



AGENDA
Committee on Development and Planning
Tuesday, May 23, 2017 @ 4:00 p.m.
10th Floor Conference Room, City Hall

Councilmember Judi Brown Clarke, Chair
Councilmember Jessica Yorko, Vice Chair
Councilmember Tina Houghton, Member
Councilmember Adam Hussain, Member

- 1. Call to Order**
- 2. Public Comment on Agenda Items**
- 3. Minutes**
 - May 15, 2017
- 4. Discussion/Action:**

A.) DISCUSSION – Chapter 1300; Medical Marihuana Ordinance

- 5) Adjourn**

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MINUTES

Committee on Development and Planning
Monday, May 15, 2017 @ 4:00 p.m.
Council Conference Room, City Hall 10th Floor

CALL TO ORDER

Called to order at 4:00 p.m.

PRESENT

Council Member Brown Clarke, Chair
Council Member Yorko, Vice-Chair- arrived at 4:04 p.m.
Council Member Houghton, Member
Council Member Hussain, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Susan Stachowiak, Planning & Neighborhood Development
Bill Rieske, Planning & Neighborhood Development
Brandon Waddell, Assistant City Attorney
Kathy Prout, Central United Methodist Church
Rev. Linda Farmer- Lewis, Central United Methodist Church
Penny Zago, Central United Methodist Church
Larry Dreskell
Ricardo Brusala
Gordy Green
Steve Green
Jerry Sleer

PUBLIC COMMENT

Nothing at this time, they will be addressed during the agenda items.

MINUTES

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE MINUTES FROM MAY 1, 2017 AS PRESENTED. MOTION CARRIED 3-0.

DISCUSSION/ACTION

RESOLUTION – Introduction & Set the Public Hearing for the Establishment of a Historic District for Central United Methodist Church

Mr. Rieske reminded the Committee that in December 2016 the Council approved the establishment of a historical study group to see if there was a determination to make the

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property a historic district. The study in the packet outlined the information on the property including their placement on the National and State Register in 1980. The final report was sent to the Planning Board with no recommendations and the State Historic Preservation, whose comments were incorporated into the report.

Pastor Farmer-Lewis confirmed they had spoken to the neighboring churches, that the church was the only surviving “roman-isc” church still standing, and assured the Committee they have no intentions of selling or moving, but will preserve and protect from someone who might want to develop.

Council Member Hussain and Houghton acknowledged the church for the report and encouraged them to reach out to the Central Business District to get in their marketing publications.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR THE ESTABLISHMENT OF A HISTORIC DISTRICT FOR CENTRAL UNITED METHODIST CHURCH FOR JUNE 12, 2017. MOTION CARRIED 4-0.

Z-9-2016; Rezoning 2122 N MLK & Vacant Properties from Residential, Community Unit, Apartment Shop, Commercial and Parking to “H” Light Industrial, “G-2” Wholesale and “F” Commercial

Council Member Yorko asked about the concerns from the public hearing on the buffering concerns. Ms. Stachowiak pointed out to the Committee that any person could come in today, cut the trees and build an apartment building 15' from property line, as the current zoning stands, and they would only have to put up 6' high evergreens. Under the requested G-2 Whole sale, the minimum setback to the East is 15', however after hearing the residents the applicant proposed another 15' totaling 30', then adding in another 15' from that for the building, bringing the property line 45' from the building. The only thing behind the building in the closest 15' would be the required fire lane, so the other 30' will remain the existing trees, undisturbed. Ms. Stachowiak informed the Committee that the applicant's intentions would be for self-storage units which mean no odors, no vibrations, no traffic, and no noise. Council Member Yorko asked what the difference is between “Light” and “Heavy” industrial. Ms. Stachowiak answered that the “Heavy” is processing of raw materials and drop forge, “Light” would be working with already processed materials and could be assembly, distribution, already processed goods. She also pointed out that the only areas for “Light Industrial” is the area to the West where the bowling alley was. Council Member Hussain asked if at the Planning Board hearing if all the residents who attended were only concerned with the buffering, at which Ms. Stachowiak confirmed.

Mr. Brusala spoke in opposition to the rezoning due to his concern with the removal of the existing topography on the East side of the property.

Mr. Sler spoke in opposition to the clearing of the trees for the buffer.

Council Member Brown Clarke provided information to the public that reiterated the fact that the property is not City property, therefore the Committee and Council can only make decisions on if the application is concurrent with the zoning ordinance.

The Committee reviewed the layout of the parcels and dimensions for a comparison of the the proposed 45' set back would be. Council Member Houghton asked Ms. Stachowiak if the

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property was rezoned or stayed the current zoning, could the applicant clear the trees, at which Ms. Stachowiak confirmed they could and could even go up to the property line. Council Member Brown Clarke stated again to the public that the City cannot tell the applicant they can't cut down the trees, the Committee and Council can just make sure they follow the zoning ordinance, and the applicant has agreed to a conditional rezoning with the 45' setback.

Mr. Brusala asked who owned the land, and staff confirmed the applicant purchased it even before the bowling alley closed.

Council Member Hussain voiced his concern that in "Light Industrial" there could be the potential for medical marihuana. Council Member Brown Clarke added that the applicant has never stated that is their intention.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE ORDINANCE FOR THE REZONING Z-9-2016 FOR 2122 N MLK AND VACANT PROPERTY TO "H" LIGHT INDUSTRIAL, "G-2" WHOLESALE AND "F" COMMERCIAL. MOTION CARRIED 4-0.

Ordinance Amendments to Section 1240.03- Defining "Garden"

Council Member Brown Clarke referred the Committee to the letter from the Office of the City Attorney which offered clarification on the Farm Act, gardening, garden structure and open places. The ordinance in front of the Committee was the same draft they saw when they set the public hearing, and what was in front of the Council during the hearing.

Council Member Hussain asked if Code Enforcement and Zoning will enforce the Ordinance, and Ms. Stachowiak confirmed. Council Member Hussain then provided his concerns with allowing gardens on vacant lots, rodents, blight, and the enforcement piece, in addition to enforcement of Land Bank properties. Council Member Brown Clarke assured Council Member Hussain that the Land Bank is responsible for their properties even if there is a garden on it, and they have told the City they will have compliance within 48 hours of notification of the violation. Council Member Hussain was encouraged to provide zoning a list of lots he has witnessed issues with.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE ORDINANCE AMENDMENTS TO SECTION 1240.03 – DEFINING "GARDEN". MOTION CARRIED 4-0.

Other

RESOLUTION – Introduction & Set the Public Hearing; Z-8-2016; Rezoning 3001 S Washington Avenue; D-1 Professional Office and J- Parking District to F- Commercial District

Council Member Brown Clarke confirmed this item was pending from last meeting due to the need for clarification from Law. The questions asked of them included does the Committee look at the landlord request and the tenant use separately, and what to do if the use of a medical marihuana dispensary is located there illegally what they need to do. She then confirmed she had had a conversation with City Attorney Smiertka and Mr. Waddell (present) who confirmed they need to look at the zoning application which is in front of them, and the landlord needs to address the illegal use of his property with his tenant. Ms. Stachowiak added to the conversation that the request is coming through based on the most recent version of the Medical Marihuana ordinance and how they can comply if it passes. In this case she noted, even if that ordinance passes, the use is in violation of the required setbacks from a church of its use, and they have not even checked into the other required setbacks from a park or school. The tenant was notified of their use violation, and immediately applied for a rezoning, and that is where the case stands thus far. Ms. Stachowiak stated again that even if the rezoning was

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approved the use would be illegal and would have to cease, and the owner is aware of that. Law had no comments at this time. Council Member Brown Clarke focused the discussion on the rezoning request at this time. Council Member Yorko asked if the requested zoning is consistent with what is elsewhere in the area. Ms. Stachowiak confirmed that the dominant zoning in the area is office and residential and the only reason the staff supports it is because there is "F-1" to the North, and it was zoned "F-1" before but the owner at that time wanted a day care, so rezoned for their use. If the rezoning fails and it stays professional office, they can have an office or child care.

Mr. Dreskell stated that if the property was rezoned and the tenant could not stay there the owner would look at a bakery, coffee shop, hair salon use.

Mr. Waddell added to the conversation that Law looked at this property currently with no Medical Marihuana Ordinance on the books, so they have to look at the application under the Master Plan. A final decision from law on the medical marihuana issue could not be stated by Law until the Ordinance is on the books.

Council Member Houghton asked if "F-1" moving forward could be consistent with the way it is now and the future, and Ms. Stachowiak confirmed.

MOTION BY COUNCIL MEMBER YORKO TO APPROVE THE RESOLUTION FOR THE INTRODUCTION AND SETTING OF A PUBLIC HEARING FOR THE REZONING Z-8-2016 FOR 3001 S WASHINGTON AVENUE TO "F" COMMERCIAL. MOTION CARRIED 3-1.

Council Member Brown Clarke asked Council Member Hussain what version of the Ordinance on Medical Marihuana the Committee on Public Safety was currently reviewing, if it was their last draft, and if they were close to setting a public hearing. Council Member Hussain confirmed it was version 6D, confirmed his belief they were close to final version and he had hoped the hearing would be soon. Council Member Brown Clarke then proposed reviewing it at the next Committee on Development & Planning meeting for the zoning topics, and to keep the process moving the Council. Mr. Waddell confirmed that since there were two members from Public Safety on this Committee they can have cross conversations. The Committee concurred to meet on Tuesday, May 23rd at 4:00 p.m. with this being the only topic.

Adjourn at 5:07 p.m.

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

Approved by the Committee on _____

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

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

THE CITY OF LANSING ORDAINS:

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

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

1300.1 –LEGISLATIVE INTENT.

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

10
11 THE CITY FINDS THAT THE ACTIVITIES DESCRIBED IN THIS CHAPTER ARE
12 SIGNIFICANTLY CONNECTED TO THE PUBLIC HEALTH, SAFETY, SECURITY AND
13 WELFARE OF ITS CITIZENS AND IT IS THEREFORE NECESSARY TO REGULATE
14 AND ENFORCE SAFETY, SECURITY, FIRE, POLICE, HEALTH AND SANITATION
15 PRACTICES RELATED TO SUCH ACTIVITIES AND ALSO TO PROVIDE A METHOD TO
16 DEFRAY ADMINISTRATIVE COSTS INCURRED BY SUCH REGULATION AND
17 ENFORCEMENT.

18
19 IT IS NOT THE INTENT OF THIS CHAPTER TO DIMINISH, ABROGATE, OR RESTRICT
20 THE PROTECTIONS FOR MEDICAL USE OF MARIHUANA FOUND IN THE MICHIGAN
21 MEDICAL MARIHUANA ACT OR IN THE LANSING CITY CHARTER AT SECTION 8-
22 501.

23
24 **1300.2 – DEFINITIONS, INTERPRETATION AND CONFLICTS.**

25
26 FOR THE PURPOSES OF THIS CHAPTER:

27
28 (A) ANY TERM DEFINED BY THE MICHIGAN MEDICAL MARIHUANA ACT, MCL
29 333.26421 ET SEQ., AS AMENDED (“MMMA”), THE MEDICAL MARIHUANA
30 FACILITIES LICENSING ACT, MCL 333.2701, ET SEQ. (MMFLA) SHALL HAVE
31 THE DEFINITION GIVEN IN THOSE ACTS, AS AMENDED, AND THE
32 MARIHUANA TRACKING ACT (“MTA”), MCL333.27901, ET SEQ. IF THE
33 DEFINITION OF A WORD OR PHRASE SET FORTH IN THIS CHAPTER
34 CONFLICTS WITH THE DEFINITION IN THE MMMA OR MMFLA, OR IF A
35 TERM IS NOT DEFINED BUT IS DEFINED IN THE MMMA OR MMFLA, THEN
36 THE DEFINITION IN THE MMMA, MMFLA, OR MTA SHALL APPLY.

37
38 (B) ANY TERM DEFINED BY 21 USC 860(E) REFERENCED IN THIS CHAPTER
39 SHALL HAVE THE DEFINITION GIVEN BY 21 USC 860(E).

40
41 (C) THIS ORDINANCE SHALL NOT LIMIT AN INDIVIDUAL’S OR ENTITY’S
42 RIGHTS UNDER THE MMMA. THE MMMA, MTA, AND THE MMFLA
43 SUPERSEDE THIS ORDINANCE WHERE THERE IS A CONFLICT BETWEEN
44 THEM.
45

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

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

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

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

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

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

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

3
4 “CHAPTER” MEANS THIS CHAPTER 1300.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

41 “STATE” MEANS THE STATE OF MICHIGAN.
42

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

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

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

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

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

1300.5– LICENSE APPLICATION SUBMISSION.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1300.6-LICENSE APPLICATION EVALUATION.

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

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

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

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

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

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

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

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

1300.7 – LICENSE RENEWAL APPLICATION.

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

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

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

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

(E) NO RENEWAL APPLICATION SHALL BE APPROVED UNLESS:

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

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

1300.8 – LICENSES GENERALLY.

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

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

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

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

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

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

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

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

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

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

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

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

3
4 (F) ALL MEDICAL MARIHUANA STORAGE AREAS WITHIN MEDICAL
5 MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM ANY
6 CUSTOMER/PATIENT AREAS BY A PERMANENT BARRIER. UNLESS PERMITTED BY
7 THE MMMA, NO MEDICAL MARIHUANA IS PERMITTED TO BE STORED IN AN
8 AREA ACCESSIBLE BY THE GENERAL PUBLIC OR REGISTERED
9 CUSTOMERS/PATIENTS. MEDICAL MARIHUANA MAY BE DISPLAYED IN A SALES
10 AREA ONLY IF PERMITTED BY THE MMFLA;

11
12 (G) ANY USABLE MEDICAL MARIHUANA REMAINING ON THE PREMISES OF A
13 MEDICAL MARIHUANA PROVISIONING CENTER WHILE THE MEDICAL
14 MARIHUANA PROVISIONING CENTER IS NOT IN OPERATION SHALL BE SECURED
15 IN A SAFE PERMANENTLY AFFIXED TO THE PREMISES;

16
17 (H) DRIVE-THRU WINDOWS ON THE PREMISES OF A MEDICAL MARIHUANA
18 PROVISIONING CENTER SHALL NOT BE PERMITTED;

19
20 (I) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPERATED IN
21 A MANNER CREATING NOISE, DUST, VIBRATION, GLARE, FUMES, OR ODORS
22 DETECTABLE TO NORMAL SENSES BEYOND THE BOUNDARIES OF THE PROPERTY
23 ON WHICH THE MEDICAL MARIHUANA PROVISIONING CENTER IS OPERATED;

24
25 (J) THE LICENSE REQUIRED BY THIS CHAPTER SHALL BE PROMINENTLY
26 DISPLAYED ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING
27 CENTER;

28
29 (K) DISPOSAL OF MEDICAL MARIHUANA SHALL BE ACCOMPLISHED IN A
30 MANNER THAT PREVENTS ITS ACQUISITION BY ANY PERSON WHO MAY NOT
31 LAWFULLY POSSESS IT AND OTHERWISE IN CONFORMANCE WITH STATE LAW;

32
33 (L) ALL MEDICAL MARIHUANA DELIVERED TO A PATIENT SHALL BE
34 PACKAGED AND LABELED AS PROVIDED BY STATE LAW AND THIS CHAPTER.
35 THE LABEL SHALL INCLUDE:

- 36
37 (1) A UNIQUE ALPHANUMERIC IDENTIFIER FOR THE PERSON TO WHOM IT
38 IS BEING DELIVERED;
39 (2) A UNIQUE ALPHA NUMERIC IDENTIFIER FOR THE CULTIVATION
40 SOURCE OF THE MARIHUANA;
41 (3) THAT THE PACKAGE CONTAINS MARIHUANA;
42 (4) THE DATE OF DELIVERY, WEIGHT, TYPE OF MARIHUANA AND DOLLAR
43 AMOUNT OR OTHER CONSIDERATION BEING EXCHANGED IN THE
44 TRANSACTION;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

39 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;
40

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

34 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;
35

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1300.16 – PENALTIES; TEMPORARY SUSPENSION OF A LICENSE

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

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

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

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

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

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

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

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

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

1300.17 -NO VESTED RIGHTS

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

1300.18 –ZONING BOARD OF APPEALS

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

1300.19-SUNSET

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

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

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

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