ENFORCEMENT OF THE PROVISIONS OF THIS CHAPTER; TO DECLARE CERTAIN ACTIVITIES IN THIS CHAPTER AS PUBLIC NUISANCES; TO DECLARE THIS CHAPTER TO BE FOR A PUBLIC PURPOSE; AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS 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 and a 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.

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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.

THE CITY FURTHER FINDS AND DECLARES THAT ECONOMIC DEVELOPMENT, INCLUDING JOB CREATION AND TRAINING, AND THE PROTECTION OF THE PUBLIC HEALTH, SAFETY, AND WELFARE OF CITY NEIGHBORHOODS AND RESIDENTS ARE PUBLIC PURPOSES.

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

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1 DEFINITION OF A WORD OR PHRASE SET FORTH IN THIS CHAPTER CONFLICTS
2 WITH THE DEFINITION IN THE MMMA, MMFLA OR MTA, OR IF A TERM IS NOT
3 DEFINED BUT IS DEFINED IN THE MMMA, MMFLA OR MTA, THEN THE
4 DEFINITION IN THE MMMA, MMFLA, OR MTA SHALL APPLY.
5

6 (B) ANY TERM DEFINED BY 21 USC 860(E) REFERENCED IN THIS CHAPTER
7 SHALL HAVE THE DEFINITION GIVEN BY 21 USC 860(E).
8

9 (C) THIS ORDINANCE SHALL NOT LIMIT AN INDIVIDUAL'S OR ENTITY'S
10 RIGHTS UNDER THE MMMA, MMFLA OR MTA AND THESE ACTS
11 SUPERSEDE THIS ORDINANCE WHERE THERE IS A CONFLICT BETWEEN
12 THEM AND THE IMMUNITIES AND PROTECTIONS ESTABLISHED IN THE
13 MMMA UNLESS SUPERSEDED OR PREEMPTED BY THE MMFLA.
14

15 (D) ALL ACTIVITIES RELATED TO MEDICAL MARIHUANA, INCLUDING THOSE
16 RELATED TO A MEDICAL MARIHUANA PROVISIONING CENTER, A MEDICAL
17 MARIHUANA GROWER FACILITY, A MEDICAL MARIHUANA SECURE
18 TRANSPORTER, A MEDICAL MARIHUANA PROCESSOR OR A MEDICAL
19 MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE IN COMPLIANCE
20 WITH THE RULES OF THE MEDICAL MARIHUANA LICENSING BOARD, THE
21 RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY
22 AFFAIRS, OR ANY SUCCESSOR AGENCY, THE RULES AND REGULATIONS OF
23 THE CITY OF LANSING, THE MMMA, MMFLA AND THE MTA.
24

25 (E) ANY USE WHICH PURPORTS TO HAVE ENGAGED IN THE CULTIVATION OR
26 PROCESSING OF MEDICAL MARIHUANA INTO A USABLE FORM, OR THE
27 DISTRIBUTION OF MEDICAL MARIHUANA, OR THE TESTING OF MEDICAL
28 MARIHUANA EITHER PRIOR TO OR AFTER ENACTMENT OF THIS CHAPTER
29 BUT WITHOUT OBTAINING THE REQUIRED LICENSING SET FORTH IN THIS
30 CHAPTER SHALL BE DEEMED TO BE AN ILLEGALLY ESTABLISHED USE
31 AND THEREFORE NOT ENTITLED TO LEGAL NONCONFORMING STATUS
32 UNDER THE PROVISIONS OF THIS CHAPTER, AND/OR STATE LAW. THE CITY
33 FINDS AND DETERMINES THAT IT HAS NOT HERETOFORE AUTHORIZED OR
34 LICENSED THE EXISTENCE OF ANY MEDICAL MARIHUANA
35 ESTABLISHMENT, AS DEFINED HEREIN, IN THE CITY IN AND UNDER ANY
36 FORM WHATSOEVER.
37

38 (F) THE FOLLOWING TERMS SHALL HAVE THE DEFINITIONS GIVEN:
39

40 "APPLICATION" MEANS AN APPLICATION FOR A LICENSE PURSUANT TO THE
41 TERMS AND CONDITIONS SET FORTH IN SECTIONS 1300.5 AND 1300.6.
42

43 "APPLICATION FOR A LICENSE RENEWAL" MEANS AN APPLICATION FOR A
44 LICENSE RENEWAL PURSUANT TO THE TERMS AND CONDITIONS OF SECTION
45 1300.7.
46

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

3
4 “BUILDING” MEANS AN INDEPENDENT, ENCLOSED STRUCTURE HAVING A
5 ROOF SUPPORTED BY COLUMNS OR WALLS, INTENDED AND/OR USED FOR
6 SHELTER OR ENCLOSURE OF PERSONS OR CHATTELS. WHEN ANY PORTION OF A
7 STRUCTURE IS COMPLETELY SEPARATED FROM EVERY OTHER PART BY
8 DIVIDING WALLS FROM THE GROUND UP, AND WITHOUT OPENINGS, EACH
9 PORTION OF SUCH STRUCTURE SHALL BE DEEMED A SEPARATE STRUCTURE,
10 REGARDLESS OF WHETHER THE PORTIONS OF SUCH STRUCTURE SHARE
11 COMMON PIPES, DUCTS, BOILERS, TANKS, FURNACES, OR OTHER SUCH SYSTEMS.
12 THIS DEFINITION REFERS ONLY TO PERMANENT STRUCTURES, AND DOES NOT
13 INCLUDE TENTS, SHEDS, GREENHOUSES AND PRIVATE GARAGES ON
14 RESIDENTIAL PROPERTY, STABLES, OR OTHER ACCESSORY STRUCTURES. A
15 BUILDING DOES NOT INCLUDE SUCH STRUCTURES WITH INTERIOR AREAS NOT
16 NORMALLY ACCESSIBLE FOR HUMAN USE, SUCH AS GAS HOLDERS, TANKS,
17 SMOKE STACKS, GRAIN ELEVATORS, COAL BUNKERS, OIL CRACKING TOWERS
18 OR SIMILAR STRUCTURES.

19
20 “CHAPTER” MEANS THIS CHAPTER 1300.

21
22 “CHURCH” MEANS AN ENTIRE BUILDING SET APART PRIMARILY FOR
23 PURPOSES OF PUBLIC WORSHIP, AND WHICH IS TAX EXEMPT UNDER THE LAWS
24 OF THIS STATE, AND IN WHICH RELIGIOUS SERVICES ARE HELD, AND THE
25 ENTIRE BUILDING STRUCTURE OF WHICH IS KEPT FOR THAT USE AND NOT PUT
26 TO ANY OTHER USE INCONSISTENT WITH THAT USE.

27
28 “CITY” MEANS THE CITY OF LANSING, MICHIGAN.

29
30 “COUNCIL OR CITY COUNCIL,” MEANS THE CITY COUNCIL OF LANSING,
31 MICHIGAN.

32
33 “CLERK” SHALL MEAN THE CITY CLERK OF LANSING, MICHIGAN.

34
35 “CULTIVATION” OR “CULTIVATE” AS USED IN THIS CHAPTER MEANS: (1) ALL
36 PHASES OF GROWTH OF MARIHUANA FROM SEED TO HARVEST, AND DRYING
37 TRIMMING, AND CURING ; (2) PREPARING, PACKAGING OR REPACKAGING,
38 LABELING, OR RELABELING OF ANY FORM OF MARIHUANA.

39
40 “DISQUALIFYING FELONY” MEANS A FELONY THAT MAKES AN INDIVIDUAL
41 INELIGIBLE TO SERVE AS A REGISTERED PRIMARY CAREGIVER UNDER THE
42 MMMA, MMFLA OR MTA.

43
44 “EMPLOYEE” MEANS ANY INDIVIDUAL WHO IS EMPLOYED BY AN EMPLOYER
45 IN RETURN FOR THE PAYMENT OF DIRECT OR INDIRECT MONETARY WAGES OR
46 PROFIT, UNDER CONTRACT, AND ANY INDIVIDUAL WHO VOLUNTEERS HIS OR

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1 HER SERVICES TO AN EMPLOYER FOR NO MONETARY COMPENSATION, OR ANY
2 INDIVIDUAL WHO PERFORMS WORK OR RENDERS SERVICES, FOR ANY PERIOD
3 OF TIME, AT THE DIRECTION OF AN OWNER, LESSEE, OF OTHER PERSON IN
4 CHARGE OF A PLACE.

5
6 “LICENSE” OR “MEDICAL MARIHUANA BUSINESS LICENSE” MEANS A LICENSE
7 ISSUED FOR THE OPERATION OF A MEDICAL MARIHUANA ESTABLISHMENT
8 PURSUANT TO THE TERMS AND CONDITIONS OF THIS CHAPTER AND INCLUDES A
9 LICENSE WHICH HAS BEEN RENEWED PURSUANT TO SECTION 1300.7.

10
11 “LICENSE APPLICATION” MEANS AN APPLICATION SUBMITTED FOR A
12 LICENSE PURSUANT TO THE REQUIREMENTS AND PROCEDURES SET FORTH IN
13 SECTIONS 1300.5 AND 1300.6.

14
15 “LICENSEE” MEANS A PERSON ISSUED A LICENSE FOR AN ESTABLISHMENT
16 PURSUANT TO THIS CHAPTER.

17
18 “MARIHUANA” MEANS ALL PARTS OF THE PLANT CANNABIS SATIVA L.,
19 GROWING OR NOT; THE SEEDS OF THE PLANT; THE RESIN EXTRACTED FROM
20 ANY PART OF THE PLANT; AND EVERY COMPOUND, MANUFACTURE, SALT,
21 DERIVATIVE, MIXTURE, OR PREPARATIONS OF THE PLANT OR ITS SEEDS OR
22 RESIN.

23 MARIHUANA DOES NOT INCLUDE:

- 24 1. THE MATURE STALKS OF THE PLANT;
- 25 2. FIBER PRODUCED FROM THE STALKS, OIL OR CAKE MADE FROM
- 26 THE SEEDS OF THE PLANT;
- 27 3. ANY OTHER COMPOUND, MANUFACTURE, SALT, DERIVATIVE,
- 28 MIXTURE, OR PREPARATION OF THE MATURE STALKS,
- 29 (EXCEPT THE RESIN EXTRACTED FROM THOSE STALKS, FIBER,
- 30 OIL OR CAKE); OR
- 31 4. ANY STERILIZED SEED OF THE PLANT THAT IS INCAPABLE OF
- 32 GERMINATION; OR
- 33 5. INDUSTRIAL HEMP GROWN OR CULTIVATED OR BOTH FOR
- 34 RESEARCH, PURPOSES UNDER THE INDUSTRIAL HEMP RESEARCH
- 35 ACT.

36
37 “MARIHUANA-INFUSED PRODUCT” MEANS A TOPICAL FORMULATION,
38 TINCTURE , BEVERAGE, EDIBLE SUBSTANCE, OR SIMILAR PRODUCT CONTAINING
39 ANY USABLE MARIHUANA THAT IS INTENDED FOR HUMAN CONSUMPTION IN A
40 MANNER OTHER THAN SMOKE INHALATION. MARIHUANA-INFUSED PRODUCT
41 SHALL NOT BE CONSIDERED A FOOD FOR PURPOSE OF THE FOOD LAW, 2000 PA
42 92, MCL 289.1101 TO 289.8111.

43
44 “MARIHUANA TRACKING ACT” OR “MTA” MEANS PUBLIC ACT 282 OF 2016
45 .M.C.L. 333.27901, ET. SEQ.

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1 “MEDICAL MARIHUANA” MEANS ANY MARIHUANA INTENDED FOR MEDICAL
2 USE THAT MEETS ALL DESCRIPTIONS AND REQUIREMENTS FOR MEDICAL
3 MARIHUANA CONTAINED IN THE MMMA, MMFLA AND THE MTA AND ANY
4 OTHER APPLICABLE LAW.

5
6 “MEDICAL MARIHUANA COMMISSION” OR “COMMISSION” MEANS THE
7 MEDICAL MARIHUANA COMMISSION ESTABLISHED UNDER SECTION 1300.3
8 OF THIS CHAPTER.

9
10 “MEDICAL MARIHUANA FACILITIES LICENSING ACT” OR “MMFLA” MEANS
11 PUBLIC ACT 281 OF 2016, MCL 333.27101, ET. SEQ.

12
13 “MEDICAL MARIHUANA ESTABLISHMENT(S), OR, “ESTABLISHMENT,” MEANS
14 ANY FACILITY, ESTABLISHMENT AND/OR CENTER THAT IS REQUIRED TO BE
15 LICENSED UNDER THIS CHAPTER AND POSSESSES A LICENSE OR APPROVAL TO
16 OPERATE UNDER THE MMFLA, INCLUDING: A MEDICAL MARIHUANA
17 PROVISIONING CENTER, A MEDICAL MARIHUANA GROWER FACILITY; A
18 MEDICAL MARIHUANA PROCESSOR FACILITY; A MEDICAL MARIHUANA SECURE
19 TRANSPORTER; AND A MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY.

20
21 “MEDICAL MARIHUANA GROWER FACILITY,” MEANS A COMMERCIAL OR
22 BUSINESS ENTITY LOCATED IN THE CITY THAT IS LICENSED OR APPROVED TO
23 OPERATE BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE
24 CITY PURSUANT TO TERMS AND CONDITIONS OF THIS CHAPTER THAT
25 CULTIVATES, DRIES, TRIMS OR CURES AND PACKAGES MARIHUANA IN
26 ACCORDANCE WITH STATE LAW.

27
28 “MEDICAL MARIHUANA LICENSING BOARD” MEANS THE STATE BOARD
29 ESTABLISHED PURSUANT TO THE MMFLA.

30
31 “MEDICAL MARIHUANA PROVISIONING CENTER,” MEANS A COMMERCIAL OR
32 BUSINESS ENTITY LOCATED IN THE CITY THAT IS LICENSED OR APPROVED TO
33 OPERATE BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE
34 CITY PURSUANT TO THE TERMS AND CONDITIONS OF THIS CHAPTER, THAT
35 SELLS, SUPPLIES, OR PROVIDES MARIHUANA TO REGISTERED QUALIFYING
36 PATIENTS ONLY AS PERMITTED BY STATE LAW. MEDICAL MARIHUANA
37 PROVISIONING CENTER, AS DEFINED IN THE MMMA, MMFLA AND MTA,
38 INCLUDES ANY COMMERCIAL PROPERTY OR BUSINESS WHERE MARIHUANA IS
39 SOLD IN CONFORMANCE WITH STATE LAW AND REGULATION. A
40 NONCOMMERCIAL OR NONBUSINESS LOCATION USED BY A PRIMARY
41 CAREGIVER TO ASSIST A QUALIFYING PATIENT, AS DEFINED IN THE MMMA,
42 MMFLA OR MTA CONNECTED TO THE CAREGIVER THROUGH THE STATE’S
43 MARIHUANA REGISTRATION PROCESS IN ACCORDANCE WITH THE MMMA,
44 MMFLA OR MTA IS NOT A MEDICAL MARIHUANA PROVISIONING CENTER FOR
45 PURPOSES OF THIS CHAPTER.

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

3
4 “MMMA” MEANS THE MICHIGAN MEDICAL MARIHUANA ACT, MCL 333.26421
5 ET.SEQ AS AMENDED FROM TIME TO TIME.

6
7 “MTA” MEANS THE MARIHUANA TRACKING ACT, MCL 333.27901, ET. SEQ. AS
8 AMENDED FROM TIME TO TIME.

9
10 “ORDINANCE” MEANS THE ORDINANCE ADOPTING THIS CHAPTER 1300.

11
12 “PARK” MEANS AN AREA OF LAND DESIGNATED BY THE CITY AS A PARK ON
13 ITS MASTER PLAN OR ON A COUNCIL-APPROVED LIST OF CITY PARKS.

14
15 “PERSON” MEANS AN INDIVIDUAL, PARTNERSHIP, FIRM, COMPANY,
16 CORPORATION, ASSOCIATION, SOLE PROPRIETORSHIP, LIMITED LIABILITY
17 COMPANY, JOINT VENTURE, ESTATE, TRUST, OR OTHER LEGAL ENTITY.

18
19 “PROCESSOR” OR “MEDICAL MARIHUANA PROCESSOR FACILITY” MEANS A
20 COMMERCIAL ENTITY LOCATED IN THIS CITY THAT IS LICENSED OR APPROVED
21 TO OPERATE BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE
22 CITY PURSUANT TO THE TERMS AND CONDITIONS OF THIS CHAPTER, THAT
23 EXTRACTS RESIN FROM THE MARIHUANA OR CREATES A MARIHUANA-INFUSED
24 PRODUCT, TO THE EXTENT PERMITTED BY STATE LAW.”

25
26 “PUBLIC PLAYGROUND EQUIPMENT” MEANS AN OUTDOOR FACILITY,
27 GROUPING, OR CONCENTRATION OPEN TO THE PUBLIC AND ON
28 PUBLIC PROPERTY AND CONTAINING THREE OR MORE APPARATUS,
29 INCLUDING, BUT NOT LIMITED TO, SLIDES, CLIMBERS, SEESAWS, AND
30 SWINGS, DESIGNED FOR THE RECREATIONAL USE OF CHILDREN AND
31 OWNED AND OPERATED BY A LOCAL UNIT OF GOVERNMENT, SCHOOL
32 DISTRICT, OR OTHER UNIT OR AGENCY OF GOVERNMENT.

33
34 “RESTRICTED/LIMITED ACCESS AREA” MEANS A BUILDING, ROOM OR OTHER
35 AREA UNDER THE CONTROL OF THE LICENSEE WITH ACCESS GOVERNED BY THE
36 MMMA, THE MMFLA, THE MTA OR OTHER APPLICABLE STATE LAW.

37
38 “SAFETY COMPLIANCE FACILITY” OR “MEDICAL MARIHUANA SAFETY
39 COMPLIANCE FACILITY” MEANS A COMMERCIAL OR BUSINESS ENTITY LOCATED
40 IN THE CITY THAT IS LICENSED OR APPROVED TO OPERATE BY THE STATE
41 PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO THE
42 TERMS AND CONDITIONS OF THIS CHAPTER, THAT RECEIVES MARIHUANA FROM
43 A MEDICAL MARIHUANA ESTABLISHMENT OR A REGISTERED QUALIFYING
44 PATIENT OR A REGISTERED PRIMARY CAREGIVER, TESTS IT FOR
45 CONTAMINANTS AND FOR TETRAHYDROCANNABINOL AND OTHER
46 CANNABINOIDS IN ACCORDANCE WITH STATE LAW.

1 “SCHOOL” MEANS AND INCLUDES BUILDINGS USED FOR SCHOOL PURPOSES
2 TO PROVIDE INSTRUCTION TO CHILDREN AND YOUTH IN GRADES PRE-
3 KINDERGARTEN THROUGH 12, AND HEADSTART WHEN THAT INSTRUCTION IS
4 PROVIDED BY A PUBLIC, PRIVATE, DENOMINATIONAL, OR PAROCHIAL SCHOOL.
5

6 “SECURE TRANSPORTER” OR “MEDICAL MARIHUANA SECURE TRANSPORTER”
7 MEANS A COMMERCIAL OR BUSINESS ENTITY THAT IS LICENSED OR APPROVED
8 TO OPERATE BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED TO
9 OPERATE BY THE CITY PURSUANT TO THE TERMS AND CONDITIONS OF THIS
10 CHAPTER, THAT STORES MARIHUANA AND TRANSPORTS MARIHUANA BETWEEN
11 MEDICAL MARIHUANA FACILITIES FOR A FEE AND IN ACCORDANCE WITH STATE
12 LAW.
13

14 “STAKEHOLDER” MEANS, WITH RESPECT TO A TRUST, THE TRUSTEE AND
15 BENEFICIARIES; WITH RESPECT TO A LIMITED LIABILITY COMPANY, THE
16 MANAGERS AND MEMBERS; WITH RESPECT TO A CORPORATION, WHETHER
17 PROFIT OR NON-PROFIT, THE OFFICERS, DIRECTORS, OR SHAREHOLDERS; AND
18 WITH RESPECT TO A PARTNERSHIP OR LIMITED LIABILITY PARTNERSHIP, THE
19 PARTNERS, BOTH GENERAL AND LIMITED.
20

21 “STATE” MEANS THE STATE OF MICHIGAN.
22

23 (G) ANY TERM DEFINED BY THE MMMA, THE MMFLA, OR THE MTA AND NOT
24 DEFINED IN THIS CHAPTER SHALL HAVE THE DEFINITION GIVEN IN THE MMMA,
25 MMFLA, OR MTA, AS APPLICABLE.

26 **1300.3 ESTABLISHMENT OF THE MEDICAL MARIHUANA COMMISSION;**
27 **MEMBERSHIP; CHAIRPERSON; MEETINGS**
28

29 (A) THE MEDICAL MARIHUANA COMMISSION IS HEREBY ESTABLISHED. THE
30 COMMISSION SHALL CONSIST OF FIVE (5) MEMBERS, WHO SHALL BE
31 APPOINTED BY THE MAYOR WITH THE CONSENT OF CITY COUNCIL.
32 MEMBERS SHALL SERVE FOR TERMS OF OFFICE OF THREE (3) YEARS. FOR
33 THE INITIAL APPOINTMENTS TO THE COMMISSION, ONE MEMBER SHALL
34 SERVE FOR A TERM OF ONE (1) YEAR, TWO MEMBERS SHALL SERVE FOR A
35 TERM OF TWO (2) YEARS, AND TWO MEMBERS SHALL SERVE FOR A TERM
36 OF THREE YEARS.
37

38 (B) THE MEMBERS OF THE COMMISSION SHALL INCLUDE THE FOLLOWING:
39

- 40 (1) FOUR (4) MEMBERS, ONE FROM EACH WARD OF THE CITY,
41 UPON BEING RECOMMENDED TO THE MAYOR BY THE
42 COUNCIL PERSON IN THAT WARD;
43
44 (2) ONE (1) AT LARGE MEMBER WHO IS A RESIDENT OF THE CITY.
45

1 (3) EACH MEMBER SHALL BE A RESIDENT OF THE CITY.
2

3 (C) THE CHAIRPERSON OF THE COMMISSION SHALL BE ELECTED ANNUALLY
4 BY A MAJORITY VOTE OF THE MEMBERS OF THE COMMISSION. THE
5 COMMISSION MAY MEET AT SUCH TIMES AS THE COMMISSION MAY
6 DETERMINE OR AS OTHERWISE REQUIRED IN THIS CHAPTER. THE
7 COMMISSION SHALL ADOPT ITS OWN RULES OF PROCEDURE, FILE SUCH
8 RULES WITH THE CITY CLERK, AND MAINTAIN A WRITTEN RECORD OF ITS
9 PROCEEDINGS AND ACTIONS WHICH SHALL BE AVAILABLE FOR PUBLIC
10 INSPECTION, SHOWING THE ACTION OF THE COMMISSION AND THE VOTE
11 OF EACH MEMBER UPON EACH QUESTION CONSIDERED. ALL MEETINGS
12 OF THE COMMISSION SHALL BE HELD IN CONFORMANCE WITH THE
13 MICHIGAN OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 ET SEQ. THE
14 PHYSICAL PRESENCE OF THREE (3) MEMBERS SHALL CONSTITUTE A
15 QUORUM FOR COMMISSION MEETINGS. A MAJORITY VOTE OF MEMBERS
16 PHYSICALLY PRESENT AT A DULY CONVENED MEETING OF THE
17 COMMISSION, A QUORUM BEING PRESENT, SHALL BE NECESSARY FOR
18 ANY ACTION. ELECTRONIC OR TELEPHONIC PRESENCE SHALL NOT
19 CONSTITUTE PHYSICAL PRESENCE; NOR SHALL ANY SUCH MEANS BE
20 UTILIZED FOR VOTING OR DECISION MAKING PURPOSES.
21

22 (D) NO VOTING MEMBER OF THE COMMISSION SHALL HOLD ANY OTHER
23 PUBLIC OFFICE OR PUBLIC EMPLOYMENT IN ANY LOCAL UNIT OF
24 GOVERNMENT SUPPORTED BY LANSING PROPERTY TAXES IN WHOLE
25 OR IN PART. NO MEMBER OF THE COMMISSION SHALL HAVE ANY
26 DIRECT FINANCIAL INTEREST IN A MEDICAL MARIHUANA
27 ESTABLISHMENT.
28

29 (E) THE COMMISSION SHALL REVIEW AND DECIDE ALL APPEALS THAT ARE
30 FORWARDED TO IT BY THE CITY CLERK UNDER THIS CHAPTER. THE
31 COMMISSION'S REVIEW OF AN APPEAL SHALL NOT BE DE NOVO. THE
32 COMMISSION SHALL ONLY OVERTURN, OR MODIFY, A DECISION OR
33 FINDING OF THE CLERK IF IT FINDS SUCH DECISION OR FINDING TO BE
34 ARBITRARY OR CAPRICIOUS AND NOT SUPPORTED BY MATERIAL,
35 SUBSTANTIAL, AND COMPETENT FACTS ON THE WHOLE RECORD
36 CONSIDERED BY THE CLERK IN ARRIVING AT SUCH DECISION OR
37 FINDING.
38

39 (F) THE COMMISSION MAY PROPOSE CHANGES TO THIS CHAPTER TO THE
40 CITY COUNCIL AND MAY RECOMMEND RULES AND REGULATIONS
41 RELATED TO THIS CHAPTER FOR COUNCIL APPROVAL.
42

43 (G) THE CHIEF OF POLICE (OR A DESIGNEE), THE CHIEF OF THE FIRE
44 DEPARTMENT (OR A DESIGNEE) AND THE DIRECTOR OF PLANNING AND
45 NEIGHBORHOOD DEVELOPMENT (OR A DESIGNEE) SHALL SERVE AND
46 ADVISE 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. 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 OR WITHOUT A STATE LICENSE OR APPROVAL PURSUANT TO THE MMFLA, AS AMENDED FROM TIME TO TIME, IS HEREBY DECLARED TO BE A PUBLIC NUSIANCE.

(B) THE TERM OF EACH LICENSE FOR A PROPOSED LOCATION SHALL BE ONE YEAR. A LICENSE ISSUED UNDER THIS CHAPTER FOR A PROPOSED LOCATION MAY BE CONDITIONED ON THE APPROVAL OF THE OPERATOR BY THE STATE PURSUANT TO THE MMFLA AT THE LOCATION.

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. AN APPLICANT MAY APPLY FOR MULTIPLE MEDICAL MARIHUANA ESTABLISHMENT LICENSES UNDER THIS CHAPTER OF THE SAME OR DIFFERENT NATURES SIMULTANEOUSLY

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

- (1) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICANT'S NAME, DATE OF BIRTH, PHYSICAL ADDRESS, EMAIL ADDRESS, ONE OR MORE PHONE NUMBERS, INCLUDING EMERGENCY CONTACT INFORMATION, AND A COPY OF A GOVERNMENT-ISSUED PHOTO IDENTIFICATION CARD OF THE APPLICANT
- (2) IF THE APPLICANT IS NOT AN INDIVIDUAL, THE NAMES, DATES OF BIRTH, PHYSICAL ADDRESSES, EMAIL ADDRESSES, AND ONE OR MORE PHONE NUMBERS OF EACH STAKEHOLDER OF THE APPLICANT, INCLUDING DESIGNATION OF A STAKEHOLDER AS AN EMERGENCY CONTACT PERSON AND CONTACT INFORMATION FOR THE EMERGENCY CONTACT PERSON, ARTICLES OF INCORPORATION OR ORGANIZATION, INTERNAL REVENUE SERVICE SS-4 EIN

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1 CONFIRMATION LETTER, AND THE OPERATING AGREEMENT OR
2 BYLAWS OF THE APPLICANT, IF A LIMITED LIABILITY COMPANY

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

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

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

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

29 (7) AN AFFIRMATION UNDER OATH AS TO WHETHER THE APPLICANT
30 OR OPERATOR HAS HAD A BUSINESS LICENSE REVOKED OR SUSPENDED, AND
31 IF REVOKED OR SUSPENDED, THEN THE REASON FOR SUCH REVOCATION OR
32 SUSPENSION;
33

34 (8) FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE
35 APPLICANT, A RESUME THAT INCLUDES WHETHER THE INDIVIDUAL HAS ANY
36 RELEVANT EXPERIENCE WITH MEDICAL MARIHUANA OR A RELATED
37 INDUSTRY;
38

39 (9) A PATIENT EDUCATION PLAN TO DETAIL TO PATIENTS THE
40 BENEFITS OR DRAWBACKS OF CERTAIN MARIHUANA STRAINS OR PRODUCTS
41 IN CONNECTION WITH THE DEBILITATING MEDICAL CONDITIONS SET FORTH
42 IN THE MICHIGAN MEDICAL MARIHUANA ACT;
43

44 (10) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS,
45 A DESCRIPTION OF DRUG AND ALCOHOL AWARENESS PROGRAMS THAT

1 SHALL BE PROVIDED OR ARRANGED FOR BY THE APPLICANT AND MADE
2 AVAILABLE FOR THE PUBLIC.

3
4 (11) A WRITTEN DESCRIPTION OF THE TRAINING AND EDUCATION THAT
5 THE APPLICANT WILL PROVIDE TO ALL EMPLOYEES;

6
7 (12) A COPY OF THE PROPOSED BUSINESS PLAN FOR THE
8 ESTABLISHMENT, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

- 9
- 10 (I) THE PROPOSED OWNERSHIP STRUCTURE OF THE
11 ESTABLISHMENT, INCLUDING PERCENTAGE OWNERSHIP OF
12 EACH PERSON OR ENTITY; AND
 - 13
14 (II) A CURRENT ORGANIZATION CHART THAT INCLUDES
15 POSITION DESCRIPTIONS AND THE NAMES OF EACH PERSON
16 HOLDING EACH POSITION; AND
 - 17
18 (III) A PROPOSED MARKETING , ADVERTISING, AND BUSINESS
19 PROMOTION PLAN, INCLUDING PLANS TO MINIMIZE THE
20 ESPOSURE OF MARKETING OR PROMOTING MARIHUANA
21 PRODUCTS TO MINORS; AND
 - 22
23 (IV) PLANNED TANGIBLE CAPITAL INVESTMENT IN THE CITY,
24 INCLUDING DETAIL RELATED TO THE NUMBER AND NATURE
25 OF APPLICANT'S PROPOSED MEDICAL MARIHUANA
26 ESTABLISHMENTS IN THE CITY AND WHETHER THE
27 LOCATIONS OF SUCH ESTABLISHMENTS WILL BE OWNED OR
28 LEASED; FURTHER, IF MULTIPLE LICENSES ARE PROPOSED, AN
29 EXPLANATION OF THE ECONOMIC BENEFITS TO THE CITY
30 AND JOB CREATION, IF ANY, TO BE ACHIEVED THROUGH THE
31 AWARD OF SUCH MULTIPLE LICENSES. SUPPORTING FACTUAL
32 DATA SHALL BE INCLUDED WITH THE RESPONSE TO THIS
33 SUBSECTION; AND
 - 34
35 (V) EXPECTED JOB CREATION FROM THE PROPOSED MEDICAL
36 MARIHUAN ESTABLISHMENT(S); AND
 - 37
38 (VI) PLANNED WORKER TRAINING PROGRAMS; AND
 - 39
40 (VII) FINANCIAL STRUCTURE AND FINANCING OF THE PROPOSED
41 MEDICAL MARIHUANA ESTABLISHMENT(S); AND
 - 42
43 (VIII) SHORT TERM AND LONG TERM GOALS AND OBJECTIVES
44 CONSISTENT WITH THIS CHAPTER; AND
- 45

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(IX) IF A MEDICAL MARIHUANA GROWER FACILITY (IES) ARE PROPOSED, PLANS TO INTEGRATE SUCH FACILITY (IES) WITH OTHER PROPOSED MEDICAL MARIHUANA ESTABLISHMENTS AND A STATEMENT WHETHER THE MEDICAL MARIHUANA GROWER FACILITY WILL GROW 1000 PLANTS OR MORE AND THE SQUARE FOOTAGE OF THE BUILDING(S) HOUSING SUCH GROWER FACILITY, AND IF SO, WILL THE FACILITY CONTAIN MORE THAN 15,000 SQUARE FEET OF SPACE.

(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 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 OR ALTERNATIVE SECURITY PROCEDURES SHALL BE PROPOSED IN THE BUSINESS PLAN;

(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)

(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;

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1 (19) A PROPOSED PATIENT RECORDKEEPING PLAN THAT WILL TRACK
2 QUANTITIES SOLD TO INDIVIDUAL PATIENTS AND CAREGIVERS, AND WILL
3 MONITOR INVENTORY;
4

5 (20) A DESCRIPTION OF PROCEDURES FOR TESTING OF CONTAMINANTS,
6 INCLUDING MOLD AND PESTICIDES;
7

8 (21) AN AFFIDAVIT THAT NEITHER THE APPLICANT NOR ANY
9 STAKEHOLDER OF THE APPLICANT IS IN DEFAULT TO THE CITY.
10 SPECIFICALLY, THAT THE APPLICANT OR STAKEHOLDER OF THE APPLICANT
11 HAS NOT FAILED TO PAY ANY PROPERTY TAXES, SPECIAL ASSESSMENTS,
12 FINES, FEE OR OTHER FINANCIAL OBLIGATION TO THE CITY;
13

14 (22) VERIFICATION, INCLUDING COPIES OF ACTUAL BANK STATEMENTS,
15 SHOWING THAT THE APPLICANT HAS MINIMUM NET WORTH OF ONE
16 HUNDRED THOUSAND DOLLARS (\$100,000) IN THE APPLICANT'S NAME.
17

18 (23) AN ESTIMATE OF THE NUMBER AND TYPE OF JOBS THAT THE
19 MEDICAL MARIHUANA ESTABLISHMENT IS EXPECTED TO CREATE, THE
20 AMOUNT AND TYPE OF COMPENSATION EXPECTED TO BE PAID FOR SUCH
21 JOBS, AND THE PROJECTED ANNUAL BUDGET AND REVENUE OF THE
22 MEDICAL MARIHUANA ESTABLISHMENT; AND
23

24 (24) A SIGNED ACKNOWLEDGMENT THAT THE APPLICANT IS AWARE AND
25 UNDERSTANDS THAT ALL MATTERS RELATED TO MARIHUANA, GROWING,
26 CULTIVATION, POSSESSION, DISPENSING, TESTING, SAFETY COMPLIANCE,
27 TRANSPORTING, DISTRIBUTION, AND USE ARE CURRENTLY SUBJECT TO
28 STATE AND FEDERAL LAWS, RULES, AND REGULATIONS, AND THAT THE
29 APPROVAL OR GRANTING OF A LICENSE HEREUNDER DOES NOT EXONERATE
30 OR EXCULPATE THE APPLICANT FROM ABIDING BY THE PROVISIONS AND
31 REQUIRMENTS AND PENALTIES ASSOCIATED WITH THOSE LAWS, RULES AND
32 REGULATIONS OR EXPOSURE TO ANY PENALTIES ASSOCIATED THEREWITH;
33 AND FURTHER THE APPLICANT WAIVIES AND FOREVER RELEASES ANY
34 CLAIM, DEMAND, ACTION, LEGAL REDRESS, OR RECOURSE AGAINST THE
35 CITY OF LANSING, ITS ELECTED AND APPOINTED OFFICIALS AND ITS
36 EMPLOYEES AND AGENTS FOR ANY CLAIMS, DAMAGES, LIABILITIES, CAUSES
37 OF ACTION, DAMAGES, AND ATTORNEY FEES THE APPLICANT MAY OCCUR AS
38 A RESULT OF THE VIOLATION BY APPLICANT, ITS OFFICIALS, MEMBERS,
39 PARTNERS, SHAREHOLDERS, EMPLOYEES AND AGENT OF THOSE LAWS,
40 RULES, AND REGULATIONS AND HEREBY WAIVES, AND ASSUMES THE RISK
41 OF, ANY SUCH CLAIMS AND DAMAGES, AND LACK OF RECOURSE AGAINST
42 THE CITY OF LANSING, ITS ELECTED AND APPOINTED OFFICIALS,
43 EMPLOYEES, ATTORNEYS, AND AGENTS.
44
45

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1 (25) AS IT RELATES TO A MEDICAL MARIHUANA GROWER FACILITY, THE
2 FOLLOWING ADDITIONAL ITEMS SHALL BE REQUIRED:
3

4 (I) A CULTIVATION PLAN THAT INCLUDES, AT A MINIMUM, A
5 DESCRIPTION OF THE CULTIVATION METHODS TO BE USED, INCLUDING
6 PLANS FOR THE GROWING MEDIUMS, TREATMENTS, AND / OR ADDITIVES;
7

8 (II) A PRODUCTION TESTING PLAN THAT INCLUDES, AT A MINIMUM, A
9 DESCRIPTION OF HOW AND WHEN SAMPLES FOR LABORATORY TESTING
10 BY AN INTERNATIONAL ORGANIZATION FOR STANDARDIZATION
11 ACCREDITED TESTING FACILITY WILL BE SELECTED, WHAT TYPE OF
12 TESTING WILL BE REQUESTED, AND HOW THE TEST RESULTS WILL BE
13 USED;
14

15 (III) AN AFFIDAVIT THAT ALL OPERATIONS WILL BE CONDUCTED IN
16 CONFORMANCE WITH THE MMMA, THE MMFLA, MTA AND OTHER
17 APPLICABLE STATE LAW;
18

19 (IV) A CHEMICAL AND PESTICIDE STORAGE PLAN THAT STATES THE
20 NAMES OF THE PESTICIDES TO BE USED IN CULTIVATION AND WHERE AND
21 HOW PESTICIDES AND CHEMICALS WILL BE STORED IN THE
22 ESTABLISHMENT, ALONG WITH A PLAN FOR THE DISPOSAL OF UNUSED
23 PESTICIDES;
24

25 (V) ALL CULTIVATION MUST BE PERFORMED IN A BUILDING. THE
26 APPLICANT SHALL SPECIFICALLY ACKNOWLEDGE THIS PROVISION.
27

28 (26) PROOF OF AN INSURANCE POLICY COVERING THE ESTABLISHMENT
29 AND NAMING THE CITY, ITS ELECTED AND APPOINTED OFFICIALS,
30 EMPLOYEES, AND AGENTS, AS ADDITIONAL INSURED PARTIES,
31 AVAILABLE FOR THE PAYMENT OF ANY DAMAGES ARISING OUT OF AN
32 ACT OR OMISSION OF THE APPLICANT OR ITS STAKEHOLDERS, AGENTS,
33 EMPLOYEES, OR SUBCONTRACTORS, IN THE AMOUNT OF (A) AT LEAST
34 ONE MILLION DOLLARS FOR PROPERTY DAMAGE; (B) AT LEAST ONE
35 MILLION DOLLARS FOR INJURY TO ONE PERSON; AND (C) AT LEAST TWO
36 MILLION DOLLARS FOR INJURY TO TWO OR MORE PERSON RESULTING
37 FROM THE SAME OCCURRENCE. THE INSURANCE POLICY UNDERWRITER
38 MUST HAVE A MINIMUM A.M. BEST COMPANY INSURANCE RANKING OF
39 B+, CONSISTENT WITH STATE LAW. THE POLICY SHALL PROVIDE THAT
40 THE CITY SHALL BE NOTIFIED BY THE INSURANCE CARRIER THIRTY (30)
41 DAYS IN ADVANCE OF ANY CANCELLATION.
42

43 (27) (A) PROOF OF A SURETY BOND IN THE AMOUNT OF \$50,000 WITH
44 THE CITY OF LANSING LISTED AS THE OBLIGEE TO GUARANTEE
45 PERFORMANCE BY APPLICANT OF THE TERMS, CONDITIONS AND

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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 FINANCIAL INSTITUTION APPROVED BY THE CITY ATTORNEY BASED UPON AN OBJECTIVE ASSESSMENT OF THE INSTITUTION'S FINANCIAL STABILITY; AND

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

(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 OR CITY COUNCIL ORDINANCE FROM TIME TO TIME.

(C) ALL APPLICATIONS SHALL BE ACCOMPANIED BY A LICENSE APPLICATION FEE IN AN AMOUNT OF \$5,000. SHOULD THE APPLICANT NOT RECEIVE A LICENSE, ONE-HALF OF THE APPLICATION FEE SHALL BE RETURNED.

(D) UPON RECEIPT OF A COMPLETED APPLICATION MEETING THE REQUIREMENTS OF THIS SECTION AND THE APPROPRIATE 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 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 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 ARE NOT IN DEFAULT TO THE CITY;

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

1300.6- LICENSE APPLICATION EVALUATION.

(A) THE CITY CLERK SHALL ASSESS, EVALUATE, SCORE AND RANK ALL APPLICATIONS SUBMITTED ACCORDING TO THE PROVISIONS OF THIS CHAPTER. NO APPLICATION SHALL BE ACCEPTED FOR ASSESSMENT, EVALUATION, SCORING, AND RANKING UNLESS SUCH APPLICATION CONTAINS THE APPROVALS REQUIRED BY SECTION 1300.5.

(B) IN ITS APPLICATION ASSESSMENT, EVALUATION, SCORING, AND RANKING, DELIBERATIONS, THE CLERK SHALL ASSESS, EVALUATE, SCORE, AND RANK EACH APPLICATION BASED UPON A SCORING AND RANKING PROCEDURE DEVELOPED BY THE CLERK CONSISTENT WITH THE REQUIREMENTS, CONDITIONS, AND PROVISIONS OF THIS CHAPTER IN EACH OF THE CATEGORIES SET FORTH BELOW IN THIS SUBSECTION. OVERALL SCORING AND RANKING SHALL BE CONDUCTED AND APPLIED BY THE CLERK ON THE BASIS OF ASSIGNED POINTS FROM ZERO (0) POINTS TO ONE HUNDRED POINTS(100) POINTS WITH THE LOWEST OVERALL TOTAL SCORE AS ZERO (0) POINTS AND THE HIGHEST POSSIBLE TOTAL SCORE BEING ONE HUNDRED (100) POINTS

(1) THE CONTENT AND SUFFICIENCY OF THE INFORMATION CONTAINED IN 1300.5 (B) (12) AND (23); THE MAXIMUM NUMBER OF SCORING POINTS IN THIS CATEGORY SHALL BE FIFTY (50) POINTS;

(2) WHETHER THE PROPOSED ESTABLISHMENT WILL BE CONSISTENT WITH LAND USE FOR THE SURROUNDING NEIGHBORHOOD AND NOT HAVE A DETRIMENTAL EFFECT ON TRAFFIC PATTERNS AND RESIDENT SAFETY. THE MAXIMUM NUMBER OF SCORING POINTS IN THIS CATEGORY SHALL BE TWENTY (20) POINTS;

(3) PLANNED OUTREACH ON BEHALF OF THE PROPOSED ESTABLISHMENT, AND WHETHER THE APPLICANT OR ITS STAKEHOLDERS HAVE MADE, OR PLAN TO MAKE, SIGNIFICANT PHYSICAL IMPROVEMENTS TO THE BUILDING HOUSING THE MEDICAL MARIHUANA ESTABLISHMENT, INCLUDING PLANS TO ELIMINATE OR MINIMIZE TRAFFIC, NOISE, AND ODOR EFFECTS ON THE SURROUNDING NEIGHBORHOOD . THE MAXIMUM NUMBER OF SCORING POINTS IN THIS CATEGORY SHALL BE TEN (10) POINTS;

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(4) WHETHER THE APPLICANT OR ANY OF ITS STAKEHOLDERS HAVE A RECORD OF ACTS DETRIMENTAL TO THE PUBLIC HEALTH, SECURITY, SAFETY, MORALS, GOOD ORDER, OR GENERAL WELFARE PRIOR TO THE DATE OF THE APPLICATION; WHETHER THE APPLICANT OR ANY OF ITS STAKEHOLDERS HAVE PREVIOUSLY OPERATED AN ILLEGAL BUSINESS OF ANY KIND. THE MAXIMUM NUMBER OF SCORING POINTS IN THIS CATEGORY SHALL BE TEN (10) POINTS;

(5) WHETHER THE APPLICANT HAS REASONABLY AND TANGIBLY 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. THE MAXIMUM NUMBER OF SCORING POINTS IN THIS CATEGORY SHALL BE TEN (10) POINTS.

(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 THIRTY (30) DAY ENROLLMENT PERIOD SET BY THE CITY CLERK, THE CITY CLERK SHALL BEGIN PROCESSING OF APPLICATIONS FOR AUTHORIZATION OF A MAXIMUM OF TWENTY (20) PROVISIONING CENTER LICENSES TO ALLOW FOR AN EFFICIENT AND MANAGABLE ADMINISTRATIVE REVIEW. THE CITY CLERK 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 APPLICATIONS AND AMENDED APPLICATIONS, THE CLERK MAY AUTHORIZE A MAXIMUM OF FIVE (5) ADDITIONAL PROVISIONING CENTER LICENSES DURING THE TWO-PHASE PROCESS. AN APPLICATION SUBMITTED DURING PHASE ONE TO THE CLERK, BUT NOT SELECTED FOR APPROVAL DURING PHASE ONE, MAY BE CONSIDERED FOR APPROVAL DURING PHASE TWO. THE CLERK WILL INITIATE PHASE TWO WITHIN ONE YEAR OF THE START OF PHASE ONE.

(D) IN THE EVENT THAT THERE ARE MORE APPLICANTS FOR PROVISIONING CENTER LICENSES WHO MEET THE MINIMUM REQUIREMENTS SET FORTH IN 1300.6(B) THAN THERE ARE LICENSES AVAILABLE IN EITHER PHASE ONE OR TWO, THE TOP SCORING

TWENTY (20) APPLICANTS IN PHASE ONE AND TOP SCORING FIVE (5) APPLICANTS IN PHASE TWO, SHALL BE ELIGIBLE TO RECEIVE PROVISIONING CENTER LICENSES IN ACCORDANCE WITH THE ASSESSMENT, EVALUATION, SCORING, AND RANKING PROCEDURES ESTABLISHED IN THIS CHAPTER.. IN THE EVENT OF AN EVALUATION SCORING TIE DURING EITHER PHASE ONE OR PHASE TWO, WHICH CAUSES THERE TO BE MORE THAN 20 AND 5 HIGHEST SCORING APPLICANTS RESPECTIVELY, THE SCORING - TIED APPLICANTS WILL BE ENTERED INTO A RANDOM DRAW USING PROCEDURES SET BY THE CITY CLERK CONSISTENT WITH SUBSECTIONS 1300.6 (C) AND (D). THOSE APPLICATIONS RANDOMLY SELECTED SHALL BE ELIGIBLE TO RECEIVE A PROVISIONING CENTER 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.

(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, ANY CLAIM OF ENTITLEMENT.

(F) THE CLERK MAY ENGAGE PROFESSIONAL EXPERT ASSISTANCE IN PERFORMING THE CLERKS DUTIES AND RESPONSIBILITIES UNDER THE CHAPTER.

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 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

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1 APPLICATION TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE
2 DEPARTMENT, THE BUILDING SAFETY OFFICE, THE LANSING POLICE
3 DEPARTMENT, THE ZONING ADMINISTRATOR, AND THE CITY TREASURER,

4
5 (E) NO APPLICATION FOR A LICENSE RENEWAL SHALL BE APPROVED
6 UNLESS:

7
8 (1) THE FIRE DEPARTMENT AND THE BUILDING SAFETY OFFICE HAVE
9 INSPECTED THE PROPOSED LOCATION FOR COMPLIANCE WITH ALL
10 LAWS FOR WHICH THEY ARE CHARGED WITH ENFORCEMENT WITHIN
11 THE PAST CALENDAR YEAR; AND

12
13 (2) THE ZONING ADMINISTRATOR HAS CONFIRMED THAT THE LOCATION
14 COMPLIES WITH THE ZONING CODE AND THIS CHAPTER, AT THE TIME
15 A LICENSE IS GRANTED, INCLUDING ANY VARIANCES GRANTED UNDER
16 SECTION 1300.18; AND

17
18 (3) THE CITY TREASURER HAS CONFIRMED THAT THE APPLICANT AND
19 EACH STAKEHOLDER OF THE APPLICANT AND THE LOCATION OF THE
20 MEDICAL MARIHUANA ESTABLISHMENT ARE NOT CURRENTLY IN
21 DEFAULT TO THE CITY; AND

22
23 (4) THE POLICE DEPARTMENT HAS REVIEWED THE APPLICATION AND
24 DETERMINED THAT THE APPLICANT HAS SATISFIED THE
25 REQUIREMENTS OF THIS CHAPTER WITH RESPECT TO THE
26 BACKGROUND CHECK AND SECURITY PLAN; AND

27
28 (5) THE APPLICANT POSSESSES THE NECESSARY STATE LICENSES OR
29 APPROVALS, INCLUDING THOSE ISSUED PURSUANT TO THE MMFLA;
30 AND

31
32 (6) THE APPLICANT HAS OPERATED THE MEDICAL MARIHUANA
33 ESTABLISHMENT IN ACCORDANCE WITH THE CONDITIONS AND
34 REQUIREMENTS OF THIS CHAPTER; AND

35
36 (7) THE MEDICAL MARIHUANA ESTABLISHMENT HAS NOT BEEN
37 DECLARED A PUBLIC NUISANCE; AND

38
39 (8) THE APPLICANT IS OPERATING THE MEDICAL MARIHUANA
40 ESTABLISHMENT IN ACCORDANCE WITH FEDERAL, STATE, AND LOCAL
41 LAWS AND REGULATIONS.

42
43 (F) IF WRITTEN APPROVAL IS GIVEN BY EACH INDIVIDUAL, DEPARTMENT, OR
44 ENTITY IDENTIFIED IN SUBSECTION (E), THE CITY CLERK SHALL ISSUE A
45 LICENSE RENEWAL TO THE APPLICANT. IF NO RENEWAL LICENSE IS ISSUED,
46 HALF OF THE RENEWAL FEE SHALL BE RETURNED. THE RENEWAL SHALL BE

1 DEEMED APPROVED IF THE CITY HAS NOT ISSUED FORMAL NOTICE OF DENIAL
2 WITHIN 60 DAYS OF THE FILING DATE OF THE APPLICATION, UNLESS THE
3 APPLICANT IS ADVISED OF NON-COMPLIANCE UNDER 1300.7 (E) DURING SUCH
4 PERIOD.

5
6 **1300.8 – LICENSES GENERALLY.**
7

8 (A) TO THE EXTENT PERMISSIBLE UNDER LAW, ALL INFORMATION
9 SUBMITTED IN CONJUNCTION WITH AN APPLICATION FOR A LICENSE OR
10 LICENSE RENEWAL REQUIRED BY THIS CHAPTER IS CONFIDENTIAL AND
11 EXEMPT FROM DISCLOSURE UNDER THE MICHIGAN FREEDOM OF
12 INFORMATION ACT, 1976 PA 442, MCL 15.231 ET SEQ. FURTHERMORE, NO
13 PERSONAL OR MEDICAL INFORMATION CONCERNING THE APPLICANT SHALL
14 BE SUBMITTED TO THE MEDICAL MARIHUANA COMMISSION.
15

16 (B) LICENSEES MAY TRANSFER A LICENSE ISSUED UNDER THIS CHAPTER
17 TO A DIFFERENT LOCATION UPON RECEIVING WRITTEN APPROVAL FROM
18 THE CITY CLERK. IN ORDER TO REQUEST APPROVAL TO TRANSFER A
19 LICENSE LOCATION, THE LICENSEE MUST MAKE A WRITTEN REQUEST TO
20 THE CITY CLERK, INDICATING THE CURRENT LICENSE LOCATION AND THE
21 PROPOSED LICENSE LOCATION. UPON RECEIVING THE WRITTEN REQUEST,
22 THE CITY CLERK SHALL REFER A COPY OF THE WRITTEN REQUEST TO EACH
23 OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT, THE
24 BUILDING SAFETY OFFICE, THE POLICE DEPARTMENT, THE ZONING
25 ADMINISTRATOR, AND THE CITY TREASURER. NO LICENSE TRANSFER SHALL
26 BE APPROVED UNLESS EACH SUCH INDIVIDUAL DEPARTMENT, OR ENTITY
27 GIVES WRITTEN APPROVAL THAT THE LICENSEE AND THE PROPOSED
28 LICENSE LOCATION MEET THE STANDARDS IDENTIFIED IN THIS CHAPTER,
29 INCLUDING BUT NOT LIMITED TO SECTION 1300.5(E), AND THE CITY CLERK
30 HAS DETERMINED THAT THE PROPOSED LOCATION MEETS THE
31 REQUIREMENTS OF 1300.6 (B)(2) AND (3).
32

33 (C) LICENSEES MAY TRANSFER A LICENSE ISSUED UNDER THIS CHAPTER TO
34 A DIFFERENT INDIVIDUAL OR ENTITY UPON RECEIVING WRITTEN APPROVAL
35 BY THE CITY CLERK. IN ORDER TO REQUEST APPROVAL TO TRANSFER A
36 LICENSE TO A DIFFERENT INDIVIDUAL OR ENTITY, THE LICENSEE MUST
37 MAKE A WRITTEN REQUEST TO THE CITY CLERK, INDICATING THE CURRENT
38 LICENSEE AND THE PROPOSED LICENSEE. UPON RECEIVING THE WRITTEN
39 REQUEST, THE CITY CLERK SHALL CONSIDER THE REQUEST AS A NEW
40 APPLICATION FOR A LICENSE AND THE PROCEDURES SET FORTH IN 1300.5
41 AND 1300.6 SHALL BE FOLLOWED INCLUDING SUBMISSION OF THE LICENSE
42 APPLICATION FEE. APPLICATION FEES ARE NON-TRANSFERABLE.
43

44 (D) LICENSEES SHALL REPORT ANY OTHER CHANGE IN THE INFORMATION
45 REQUIRED BY THIS CHAPTER TO THE CITY CLERK WITHIN TEN (10)

1 BUSINESS DAYS OF THE CHANGE. FAILURE TO DO SO MAY RESULT IN
2 SUSPENSION OR REVOCATION OF THE LICENSE.

3
4 (E) ANY LICENSE APPLICATION APPROVED PURSUANT TO THIS CHAPTER
5 SHALL NOT BE EFFECTIVE, AND NO MEDICAL MARIHUANA ESTABLISHMENT
6 MAY OPERATE, UNLESS THE MEDICAL MARIHUANA ESTABLISHMENT IS
7 OPERATED PURSUANT TO A LICENSE OR APPROVAL ISSUED UNDER THE
8 MMFLA.

9
10 **1300.9 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
11 **PROVISIONING CENTER.**

12
13 EXCEPT AS MAY BE PREEMPTED BY STTE LAW OR REGULATION,

14
15 (A) EVERY MEDICAL MARIHUANA PROVISIONING CENTER MUST BE LOCATED
16 IN A BUILDING, AS DEFINED UNDER SECTION 1300.2.

17
18 (B) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPEN
19 BETWEEN THE HOURS OF 10 P.M. AND 9 A.M.;

20
21 (C) CONSUMPTION OF MARIHUANA SHALL BE PROHIBITED ON THE PREMISES
22 OF A MEDICAL MARIHUANA PROVISIONING CENTER EXCEPT AS PERMITTED BY
23 LANSING CITY CHARTER SECTION 8-501 AND STATE LAW;

24
25 (D) A MEDICAL MARIHUANA PROVISIONING CENTER SHALL CONTINUOUSLY
26 MONITOR THE ENTIRE PREMISES ON WHICH THEY ARE OPERATED WITH
27 SURVEILLANCE SYSTEMS THAT INCLUDE SECURITY CAMERAS. THE VIDEO
28 RECORDINGS SHALL BE MAINTAINED IN A SECURE, OFF-SITE LOCATION FOR A
29 PERIOD OF 14 DAYS;

30
31 (E) UNLESS PERMITTED BY THE MMMA, PUBLIC OR COMMON AREAS OF THE
32 MEDICAL MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM
33 RESTRICTED OR NON-PUBLIC AREAS OF THE PROVISIONING CENTER BY A
34 PERMANENT BARRIER. UNLESS PERMITTED BY THE MMMA, NO MEDICAL
35 MARIHUANA IS PERMITTED TO BE STORED, DISPLAYED, OR TRANSFERRED IN AN
36 AREA ACCESSIBLE TO THE GENERAL PUBLIC;

37
38 (F) ALL MEDICAL MARIHUANA STORAGE AREAS WITHIN MEDICAL
39 MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM ANY
40 CUSTOMER/PATIENT AREAS BY A PERMANENT BARRIER. UNLESS PERMITTED BY
41 THE MMMA, NO MEDICAL MARIHUANA IS PERMITTED TO BE STORED IN AN
42 AREA ACCESSIBLE BY THE GENERAL PUBLIC OR REGISTERED
43 CUSTOMERS/PATIENTS. MEDICAL MARIHUANA MAY BE DISPLAYED IN A SALES
44 AREA ONLY IF PERMITTED BY THE MMFLA;

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

5
6 (H) DRIVE-THRU WINDOWS ON THE PREMISES OF A MEDICAL MARIHUANA
7 PROVISIONING CENTER SHALL NOT BE PERMITTED;

8
9 (I) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPERATED IN
10 A MANNER CREATING NOISE, DUST, VIBRATION, GLARE, FUMES, OR ODORS
11 DETECTABLE TO NORMAL SENSES BEYOND THE BOUNDARIES OF THE PROPERTY
12 ON WHICH THE MEDICAL MARIHUANA PROVISIONING CENTER IS OPERATED; OR
13 ANY OTHER NUISANCE THAT HINDERS THE PUBLIC HEALTH, SAFETY AND
14 WELFARE OF THE RESIDENTS OF THE CITY OF LANSING.

15
16 (J) THE LICENSE REQUIRED BY THIS CHAPTER SHALL BE PROMINENTLY
17 DISPLAYED ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING
18 CENTER;

19
20 (K) DISPOSAL OF MEDICAL MARIHUANA SHALL BE ACCOMPLISHED IN A
21 MANNER THAT PREVENTS ITS ACQUISITION BY ANY PERSON WHO MAY NOT
22 LAWFULLY POSSESS IT AND OTHERWISE IN CONFORMANCE WITH STATE LAW;

23
24 (L) ALL MEDICAL MARIHUANA DELIVERED TO A PATIENT SHALL BE
25 PACKAGED AND LABELED AS PROVIDED BY STATE LAW AND THIS CHAPTER.
26 THE LABEL SHALL INCLUDE:

- 27
28 (1) A UNIQUE ALPHANUMERIC IDENTIFIER FOR THE PERSON TO WHOM IT
29 IS BEING DELIVERED;
30 (2) A UNIQUE ALPHANUMERIC IDENTIFIER FOR THE CULTIVATION SOURCE
31 OF THE MARIHUANA;
32 (3) THAT THE PACKAGE CONTAINS MARIHUANA;
33 (4) THE DATE OF DELIVERY, WEIGHT, TYPE OF MARIHUANA AND DOLLAR
34 AMOUNT OR OTHER CONSIDERATION BEING EXCHANGED IN THE
35 TRANSACTION;
36 (5) A CERTIFICATION THAT ALL MARIHUANA IN ANY FORM CONTAINED IN
37 THE PACKAGE WAS CULTIVATED, MANUFACTURED, AND PACKAGED IN
38 THE STATE OF MICHIGAN;
39 (6) THE WARNING THAT; "THIS PRODUCT IS MANUFACTURED WITHOUT
40 ANY REGULATORY OVERSIGHT FOR HEALTH, SAFETY OR EFFICACY.
41 THERE MAY BE HEALTH RISKS ASSOCIATED WITH THE INGESTION OR
42 USE OF THIS PRODUCT. USING THIS PRODUCT MAY CAUSE
43 DROWSINESS. DO NOT DRIVE OR OPERATE HEAVY MACHINERY WHILE
44 USING THIS PRODUCT. KEEP THIS PRODUCT OUT OF REACH OF
45 CHILDREN. THIS PRODUCT MAY NOT BE USED IN ANY WAY THAT DOES

1 NOT COMPLY WITH STATE LAW OR BY PERSON WHO DOES NOT
2 POSSESS A VALID MEDICAL MARIHUANA PATIENT REGISTRY CARD.”

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

8 (M) A LICENSEE SHALL REQUIRE ALL REGISTERED PATIENTS PRESENT BOTH
9 THEIR MICHIGAN MEDICAL MARIHUANA PATIENT/CAREGIVER ID CARD AND
10 STATE IDENTIFICATION PRIOR TO ENTERING RESTRICTED/LIMITED AREAS OR
11 NON-PUBLIC AREAS OF THE MEDICAL MARIHUANA PROVISIONING CENTER, AND
12 IF NO RESTRICTED/LIMITED AREA IS REQUIRED, THEN PROMPTLY UPON
13 ENTERING THE MEDICAL MARIHUANA PROVISIONING CENTER.
14

15 (N) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
16 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT ON
17 THE PREMISES.
18

19 (O) IT SHALL BE PROHIBITED TO DISPLAY ANY SIGNS THAT ARE
20 INCONSISTENT WITH LOCAL LAWS OR REGULATIONS OR STATE LAW.
21

22 (P) IT SHALL BE PROHIBITED TO USE ADVERTISING MATERIAL THAT IS
23 MISLEADING, DECEPTIVE, OR FALSE, OR THAT IS DESIGNED TO APPEAL TO
24 MINORS.
25

26 (Q) NO LICENSED MEDICAL MARIHUANA PROVISIONING CENTER SHALL
27 PLACE OR MAINTAIN, OR CAUSE TO BE PLACED OR MAINTAINED, AN
28 ADVERTISEMENT OF MEDICAL MARIHUANA IN ANY FORM OR THROUGH ANY
29 MEDIUM WITHIN THE DISTANCE LIMITATIONS SET FORTH IN SECTION 1300.13 (A)
30
31

32 (R) CERTIFIED LABORATORY TESTING RESULTS THAT DISPLAY AT A
33 MINIMUM THE TETRAHYDROCANNABINOL (THC), CANNABIDIOL (CBD), TOTAL
34 CANNABINOID TESTING RESULTS, AND A PASS/FAIL RATING BASED ON THE
35 CERTIFIED LABORATORY’S STATE-REQUIRED TESTING MUST BE AVAILABLE TO
36 ALL MEDICAL MARIHUANA PROVISIONING CENTER PATIENTS/CUSTOMERS UPON
37 REQUEST AND PROMINENTLY DISPLAYED.
38

39 **1300.10 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
40 **GROWER FACILITY.**
41

42 (A) EXCEPT AS MAY BE PREEMPTED BY STATE LAW OR REGUALTION, THE
43 FOLLOWING MINIMUM STANDARDS FOR MEDICAL MARIHUANA GROWER
44 FACILITIES SHALL APPLY:
45

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

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

11 (3) ALL GROWER ACTIVITY RELATED TO THE GROWER FACILITY SHALL BE
12 PERFORMED IN A BUILDING;
13

14 (4) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
15 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT
16 ON THE PREMISES;
17

18 (5) ANY MEDICAL MARIHUANA GROWER FACILITY SHALL COMPLY WITH
19 THE MTA AND SHALL MAINTAIN A LOG BOOK AND/OR DATABASE
20 IDENTIFYING BY DATE THE AMOUNT OF MEDICAL MARIHUANA AND THE
21 NUMBER OF MEDICAL MARIHUANA PLANTS ON THE PREMISES WHICH SHALL
22 NOT EXCEED THE AMOUNT PERMITTED UNDER THE GROWER LICENSE
23 ISSUED BY THE STATE OF MICHIGAN. THIS LOG SHALL BE AVAILABLE TO
24 LAW ENFORCEMENT PERSONNEL TO CONFIRM THAT THE MEDICAL
25 MARIHUANA GROWER DOES NOT HAVE MORE MEDICAL MARIHUANA THAN
26 AUTHORIZED AT THE LOCATION AND SHALL NOT BE USED TO DISCLOSE
27 MORE INFORMATION THAN IS REASONABLY NECESSARY TO VERIFY THE
28 LAWFUL AMOUNT OF MEDICAL MARIHUANA AT THE FACILITY;
29

30 (6) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
31 BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE
32 MMFLA, MTA, AND THE RULES AND REGUALTIONS OF THE MEDICAL
33 MARIHUANA LICENSING BOARD, AS AMENDED;
34

35 (7) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL
36 PERMITS SHALL BE OBTAINED FROM THE CITY OF LANSING OR OTHER
37 APPLICABLE GOVERNMENT AUTHORITY FOR ANY PORTION OF THE
38 STRUCTURE IN WHICH ELECTRICAL WIRING, LIGHTING AND/OR WATERING
39 DEVICES THAT SUPPORT THE CULTIVATION, GROWING OR HARVESTING OF
40 MARIHUANA ARE LOCATED;
41

42 (8) THAT PORTION OF THE STRUCTURE WHERE ANY CHEMICALS SUCH AS
43 HERBICIDES, PESTICIDES, AND FERTILIZERS ARE STORED SHALL BE SUBJECT
44 TO INSPECTION AND APPROVAL BY THE LANSING FIRE DEPARTMENT TO
45 INSURE COMPLIANCE WITH THE MICHIGAN FIRE CODES;
46

1 (9) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
2 MARIHUANA GROWER FACILITY SHALL BE PROHIBITED;
3

4 (10) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN
5 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH CULTIVATING,
6 PROCESSING, OR TESTING MEDICAL MARIHUANA. MULTI-TENANT
7 COMMERCIAL BUILDINGS MAY PERMIT ACCESSORY USES IN SUITES
8 SEGREGATED FROM MEDICAL MARIHUANA GROWER FACILITY;
9

10 (11) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
11 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY,
12 INCLUDING BUT NOT LIMITED TO:
13

14 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;
15

16 (II) WASHING HANDS THOROUGHLY IN ADEQUATE HAND-WASHING
17 AREAS BEFORE STARTING WORK AND AT ANY OTHER TIME WHEN THE
18 HANDS MAY HAVE BECOME SOILED OR CONTAMINATED.
19

20 (III) REFRAINING FROM HAVING DIRECT CONTACT WITH MEDICAL
21 MARIHUANA IF THE PERSON HAS OR MAY HAVE AN ILLNESS, OPEN
22 LESION, INCLUDING BOILS, SORES OR INFECTED WOUNDS, OR ANY OTHER
23 ABNORMAL SOURCE OF MICROBIAL CONTAMINATION, UNTIL THE
24 CONDITION IS CORRECTED.
25

26 (12) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
27 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
28 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
29 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
30

31 (13) FLOORS, WALLS, AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
32 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
33 IN GOOD REPAIR;
34

35 (14) THERE SHALL BE ADEQUATE SCREENING OR OTHER PROTECTION
36 AGAINST THE ENTRY OF PESTS. RUBBISH SHALL BE DISPOSED OF SO AS TO
37 MINIMIZE THE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR
38 WASTE DEVELOPMENT AND MINIMIZE THE POTENTIAL FOR WASTE
39 BECOMING AN ATTRACTANT, HARBORAGE OR BREEDING PLACE FOR PESTS;
40

41 (15) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
42 MAINTAINED IN A SANITARY CONDITION;
43

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

1
2 (17) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
3 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
4 PREVENTS THE GROWTH OF THESE MICROORGANISMS;
5

6 (18) MEDICAL MARIHUANA GROWER FACILITIES SHALL BE FREE FROM
7 INFESTATION BY INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;
8

9 (19) MEDICAL MARIHUANA GROWER FACILITIES SHALL PRODUCE NO
10 PRODUCTS OTHER THAN USEABLE MEDICAL MARIHUANA INTENDED FOR
11 HUMAN CONSUMPTION.
12

13 (B) IN FURTHERANCE OF THE PUBLIC HEALTH, SAFETY, AND WELFARE,
14 EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
15 MEDICAL MARIHUANA GROWER FACILITY SHALL BE PROHIBITED.
16

17 (C) VENTING OF MARIHUANA ODORS INTO THE AREAS SURROUNDING THE
18 MEDICAL MARIHUANA GROWER FACILITY IS DEEMED AND DECLARED TO BE A
19 PUBLIC NUISANCE.
20

21 **1300.11 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
22 **SAFETY COMPLIANCE FACILITY.**
23

24 (A) EXCEPT AS MAY BE PREEMPTED BY STATE LAW OR REGULATION, THE
25 FOLLOWING MINIMUM STANDARDS FOR SAFETY COMPLIANCE FACILITIES
26 SHALL APPLY:
27

28 (1) THE SAFETY COMPLIANCE FACILITY SHALL COMPLY AT ALL TIMES
29 AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, THE MTA, AND
30 THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD AS
31 THEY MAY BE AMENDED FROM TIME TO TIME;
32

33 (2) EXCEPT AS PROVIDED BY STATE LAW AND SECTION 8-501 OF THE
34 LANSING CITY CHARTER CONSUMPTION AND/OR USE OF MEDICAL
35 MARIHUANA SHALL BE PROHIBITED AT THE FACILITY;
36

37 (3) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
38 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT
39 ON THE PREMISES;
40

41 (4) ANY SAFETY COMPLIANCE FACILITY SHALL MAINTAIN A LOG BOOK
42 AND/OR DATABASE IDENTIFYING BY DATE THE AMOUNT OF MEDICAL
43 MARIHUANA ON THE PREMISES AND FROM WHICH PARTICULAR SOURCE.
44 THE FACILITY SHALL MAINTAIN THE CONFIDENTIALITY OF QUALIFYING
45 PATIENTS IN COMPLIANCE WITH THE MICHIGAN MEDICAL MARIHUANA ACT,
46 AS AMENDED FROM TIME TO TIME;

1
2 (5) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
3 BUILDING IN AN ENCLOSED, LOCKED FACILITY IN ACCORDANCE WITH THE
4 MMMA, THE MMFLA, AND THE MTA, AND THE RULES AND REGULATIONS OF
5 THE MEDICAL MARIHUANA LICENSING BOARD, AS AMENDED;
6

7 (6) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN THE
8 SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH TESTING MEDICAL
9 MARIHUANA;
10

11 (7) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
12 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY;
13

14 (8) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
15 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
16 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
17 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
18

19 (9) FLOORS, WALLS AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
20 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
21 IN GOOD REPAIR;
22

23 (10) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
24 MAINTAINED IN A SANITARY CONDITION;
25

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

30 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
31 MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE PROHIBITED.
32

33 **1300.12 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
34 **PROCESSOR FACILITY AND A MEDICAL MARIHUANA SECURE TRANSPORTER.**
35

36 (A) EXCEPT AS MAY BE PREEMPTED BY STATE LAW OR REGULATION, THE
37 FOLLOWING MINIMUM STANDARDS FOR A MEDICAL MARIHUANA PROCESSOR
38 FACILITY AND A MEDICAL MARIHUANA SECURE TRANSPORTER SHALL APPLY:
39

40 (1) THE PROCESSOR AND SECURE TRANSPORTER SHALL COMPLY AT ALL
41 TIMES AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, MTA
42 AND THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD
43 AND THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR THEIR
44 SUCCESSORS, AS THE FOREGOING LAWS AND REGULATIONS MAY BE
45 AMENDED FROM TIME TO TIME;
46

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

5
6 (3) ALL ACTIVITY RELATED TO THE PROCESSOR FACILITY SHALL BE
7 PERFORMED INDOORS IN A BUILDING;

8
9 (4) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
10 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT
11 ON THE PREMISES;

12
13 (5) ANY PROCESSOR AND/OR SECURE TRANSPORTER FACILITY SHALL
14 MAINTAIN A LOG BOOK AND/OR DATABASE IN ACCORDANCE WITH THE
15 MMFLA, THE MTA AND THE RULES AND REGULATIONS OF THE MEDICAL
16 MARIHUANA LICENSING BOARD IDENTIFYING BY DATE THE AMOUNT OF
17 MEDICAL MARIHUANA ON THE PREMISES WHICH SHALL NOT EXCEED THE
18 AMOUNT PERMITTED UNDER THE PROCESSOR LICENSE ISSUED BY THE STATE
19 OF MICHIGAN, TO THE EXTENT A STATE PERMIT PROCESS EXISTS. THIS LOG
20 SHALL BE AVAILABLE TO LAW ENFORCEMENT PERSONNEL TO CONFIRM
21 THAT THE PROCESSOR DOES NOT HAVE MORE MEDICAL MARIHUANA THAN
22 AUTHORIZED AT THE LOCATION AND SHALL NOT BE USED TO DISCLOSE
23 MORE INFORMATION THAN IS REASONABLY NECESSARY TO VERIFY THE
24 LAWFUL AMOUNT OF MEDICAL MARIHUANA AT THE FACILITY;

25
26 (6) ALL MEDICAL MARIJUANA WILL BE TAGGED WITH UNIQUE
27 IDENTIFICATION.

28
29 (7) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
30 BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE
31 MMFLA, MTA AND THE RULES AND REGULATIONS OF THE MEDICAL
32 MARIHUANA LICENSING BOARD, AS AMENDED;

33
34 (8) ALL NECESSARY BUILDING, ELECTRICAL, PLUMBING AND
35 MECHANICAL PERMITS SHALL BE OBTAINED FOR ANY PORTION OF THE
36 STRUCTURE IN WHICH ELECTRICAL WIRING FOR DEVICES THAT SUPPORT
37 THE PROCESSING OR SECURE TRANSPORTING OF MEDICAL MARIHUANA ARE
38 LOCATED;

39
40 (9) THAT PORTION OF THE STRUCTURE WHERE THE STORAGE OF ANY
41 CHEMICALS EXIST SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY
42 THE LANSING FIRE DEPARTMENT TO INSURE COMPLIANCE WITH THE
43 MICHIGAN FIRE PROTECTION CODE;

44
45 (10) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
46 MARIHUANA PROCESSOR OR SECURE TRANSPORTER FACILITY SHALL BE

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1 PROHIBITED EXCEPT AS AUTHORIZED BY LANSING CITY CHARTER AND
2 STATE LAW;
3

4 (11) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN
5 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH THE
6 PROCESSING MULTI-TENANT COMMERCIAL BUILDINGS MAY PERMIT
7 ACCESSORY USES IN SUITES SEGREGATED FROM THE PROCESSOR FACILITY;
8

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

13 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;
14

15 (II) WASHING HANDS THOROUGHLY IN ADEQUATE HAND-WASHING
16 AREAS BEFORE STARTING WORK AND AT ANY OTHER TIME WHEN THE
17 HANDS MAY HAVE BECOME SOILED OR CONTAMINATED.
18

19 (III) REFRAINING FROM HAVING DIRECT CONTACT WITH MEDICAL
20 MARIHUANA IF THE PERSON HAS OR MAY HAVE AN ILLNESS, OPEN
21 LESION, INCLUDING BOILS, SORES OR INFECTED WOUNDS, OR ANY OTHER
22 ABNORMAL SOURCE OF MICROBIAL CONTAMINATION, UNTIL THE
23 CONDITION IS CORRECTED.
24

25 (13) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
26 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
27 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
28 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
29

30 (14) FLOORS, WALLS, AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
31 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
32 IN GOOD REPAIR;
33

34 (15) THERE SHALL BE ADEQUATE SCREENING OR OTHER PROTECTION
35 AGAINST THE ENTRY OF PESTS. RUBBISH SHALL BE DISPOSED OF SO AS TO
36 MINIMIZE THE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR
37 THE WASTE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR
38 WASTE BECOMING AND ATTRACTANT, HARBORAGE OR BREEDING PLACES
39 FOR PESTS;
40

41 (16) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
42 MAINTAINED IN A SANITARY CONDITION;
43

44 (17) EACH MEDICAL MARIHUANA PROCESSOR FACILITY SHALL PROVIDE
45 ITS OCCUPANTS WITH ADEQUATE AND READILY ACCESSIBLE TOILET

1 FACILITIES THAT ARE MAINTAINED IN A SANITARY CONDITION AND GOOD
2 REPAIR;

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

7
8 (19) PROCESSOR FACILITIES SHALL BE FREE FROM INFESTATION BY
9 INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;

10
11 (20) PROCESSOR FACILITIES SHALL PRODUCE NO PRODUCTS OTHER THAN
12 USEABLE MEDICAL MARIHUANA INTENDED FOR HUMAN CONSUMPTION.

13
14 (B) IN FURTHERANCE OF THE PUBLIC HEALTH, SAFETY, AND
15 WELFARE, EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS
16 A MEDICAL MARIHUANA PROCESSOR FACILITY AND/OR MEDICAL MARIHUANA
17 SECURE TRANSPORTER FACILITY SHALL BE PROHIBITED.

18
19 **1300.13 – LOCATION, BUFFERING, DISPERSION, AND ZONING REQUIREMENTS**
20 **FOR ~~OF~~ MEDICAL MARIHUANA PROVISIONING CENTERS.**

21
22 (A) EXCEPT IN ACCORDANCE WITH SECTION 1300.18, FOR BUFFERING AND
23 DISPERSION PURPOSES, NO MEDICAL MARIHUANA PROVISIONING CENTER
24 SHALL BE LOCATED WITHIN:

25
26 (1) ONE THOUSAND (1000) FEET, OF AN OPERATIONAL SCHOOL,
27 INCLUDING PRE-KINDERGARTEN THAT IS LOCATED WITHIN A
28 SCHOOL; OR

29
30 (2) FIVE HUNDRED (500) FEET, OF THE FOLLOWING BUFFERED USES:
31 PUBLIC PLAYGROUND EQUIPMENT LOCATED IN A PARK; A
32 COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME
33 OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED
34 WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN
35 SERVICES, OR ITS SUCCESSOR AGENCY, A CHURCH; A FACILITY AT
36 WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE
37 ABUSE TREATMENT AND REHABILITATION SERVICES AND THOSE
38 TERMS ARE DEFINED IN PART 61 OR PA 368 OF 1978, MCL 333.6101 ET
39 SEQ., ARE OFFERED; OR ANOTHER MEDICAL MARIHUANA
40 PROVISIONING CENTER.

41
42 (B) MEDICAL MARIHUANA PROVISIONING CENTERS SHALL BE LIMITED TO F
43 AND F1-COMMERCIAL, G2-WHOLESALE, H-LIGHT INDUSTRIAL, AND I-HEAVY
44 INDUSTRIAL AS SUCH DISTRICTS ARE DESCRIBED AND DESIGNATED AS
45 PROVIDED IN THE ZONING CODE PROVISIONS OF THE LANSING CODIFIED
46 ORDINANCES.

1
2 (C) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE LOCATED
3 WITHIN ANOTHER BUSINESS EXCEPT AS PERMITTED BY THE MEDICAL
4 MARIHUANA LICENSING BOARD REGULATIONS.
5

6 (D) FOR THE PURPOSE OF CALCULATING THE BUFFERING AND DISPERSION
7 REQUIREMENTS OF THIS SECTION 1300.13, THE DISTANCE SHALL BE MEASURED
8 ALONG THE CENTER LINE OF THE STREET OR STREETS OF ADDRESS BETWEEN
9 TWO FIXED POINTS ON THE CENTER LINE DETERMINED BY PROJECTING
10 STRAIGHT LINES, AT RIGHT ANGLES TO THE CENTER LINE, FROM THE PART OF
11 THE BUFFERED USE NEAREST TO THE CONTEMPLATED LOCATION OF THE
12 MEDICAL MARIHUANA ESTABLISHMENT AND FROM THE PART OF THE
13 CONTEMPLATED LOCATION NEAREST TO THE BUFFERED USE. THE DISTANCES
14 FROM THE MEDICAL MARIHUANA ESTABLISHMENT TO THE POINT ON THE
15 CENTERLINE AND FROM THE BUFFERED USE TO THE POINT ON THE CENTERLINE
16 SHALL BE INCLUDED IN THE CALCULATION. FOR PROVISIONING CENTERS
17 LOCATED WITHIN A COMMERCIAL STRIP MALL OR RETAIL CENTER, THE
18 MEASUREMENT SHALL BE FROM THE PROPERTY LINE OF THE PROVISIONING
19 CENTER TO THE PROPERTY LINE OF ANOTHER PROVISIONING CENTER.
20

21 (E) EXCEPT AS OTHERWISE PERMISSIBLE UNDER THE LANSING CITY
22 CHARTER AT SECTION 8-501, NO PERSON SHALL ALLOW THE CONSUMPTION OF
23 MARIHUANA OR MARIHUANA INFUSED PRODUCTS ON LICENSED PREMISES.
24

25 (F) NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE LOCATED IN AN
26 UNZONED AREA OR IN AN AREA SUBJECT TO AN AGREEMENT ENTERED INTO
27 PURSUANT TO PUBLIC ACT 425 OF 1984.
28

29 **1300.14 - LOCATION OF MEDICAL MARIHUANA GROWER FACILITIES,**
30 **MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL**
31 **MARIHUANA PROCESSOR FACILITIES, AND MEDICAL MARIHUANA SECURE**
32 **TRANSPORTERS.**
33

34 (A) ALL MEDICAL MARIHUANA GROWER FACILITIES SHALL BE SUBJECT TO
35 SUBSECTION 1300.13(E) AND LIMITED TO H-LIGHT INDUSTRIAL AND I-HEAVY
36 INDUSTRIAL ZONING DISTRICT AS IDENTIFIED IN THE LANSING CODIFIED
37 ORDINANCES.
38

39 (B) ALL MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL
40 MARIHUANA PROCESSOR FACILITIES, AND MEDICAL MARIHUANA SECURE
41 TRANSPORTER FACILITIES SHALL BE SUBJECT TO SECTION 1300.13(E) AND SHALL
42 BE LIMITED TO THE H-LIGHT INDUSTRIAL, I-HEAVY INDUSTRIAL, OR G2-
43 WHOLESALE ZONING DISTRICTS AS IDENTIFIED IN THE LANSING CODIFIED
44 ORDINANCES.
45

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

4
5 (D) EXCEPT AS OTHERWISE PERMISSIBLE UNDER THE LANSING CITY
6 CHARTER AT SECTION 8-501, NO PERSON SHALL ALLOW THE CONSUMPTION OF
7 MARIHUANA OR MARIHUNA INFUSED PRODUCTS ON LICENSED PREMISES.

8
9
10 **1300.15 - LICENSE REVOCATION; BASES FOR REVOCATION; APPEAL OF**
11 **LICENSE DENIAL.**

12
13 (A) ANY LICENSE ISSUED UNDER THIS CHAPTER MAY BE REVOKED BY THE
14 CITY CLERK AFTER AN ADMINISTRATIVE HEARING IF THE CITY CLERK FINDS
15 AND DETERMINES THAT GROUNDS FOR REVOCATION EXIST. ANY GROUNDS FOR
16 REVOCATION MUST BE PROVIDED TO THE LICENSEE AT LEAST TEN (10) DAYS
17 PRIOR TO THE DATE OF THE HEARING BY FIRST CLASS MAIL TO THE ADDRESS
18 GIVEN ON THE LICENSE APPLICATION OR ANY ADDRESS PROVIDED TO THE CITY
19 CLERK IN WRITING SUBSEQUENT TO THE FILING OF AN APPLICATION.

20
21 (B) A LICENSE APPLIED FOR OR ISSUED UNDER THIS CHAPTER MAY BE
22 DENIED OR REVOKED ON ANY OF THE FOLLOWING BASES:

23
24 (1) A MATERIAL VIOLATION OF ANY PROVISION OF THIS CHAPTER,
25 INCLUDING, BUT NOT LIMITED TO, THE FAILURE TO PROVIDE THE
26 INFORMATION REQUIRED BY SUBSECTION 1300.16(A); OR

27
28 (2) ANY CONVICTION OF A DISQUALIFYING FELONY BY THE LICENSEE,
29 STAKEHOLDER, OR ANY PERSON HOLDING AN OWNERSHIP INTEREST IN
30 THE LICENSE; OR

31
32 (3) COMMISSION OF FRAUD OR MISREPRESENTATION OR THE MAKING OF
33 A FALSE STATEMENT BY THE APPLICANT, LICENSEE, OR ANY
34 STAKEHOLDER OF THE APPLICANT OR LICENSEE WHILE ENGAGING IN
35 ANY ACTIVITY FOR WHICH THIS CHAPTER REQUIRES A LICENSE; OR

36
37 (4) FAILURE TO OBTAIN OR MAINTAIN A LICENSE OR RENEWED LICENSE
38 FROM THE CITY CLERK PURSUANT TO THIS CHAPTER; OR

39
40 (5) FAILURE OF THE LICENSEE OR THE MEDICAL MARIHUANA
41 ESTABLISHMENT TO OBTAIN OR MAINTAIN A LICENSE OR APPROVAL
42 FROM THE STATE PURSUANT TO THE MMFLA; OR

43
44 (6) THE MEDICAL MARIHUANA ESTABLISHMENT IS DETERMINED BY THE
45 CITY TO HAVE BECOME A PUBLIC NUISANCE OR OTHERWISE IS

1 OPERATING IN A MANNER DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY
2 OR WELFARE.

3
4 (C) APPEAL OF DENIAL OF AN APPLICATION OR REVOCATION OF A
5 LICENSE: THE CITY CLERK SHALL NOTIFY AN APPLICANT OF THE REASON(S)
6 FOR DENIAL OF AN APPLICATION FOR A LICENSE OR LICENSE RENEWAL OR
7 FOR REVOCATION OF A LICENSE OR ANY ADVERSE DECISION UNDER THIS
8 CHAPTER AND PROVIDE THE APPLICANT WITH THE OPPORTUNITY TO BE
9 HEARD. ANY APPLICANT AGGRIEVED BY THE DENIAL OR REVOCATION OF A
10 LICENSE OR ADVERSE DECISION UNDER THIS CHAPTER MAY APPEAL TO THE
11 CITY CLERK, WHO SHALL APPOINT A HEARING OFFICER TO HEAR AND
12 EVALUATE THE APPEAL AND MAKE A RECOMMENDATION TO THE CLERK.
13 SUCH APPEAL SHALL BE TAKEN BY FILING WITH THE CITY CLERK, WITHIN 14
14 DAYS AFTER NOTICE OF THE ACTION COMPLAINED OF HAS BEEN MAILED TO
15 THE APPLICANT'S LAST KNOWN ADDRESS ON THE RECORDS OF THE CITY
16 CLERK, A WRITTEN STATEMENT SETTING FORTH FULLY THE GROUNDS FOR
17 THE APPEAL. THE CLERK SHALL REVIEW THE REPORT AND
18 RECOMMENDATION OF THE HEARING OFFICER AND MAKE A DECISION ON
19 THE MATTER. THE CLERK'S DECISION MAY BE FURTHER APPEALED TO THE
20 COMMISSION IF APPLIED FOR IN WRITING TO THE COMMISSION NO LATER
21 THAN THIRTY (30) DAYS FROM THE CLERK'S DECISION. THE REVIEW ON
22 APPEAL OF A DENIAL OR REVOCATION OR ADVERSE ACTION SHALL BE BY
23 THE COMMISSION PURSUANT TO SECTION 1300.3. ANY DECISION BY THE
24 COMMISSION ON AN APPEAL SHALL BE FINAL FOR PURPOSES OF JUDICIAL
25 REVIEW. THE CLERK MAY ENGAGE PROFESSIONAL EXPERTS TO ASSIST WITH
26 THE PROCEEDINGS UNDER THIS SECTION 1300.15.

27
28 **1300.16 – PENALTIES; TEMPORARY SUSPENSION OF A LICENSE**

29
30 (A) THE CITY OF LANSING MAY REQUIRE AN APPLICANT OR LICENSEE OF A
31 MEDICAL MARIHUANA FACILITY TO PRODUCE DOCUMENTS, RECORDS, OR ANY
32 OTHER MATERIAL PERTINENT TO THE INVESTIGATION OF AN APPLICATION OR
33 ALLEGED VIOLATION OF THIS CHAPTER. FAILURE TO PROVIDE THE REQUIRED
34 MATERIAL MAY BE GROUNDS FOR APPLICATION DENIAL OR LICENSE
35 REVOCATION;

36
37 (B) ANY PERSON IN VIOLATION OF ANY PROVISION OF THIS CHAPTER,
38 INCLUDING THE OPERATION OF A MEDICAL MARIHUANA ESTABLISHMENT
39 WITHOUT A LICENSE ISSUED PURSAUNT TO THIS CHAPTER, SHALL BE SUBJECT
40 TO A CIVIL FINE AND COSTS. INCREASED CIVIL FINES MAY BE IMPOSED FOR A
41 REPEAT VIOLATION. AS USED IN THIS SECTION "REPEAT VIOLATION" SHALL
42 MEAN A SECOND OR ANY SUBSEQUENT INFRACTION OF THE SAME
43 REQUIREMENT OR PROVISION COMMITTED BY A PERSON OR ESTABLISHMENT
44 WITHIN ANY 12-MONTH PERIOD. UNLESS OTHERWISE SPECIFICALLY PROVIDED
45 IN THIS CHAPTER, THE PENALTY SCHEDULE IS AS FOLLOWS:

- 1 1. \$750, PLUS COSTS, FOR THE FIRST VIOLATION;
- 2 2. \$1,000, PLUS COSTS, FOR A REPEAT VIOLATION;
- 3 3. \$1,000, PLUS COSTS, PER DAY, PLUS COSTS, FOR ANY VIOLATION THAT
- 4 CONTINUES FOR MORE THAN ONE DAY.
- 5

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

9
10 (D) THE CLERK MAY TEMPORARILY SUSPEND A MEDICAL MARIHUANA
11 ESTABLISHMENT LICENSE WITHOUT A PRIOR HEARING IF THE MAYOR FINDS
12 THAT PUBLIC SAFETY OR WELFARE REQUIRES EMERGENCY ACTION
13 AFFECTING THE PUBLIC HEALTH, SAFETY, OR WELFARE. THE CLERK SHALL
14 CAUSE THE TEMPORARY SUSPENSION BY ISSUING A SUSPENSION NOTICE IN
15 CONNECTION WITH INSTITUTION OF PROCEEDINGS FOR NOTICE AND A
16 HEARING;

17
18 (E) IF THE CLERK TEMPORARILY SUSPENDS A LICENSE WITHOUT A PRIOR
19 HEARING, THE LICENSEE IS ENTITLED TO A HEARING WITHIN THIRTY (30)
20 DAYS AFTER THE SUSPENSION NOTICE HAS BEEN SERVED ON THE LICENSEE
21 OR POSTED ON THE LICENSED PREMISES. IN THE CASE OF A LICENSE ISSUED
22 FOR A MEDICAL MARIHUANA GROWER FACILITY, THE HEARING SHALL BE
23 HELD WITHIN SEVEN (7) DAYS AFTER THE NOTICE HAS BEEN SERVED ON THE
24 LICENSEE OR POSTED ON THE PREMISES OF THE LICENSED FACILITY. THE
25 HEARING SHALL BE LIMITED TO THE ISSUES CITED IN THE SUSPENSION
26 NOTICE;

27
28 (F) IF THE CLERK DOES NOT HOLD A HEARING WITHIN THIRTY (30) DAYS
29 AFTER THE DATE THE SUSPENSION WAS SERVED ON THE LICENSEE OR
30 POSTED ON THE LICENSED PREMISES, OR IN THE CASE OF A GROWER
31 FACILITY SEVEN (7) DAYS, THEN THE SUSPENDED LICENSE SHALL BE
32 AUTOMATICALLY REINSTATED AND THE SUSPENSION VACATED.

33
34 (G) THE PENALTY PROVISIONS OF THIS CHAPTER ARE NOT INTENDED TO
35 FORECLOSE ANY OTHER REMEDY OR SANCTION THAT MIGHT BE AVAILABLE
36 TO, OR IMPOSED BY THE CITY, INCLUDING CRIMINAL PROSECUTION.

37
38 **1300.17 -NO VESTED RIGHTS**

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

43
44 **1300.18 –ZONING BOARD OF APPEALS**

(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 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 THIS CHAPTER, 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 REQUIRED UNDER THIS CHAPTER, 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), 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) 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 LEGALLY BEEN OPERATING AT THE PRESENT LOCATION;

(II) THE EXTENT TO WHICH THE APPLICANT HAS DEMONSTRATED A COMMITMENT TO THE LAND USE AND PUBLIC NUISANCE CONCERNS IN THE SURROUNDING NEIGHBORHOOD;

(X) THE DISTANCE BETWEEN THE APPLICANT'S LOCATION AND ANY MEDICAL MARIHUANA PROVISIONING CENTER THAT IS WITHIN 500 FEET OF THE APPLICANT'S LOCATION.

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- 1 (IV) THE NEED FOR A PROVISIONING CENTER AT THE
2 LOCATION IN ORDER TO PROVIDE THE SAFE AND EFFICIENT
3 ACCESS TO MEDICAL MARIHUANA WITHIN THE CITY;
4 (XI) THE CHARACTER OF THE STRUCTURE AND ITS
5 SURROUNDINGS; AND
6 (VI) THE IMPACT OF THE VARIANCE ON THE CHARACTER OF
7 THE STRUCTURE'S SURROUNDINGS AND OWNERS OF OTHER
8 PROPERTIES IN THE VICINITY.

- 9
10 (4) IF THE BOARD OF ZONING APPEALS APPROVES THE
11 VARIANCE, THE APPLICATION AND DECISION SHALL IMMEDIATELY
12 BE SUBMITTED TO THE CITY CLERK FOR FURTHER PROCESSING
13 UNDER THIS CHAPTER..
14

15 **1300.19-SUNSET**

16
17 PURSUANT TO SECTION 3-307 OF THE LANSING CITY CHARTER, THIS CHAPTER
18 SHALL EXPIRE DECEMBER 1, 2027.
19

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

23 SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE
24 DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE
25 ORDINANCE AS A WHOLE, OR ANY PART THEREOF, OTHER THAN THE PART DECLARED
26 TO BE INVALID.

27 SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER
28 ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.

Patricia Spitzley's suggested amendments to
COW DRAFT #1 created June 26, 2017

- Section 1300.9 – Eliminate (H) “Drive-thru windows on the premises of a medical marihuana provisioning center shall not be permitted”
- Section 1300.12 – Minimum Operational Standards of a Medical Marihuana Processor Facility and a Medical Marihuana Secure Transporter
 - Add “All medical marihuana processors shall be certified as accredited under a recognized food safety system such as SQF, ISO 22000, BRC, or the FDA’s FSMA (Food Safety Modernization Act) rules or demonstrate that they are actively pursuing said certification at the time of the licensing and obtain said certification within 18 months of operation.

The processor shall pay for and complete an annual audit using an accredited third party auditor recognized under whatever Food Safety System the processor is accredited under. A copy of the audit report shall be provided to the City by the auditor within (10) days of the audit completion. In the event there are deficiencies identified by auditor, the processor shall submit to the City a correction action plan to address the deficiencies. All deficiencies shall be addressed within 30 days of submittal of the initial deficiency report.

ISO 22000:2005 sets out the requirements for a food safety management system and can be certified to. It maps out what an organization needs to do to demonstrate its ability to control food safety hazards in order to ensure that food is safe.

BRC Global Standards is a market leading global brand that helps build confidence in the supply chain and our Standards for Food, Packaging, Storage & Distribution, Retail and Consumer Products set the benchmark for good manufacturing practice, and help provide assurance to customers that your products are safe, legal and of high quality.

SQF stands for Safe Quality Food. It is a Food Safety Certification Scheme.

The two main things it can do for your organization are:

- Provide a rigorous system to manage food safety risks and provide safe products for use by companies in the food industry.
- Provide a recognized food safety certification. This allows your customers to have confidence in your food safety program and know that you have a rigorous food safety system in place.

JODY WASHINGTON
AMMENDMENTS TO COW DRAFT # 1

1. DEFINITIONS

PUBLIC PLAYGROUND EQUIPMENT / STRIKE ENTIRE DEFINITION

2. 1300.4 – **OPERATION WITOUT LICENSE PROHIBITED**

B. STRIKE ENTIRE PARAGRAPH

3. 1300.13 - **LOCATION OF MEDICAL MARIJUANA PROVISIONING CENTERS**

4.

(A) 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, 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, 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 DEFNIED 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 MARIJUANA ESTABLISHMENT.
5. In regard to Grow Facilities, I want a cap of 2 to 3. The language can be the same as used for provisioning centers. The process for licensing should have the same requirements and be as stringent.

In regard to Processing Facilities, I want a cap of 2 to 3. The language should be the same as used for provisioning centers. The process for licensing should have the same requirements and be as stringent.

In regard to Secure Transport, I want a cap of 1. The entire state of Colorado has 1 company. This is especially important because they are storing all marijuana and transporting it throughout the state. This should be a state-wide issue, not just Lansing. If we have 2 to 3 grows, we don't need more than 2 to 3 processing facilities or more than 1 transport.

When everyone votes on this, it is critical to remember that we do not have the money in our budget to inspect, regulate or enforce. We have no code officers to handle the inspections, we have no extra fire personnel, we have no extra police, and we have no task force. The money received, will not cover our expenses; therefore, money will need to be taken out of the general fund to finance this industry.

Randy Hannan stated he talked to "someone" at the state that said we'd get \$2,000,000. I have to believe he was being dishonest because the state has no idea how many dispensaries or other facilities Lansing will have or what the gross sales of those facilities will be. The state will collect 3% of gross sales. Out of that 3% each city, townships, etc., will receive $\frac{1}{4}$ for the gross sales in their municipality or township. For every \$1,000,000 of gross sales out of Lansing, we will receive \$7,500. God only knows how long it will take the state to release the funds, and we cannot tax the industry.

Some individuals are in contact with Colorado almost daily and have reported that the although the state collects \$200,000,000 in taxes from the marihuana industry, they are not seeing a surplus. All of the money is used for regulation, enforcement, and education. In fact, they are now dipping into the general fund to finance. I have researched the financial data myself and have found that the streets are not being lined in gold with marihuana money.

I have to believe that many political games are being played with this ordinance that will serve some members. This has been one of the most reckless and sloppy processes I have ever had the displeasure of participating in. When some are no longer on council, some of us will be left to deal with the aftermath. I hesitated to put time into this matter, as I believe this last portion of this process has been nothing more than a dog and pony show. I am dismayed with the rush to hold a public hearing, review, and pass an ordinance that had virtually no public or council input, except for our few amendments that will most likely not be considered.

I will urge you to keep the buffering from property line to property line and to keep parks as parks. My most troubled businesses are liquor stores that sit in the middle of my most challenged neighborhoods. To pass buffering that goes from the front door

to the middle of the street back to the front door of the other establishment would allow for dispensaries to be exactly where the liquor stores are in the neighborhoods.

I am in the neighborhoods and in contact with the residents daily. I know what the conditions of the neighborhoods are and the challenges they are facing. We have an obligation to not add to the challenge.

I also urge you to put a cap on the other facilities. Lansing was built as an industrial city. Unlike most cities and townships, our industrial areas abut to our neighborhoods. This is not the case in outlying areas. Again, these sites back up to our most challenged neighborhoods that are struggling. Denver found this also to be a problem. We have no resources to ensure the fumes being vented are not noxious.

We also know that we need to keep diversity of economic growth in Lansing. At this time, the marihuana industry has bought up our warehouses leaving nothing for other developments. The recession ended a decade ago. Developers and businesses are looking to locate here, but can't find any space.

I request that you all use critical thinking and consider beyond today. We need to be thoughtful, responsible, and move slowly. We are known to be a free-for-all in the marihuana and drug world and we can and should change that perception of our city.

Adam Hussain's Amendments to Chapter 1300, COW Draft #1

Section One: Eliminate 1300.3, Establishment of the Medical Marihuana Commission; Membership; Chairperson; Meetings

Section 1300.2- DEFINITIONS, INTERPRETATION AND CONFLICTS.

- Subsection 1300.2(F)- Strike "Buffered Use"
- Subsection 1300.2(F)- Strike "Public Playground Equipment"
- Subsection 1300.2(F)- Strike "REF. BUFFERING 1300.13 (A)" from the definition of "School"

Section 1300.3- ESTABLISHMENT OF THE MEDICAL MARIHUANA COMMISSION; 17 MEMBERSHIP; CHAIRPERSON; MEETINGS

- Strike the creation of the Medical Marihuana Commission

Section 1300.4- OPERATION WITHOUT LICENSE PROHIBITED.

- Subsection 1300.4(B)- Strike item B entirely
- Subsection 1300.4(C)- Strike language referring to Commission. Subsection 1300.4(C) should read as follows: "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."

Section 1300.5- LICENSE APPLICATION SUBMISSION.

- Subsection 1300.5(B), Item 17- Revert back to Draft 6D from Public Safety: "(A) A LOCATION AREA MAP OF THE MEDICAL MARIHUANA ESTABLISHMENT AND SURROUNDING AREA THAT IDENTIFIES THE RELATIVE LOCATIONS AND THE DISTANCES (CLOSEST 20 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"
- Subsection 1330.5(E)- Strike "EXCEPT AS PROVIDED IN SECTION 1300.18 NO APPLICATIONS SHALL BE SUBMITTED TO THE MEDICAL MARIHUANA COMMISSION UNLESS" and insert "NO APPLICATION SHALL BE ACCEPTED BY THE CITY CLERK UNLESS"
- Subsection 1300.5(E), Item 2- Strike "INCLUDING ANY VARIANCES GRANTED UNDER SECTION 1300.18".
- Subsection 1300.5(F)- Strike that the Clerk will "REFER A COPY OF APPLICATION TO COMMISSION" and insert that the Clerk will "ACCEPT A COPY OF THE APPLICATION FOR SUBMISSION"

Section 1300.6- LICENSE APPLICATION EVALUATION.

- Subsection 1300.6(A)- Strike language and insert “THE CITY CLERK WILL ASSESS ALL APPLICATIONS PURSUANT TO SECTION 1300.5.”
- Subsection 1300.6(B)- Language should reflect vetting by City Clerk, not the Commission
- Subsection 1300.6(C)- Strike phase 2 and set cap at 20. Add language to allow for 5 provisioning centers per ward.
- Subsection 1300.6(D)- Strike language that refers to phase 2. Insert the following: “IN THE EVENT THAT THERE ARE MORE APPLICANTS WHO MEET THE CRITERIA SET FORTH IN 1300.6(B) THAN LICENSES AVAILABLE, THE 20 TOP SCORING APPLICANTS SHALL BE ELIGIBLE TO RECEIVE LICENSES. IN THE EVENT OF A TIE WHICH CAUSES THERE TO BE MORE THAN 20 TOP APPLICANTS, THE TIED APPLICANTS WILL BE ENTERED INTO A RANDOM DRAW USING PROCEDURES SET BY THE CITY CLERK. ALL LICENSE APPLICATIONS MUST BE SUBMITTED DURING THE OPEN ENROLLMENT PERIODS SET BY THE CLERK.”

Section 1300.7- LICENSE RENEWAL APPLICATION.

- Subsection 1300.7(D)- Strike, “AND MEDICAL MARIHUANA COMMISSION”.
- Subsection 1300.7(E), Item 2- Strike, “AT THE TIME A LICENSE IS GRANTED INCLUDING ANY VARIANCES GRANTED UNDER SECTION 1300.18”.
- Subsection 1300.7(E), item 5- Strike “MEDICAL MARIHUANA COMMISSION” and add “CITY CLERK”

Section 1300.8- LICENSES GENERALLY.

- Subsection 1300.8(A)- Strike, “FURTHERMORE, NO PERSONAL INFORMATION CONCERNING THE APPLICANT SHALL BE SUBMITTED TO THE MEDICAL MARIHUANA COMMISSION”
- Subsection 1300.8(B)- Strike language referring to Commission and add City Clerk

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

- Subsection 1300.9(Q)- Strike, “WITHIN THE DISTANCE LIMITATIONS SET FORTH IN SECTION 1300.13 (A)” and add, (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.

Section 1300.13- LOCATION, BUFFERING, DISPERSION, AND ZONING REQUIREMENTS FOR MEDICAL MARIHUANA PROVISIONING CENTERS.

- Title- Strike, "BUFFERING, DISPERSION AND ZONING REQUIREMENTS" from the title and add "OF MEDICAL MARIHUANA PROVISIONING CENTERS."
- Subsection 1300.13(A), Items 1 and 2- Strike COW Draft 1 Language and insert the following: "(1) ONE THOUSAND (1000) FEET, MEASURED FROM PROPERTY LINE TO 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. ET SEQ. (2) FIVE HUNDRED (500) FEET, MEASURED FROM PROPERTY LINE TO PROPERTY LINE, OF; A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED; A CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS SERVICES ARE CONDUCTED; PARKS; OR ANOTHER MEDICAL MARIHUANA ESTABLISHMENT."
- Subsection 1300.13(D)- Strike completely

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

- Subsection 1300.14(A)- Should read, "ALL MEDICAL MARIHUANA FACILITIES SHALL BE SUBJECT TO SUBSECTION 1300.13(A) AND LIMITED TO H AND I INDUSTRIAL AS IDENTIFIED IN THE LANSING CODIFIED ORDINANCES."
- Subsection 1300.14(B)- Strike "SUBJECT TO SUBSECTION 1300.13(E)" and add "SUBJECT TO SUBSECTION 1300.13(A)."

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

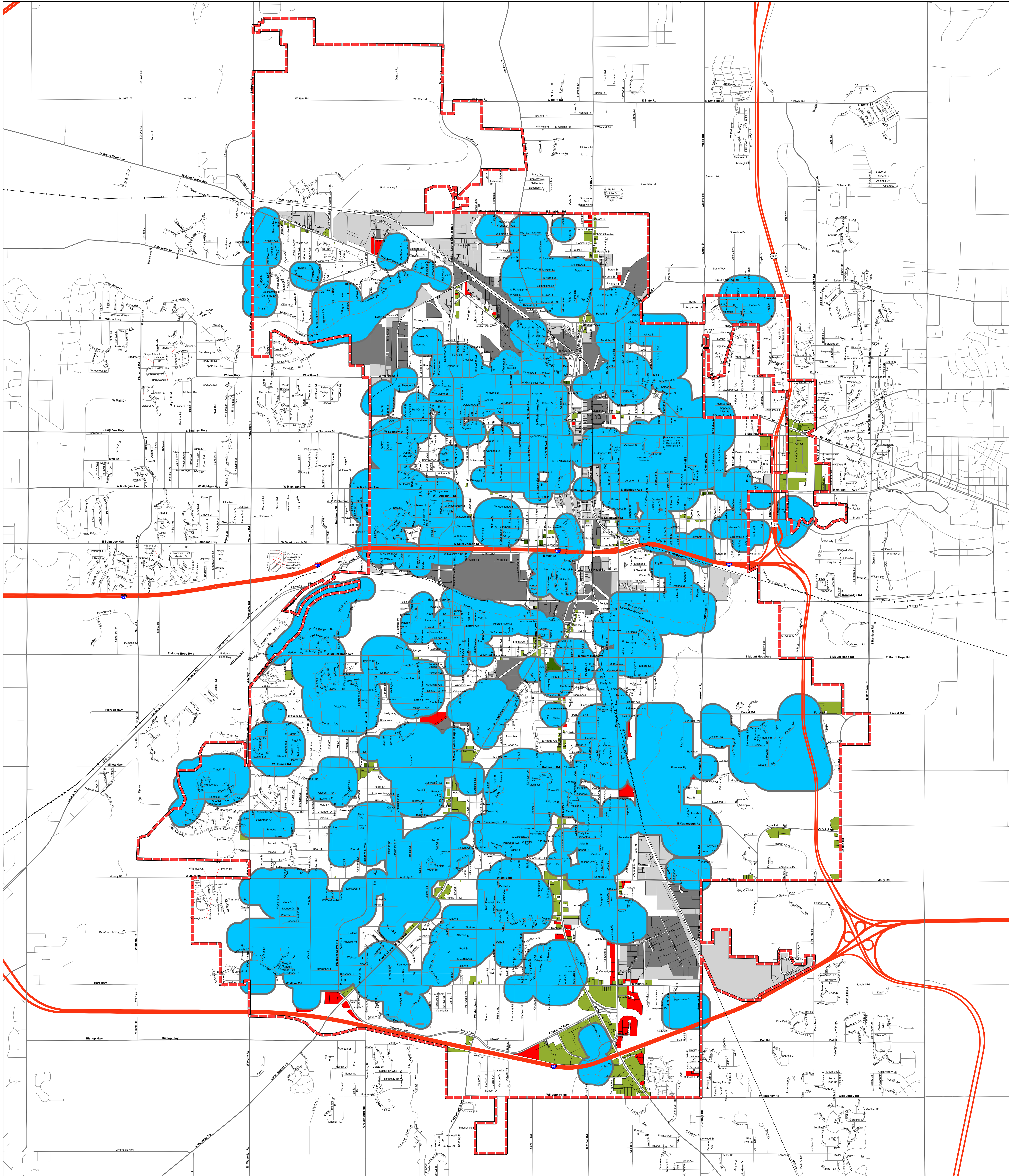
- Subsection 1300.15(B), Item 4- Strike "MEDICAL MARIHUANA COMMISSION" and add "CITY CLERK".

Section 1300.18- Zoning Board of Appeals

- Subsection 1300.18(A)- Strike completely. Add "THE DISTANCE REQUIREMENTS UNDER THIS CHAPTER SHALL BE REVIEWABLE BY THE BOARD OF ZONING APPEALS FOLLOWING THE CRITERIA PROVIDED IN SECTION 1244.06(C)."

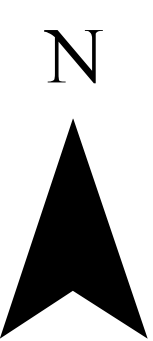
Medical Marihuana Provisioning Facilities

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



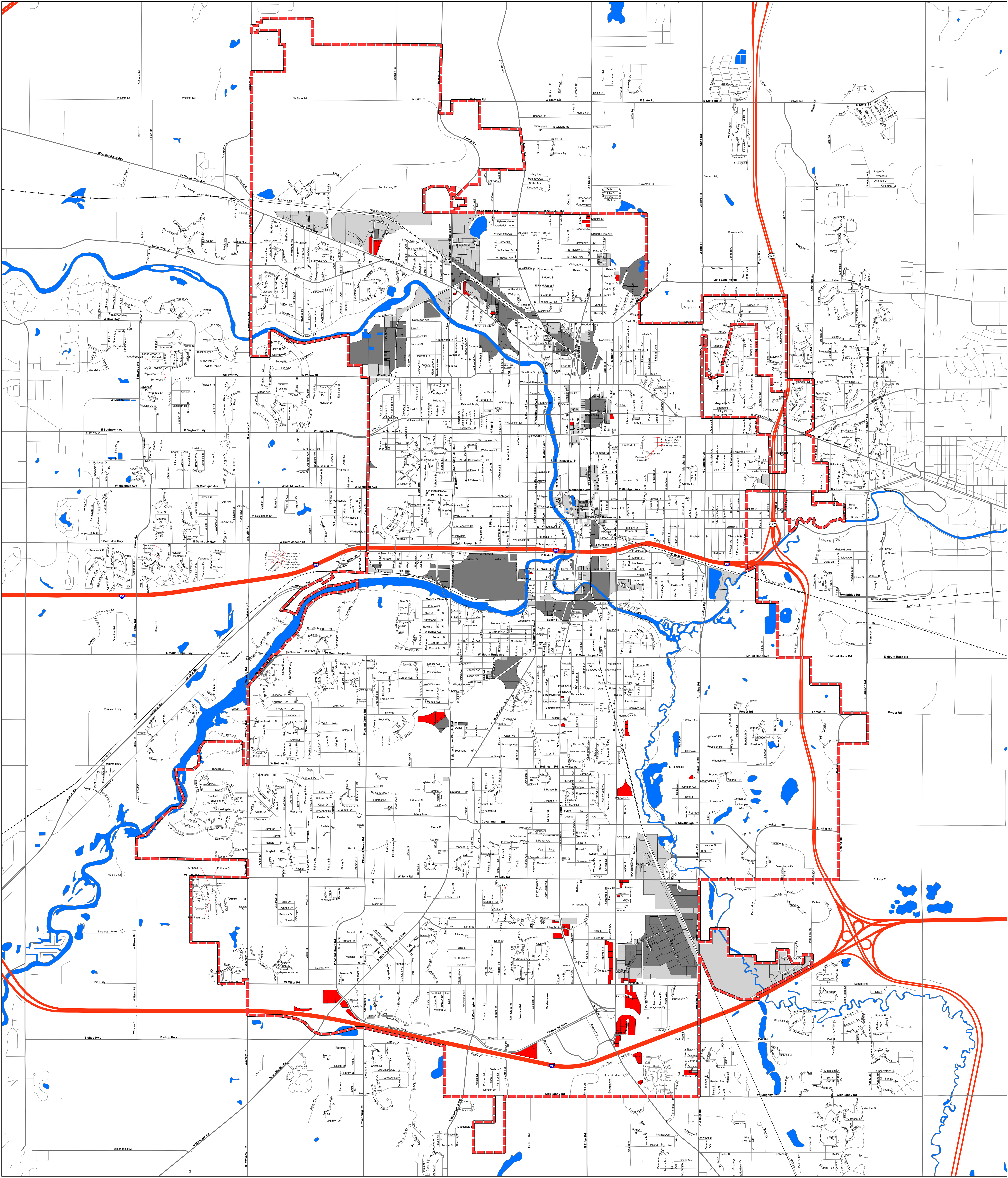
- Legend**
- City Limit
 - Lansing
 - Provisioning Center Restricted Area
 - F Commercial
 - F-1 Commercial
 - G-2 Wholesale
 - H Light Industrial
 - I Heavy Industrial

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0 0.5 1 2 Miles

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

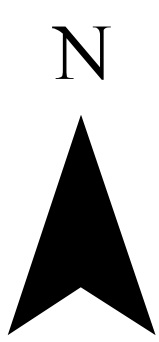
Lansing

G-2 Wholesale

H Light Industrial

I Heavy Industrial

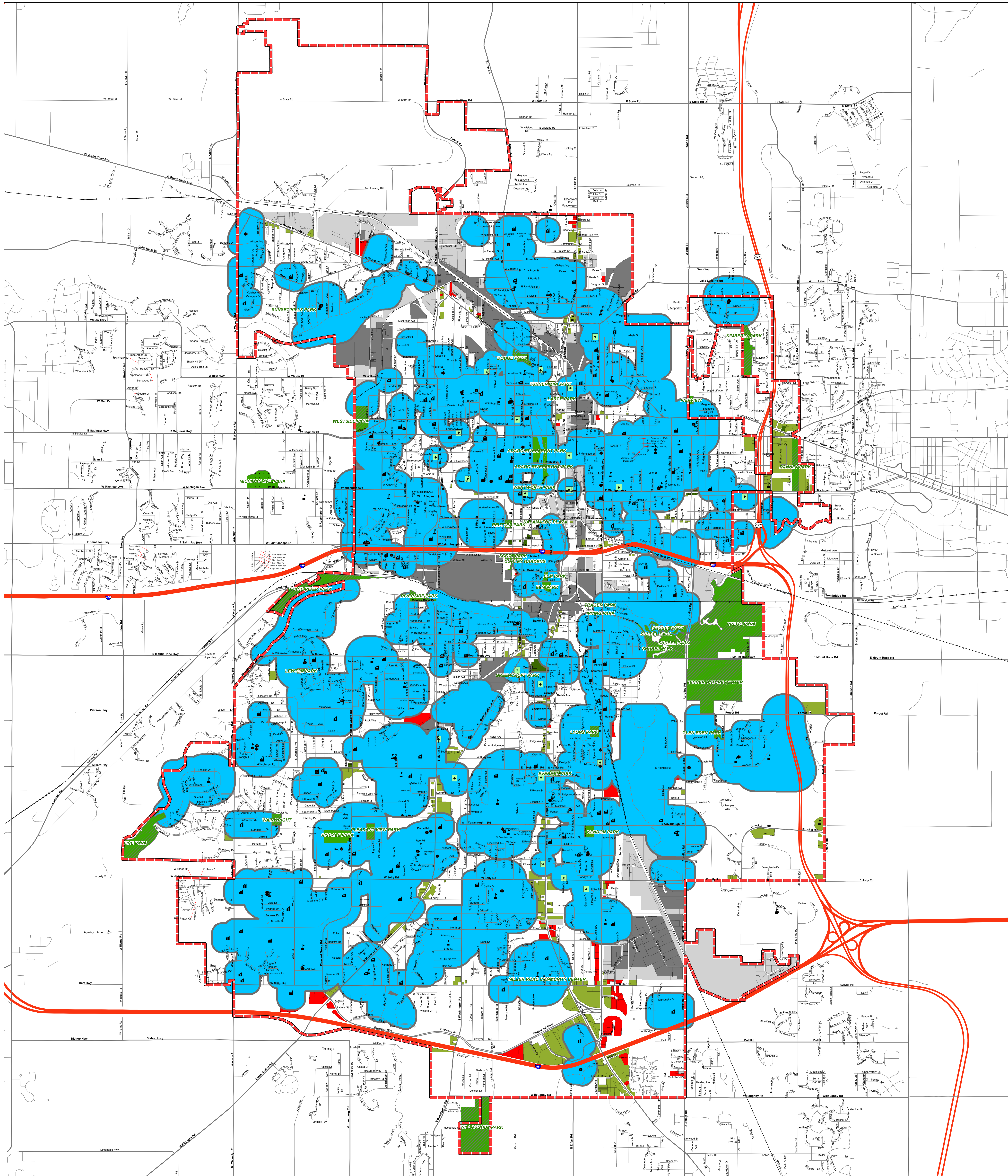
Created by: Sam Quon, City of Lansing IT-GIS, 7-26-2017



0 0.5 1 2 Miles

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 2



Legend

- | | | | |
|------------------------------------|--------------------------|--------------------|--|
| City Limit | Parks | Zoning | Provisioning Center Restricted Area |
| Lansing | Outside of City | F Commercial | Provisioning Center Restricted Area |
| Schools | No Playground Equipment | F-1 Commercial | |
| Child Care Facility | Has Playground Equipment | G-2 Wholesale | |
| Substance Abuse Treatment Facility | | H Light Industrial | |
| Religious Institutions | | I Heavy Industrial | |

Created by: Sam Quon, City of Lansing IT-GIS, 9-1-2017



0 0.5 1 2 Miles