



AGENDA
Committee on Public Safety
Wednesday, February 1, 2017 @ 3:30 p.m.
City Hall, Council Conference Room
Updated 1/30/2017 p.m.

Councilmember Adam Hussain, Chair
Councilmember Carol Wood, Vice Chair
Councilmember Tina Houghton, Member

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - December 16, 2016
4. **Public Comment on Agenda Items**
5. **Discussion/Action:**
 - A.) ORDINANCE – Home Occupation; Amendments to Chapter 1460
 - B.) DISCUSSION – Ordinance Amendments to Chapter 1460;
Concerning payment of back taxes in connection with rental certificate
 - C.) ORDINANCE – Draft #6A- Medical Marihuana Licensing
(City Attorney Update)
6. **Adjourn**



MINUTES
Committee on Public Safety
Friday, December 16, 2016 @ 3:30 p.m.
City Hall, Council Chambers

CALL TO ORDER

The meeting called to order at 3:32 p.m.

ROLL CALL

Councilmember Carol Wood, Chair
Councilmember Adam Hussain, Vice Chair
Councilmember Kathie Dunbar, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Mark Dotson, Deputy City Attorney- arrived at 3:50 p.m.
Brandon Waddell, Assistant City Attorney
Robert Johnson, Planning & Neighborhood Development
Marshaun Blake, Fire Marshall
Daniella Farrell
Elaine Womboldt
Jason Durham
Steve Green

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM DECEMBER 2, 2016 AS PRESENTED. MOTION CARRIED 2-0.

PUBLIC COMMENT

No public comment at this time and will be asked again at the end of the meeting.

DISCUSSION/ACTION:

Building and Occupant Safety in Vacant Buildings

Mr. Johnson informed the Committee of the Departments practice, of if the building is open and accessible they will take action to board it up. During day time hours, they will make contact with the owner to board it up, but if it is in the evening they will make arrangements to secure it. Mr. Johnson added that the Fire Marshal does have more authority. Fire Marshal Blake agreed that if anyone suspects any illegal occupation or fire hazard, all the LFD needs is notification for them to investigate. If they find a fire code violation, they will handle it, even up to getting a warrant. Council Member Wood asked how they would handle people living in a commercial building. Fire Marshal Blake acknowledged they do reach out to the City HRCS

Department for assistance with placement in suitable living arrangements. Council Member Wood then asked what the LFD would do if they were made aware of a party or gathering in a vacant building. Fire Marshal Blake provided an example where that situation had occurred in the past, and they have the fire marshal and building safety on site to assure and inspect the occupancy classification, and each is reviewed individually because they could be situational. They make attempts to work with the organization and responsible party. In the case where they find a building is not safe, it is shut down immediately.

Ordinance- Draft #6A- Medical Marihuana Licensing

Council Member Wood started the discussion by stating that at the last Committee meeting Mr. Smiertka indicated there were potential sections that law was looking at making changes to, therefore this meeting was to focus on draft 6A so law tell the group what is being changed.

Mr. Smiertka was not present, so Mr. Dotson spoke to issues that were outstanding. The review began on page 4, with the definition of "Commission". Since the City Attorney office is not sure what the State will do on imposing requirements on various entities, the current ordinance mirrors State law. They anticipate there will be a discussion on if the City will have an independent Commission however the City has the option to not have a Commission if the State does. This explanation applies to lines 1 through line 23 on page 4.

Under Page 6, line 12 (1300.3) Mr. Dotson stated this entire section is subject to change or be removed because there would be no need for redundancy if the State is going to impose regulations. On page 8 (1300.5) includes expectations when the Commission could consider and so these items also are going to be subject to reconsideration based on what the State decides to impose. If the City Attorney office anticipates stipulations before the State enacts, then the City needs to keep this ordinance in a form as it exists, because there would nothing to conflict with the State until the State decides to start issuing licenses. Currently the understanding is that the State won't issue licenses until 2018 accepting applications in December 2017. Council Member Wood referenced the current State Liquor Licenses and the permissions required by the City, where they are the same qualifications. The question was asked of Mr. Dotson, if Law is proposing not doing away with all requirements and qualifications, but just the *Commission*. Mr. Dotson clarified that if there is an ordinance prior to when the State enacts, the City could have an ordinance that predates the State. Whether the ordinance adapts to the State or remains in the form prior to the State adoption, Council can impose more or less requirements when it comes to issuing the license. Council Member Wood reminded Mr. Dotson that when the Committee started the process of the Ordinance, they asked similar questions, and were told at the time it was stuck in Committee at the State, and therefore Law wrote the ordinance to keep the City in line and mirror the State. Mr. Dotson acknowledged that Law did shape it, but it would up to Council to refine it to reflect their vision. The City Attorney office is comfortable with the legalities but now they need the City of Lansing particulars. Council Member Wood then asked Mr. Dotson why Law put the Committee on hold when they are now saying they have been comfortable with the ordinance. Mr. Dotson replied to the question, stating that Law drafted the ordinance, and out of deference to what the State decided, and many opinions at various meetings, the City Attorney asked to look at it and see if they were proceeding the right way. Most of the items were not particulars to the application but were zoning related. Mr. Dotson affirmed that they do understand they might be redundant. The proposed ordinance needs to be looked at as an independent legislation, regardless of the State, and could be voted on before the State takes action. If modifications are made, Council needs to then consider if they want to incorporate them. How they are going to regulate entities including zoning is left to the municipalities, however, commercial growers have to be zoned heavy industrial or agriculture. Mr. Dotson moved further in to the document to Section 1300.5-1300.8 noting those areas have the potential for change and could be adopted, but with legal issue changes.

Page 16 (1300.9) there may be standards imposed or requested by the State, however there are currently none so Law left it to what the City wants.

Council Member Wood asked Law if the State has made changes on processors and safety compliance, and Mr. Dotson agreed he too had heard that but has not found anything. It could show up in operating procedures. Council Member Dunbar asked where processors could be and what they can be near. Mr. Dotson noted the earlier discussion was on in respect to growing and providing in a common area. There had been some concern expressed on that topic. Council Member Dunbar asked Mr. Dotson his opinion on having the growing, processing, safety and provision near each other. Mr. Dotson stated it could be stated "for convenience more than safety". Council Member Wood pointed out that in the State statute it says if you grow you could have an interest in the processing. Could they be in the same location with a dividing wall and separate ownership distinction. Mr. Dotson that same sentiment is made by the Planning Board and others in the industry, creating "clustering". The Committee moved onto 1300.13 and 1300.13, and Mr. Dotson reiterated these are all proposed, and at the Planning Board they told them they need to review for standards. Council Member Wood reminded Mr. Dotson that the Committee provided the Ordinance to the Planning Board for their recommendations, they should not be looking at the "public" draft, and because the Planning Board is working off the recommendation by the City Attorney for 60 days a public hearing request was pulled. There should now only be a draft from the Planning Board based on Draft 6A with their potential changes for the Committee on Public Safety consideration. The Planning Board should only be looking at zoning implications.

Council Member Hussain asked Mr. Dotson why the Planning Board was vetting other parts of the ordinance and why they weighed in on another proposed ordinance from an outside company. The Planning Board is charged to give Council Committee a recommendation, therefore they could be considered to be negligent in their duties. Council Member Hussain reminded Law that Mr. Smiertka asked for 60 days in anticipation that the State was coming with something. Law is purposeful in drafting this to make sure it is enforceable.

Mr. Dotson reminded the Committee that the goal behind the Commission was to create an appearance of an outside group, with expertise, and support for the medical marijuana commission.

Council Member Wood reminded the public that the Committee has set a public hearing for the Ordinance on the Home Occupation amendments for January 30, 2017. At the State on December 15, 2016 the Senate passed Bill 72 which allows for someone that is leasing property to write into a lease they can prohibit someone who smokes or cultivates on their premise.

City Attorney Office Update

Medical Marijuana Moratorium Log

Mr. Dotson referenced an email spreadsheet he had sent to the Committee. One item on the spreadsheet he noted, Beechfield, he has forwarded to the LPD. His office also received a commercial use complaint, and based on the supporting documentation, the Office of the City Attorney opinion is that it is not in violation of the moratorium. The Office of the City Attorney will continue to review as complaints come in. Council Member Wood asked Mr. Dotson if his office was sending letters to the residential complaints. Mr. Dotson only replied to the Beechfield incident, stated they are considering sending a letter there.

Council Member Dunbar referenced the recent Senate Bill 72, asking for confirmation that unless it is written in the lease, a landlord can't evict someone for use. Mr. Dotson confirmed that this Bill 72 provides the provision for landlords to have the provision in their lease so they can enforce.

Council Member Hussain stated his support of the work Mr. Dotson had done.

Public Comment

Ms. Farrell asked the Committee for details on who from the medical marihuana community is educating the Planning Board so they understand the ordinance, and then gave her opinion that the Council was trying to push out small grows and caregivers. Council Member Wood clarified that the Planning Board is in charge of reviewing the zoning and only the zoning. The Commission proposed in this ordinance will have a caregiver sitting on it.

Mr. Durham spoke in support of the Act Labs, having all uses next to each other in the industrial buildings, and lastly in support of DAB Wars. Mr. Durham wanted the Committee to also know he supported home inspections, but not invasion of privacy. Mr. Dotson asked what DAB Wars were, and Council Member Wood commented on no discussion on the DAB Wars, and the only thing that is legal is for a caregiver to work with five (5) patients and anything other than that is illegal.

Council Member Wood reminded the group that all Council and Council Committee meetings are open meetings.

Council Member Dunbar stated her opinion that the ordinance is trying to legitimize the medical use of marihuana, and it should be compared to pharmaceuticals not alcohol.

Mr. Sova spoke on locations, State Licenses, batch testing and multiple labs. Council Member Wood reminded the group that the State already determines the location either in agriculture or heavy industrial.

Ms. Womboldt acknowledged the Committee on the recent home occupancy ordinance, however spoke in frustration with the process since that time with the delay at the Planning Board.

Mr. Green acknowledged the Committee for their work and spoke in support of medical marihuana. Mr. Green pointed out to the Committee there is a methadone clinic next to Greencroft Park and asked for clarification on why if they can be next to a park why a dispensary can't.

Mr. Durham outlined his good efforts in the community.

Council Member Dunbar reminded the public that the Committee does understand there is a medical need, however the proposed 3,500 KWH is intended to address the fire hazard not just for the home, but surrounding homes in the neighborhoods.

Council Member Wood acknowledged the other Committee members for their time and energy working on the ordinances.

ADJOURN

The meeting was adjourned 5:09 p.m.

Submitted by, Sherrie Boak,

Recording Secretary

Lansing City Council

Approved: _____

ORDINANCE NO: _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO ADD SECTION 1460.04, HOME OCCUPATION REGISTRATION AND INSPECTION, TO CHAPTER 1460 OF THE LANSING CODIFIED ORDINANCES TO PROVIDE FOR THE REGISTRATION AND INSPECTION OF ANY BUILDING OR STRUCTURE IN A RESIDENTIALLY-ZONED DISTRICT WHERE THE OPERATION OF A HOME OCCUPATION WITHIN SUCH BUILDING OR STRUCTURE UTILIZES ELECTRICITY THAT EXCEEDS 3500 KWH (KILOWATT HOURS) PER MONTH OR WHERE THE OPERATION EMITS GASES, FUMES, SMOKE, OR ODORS OUTSIDE OF THE BUILDING OR STRUCTURE AND ACROSS THE BUILDING OR STRUCTURE'S PROPERTY LINE; AND TO PROVIDE CIVIL INFRACTION PENALTIES FOR NONCOMPLIANCE WITH SECTION 1460.04.

THE CITY OF LANSING ORDAINS:

SECTION 1. That Section 1460.04 be added to Chapter 1460 of the Lansing Codified Ordinances ("Code") to read as follows:

1460.04 HOME OCCUPATION REGISTRATION AND INSPECTION

(a) THE CITY OF LANSING FINDS THAT THE OPERATION OF A HOME OCCUPATION, AS DEFINED IN THE CODE, WHICH UTILIZES ELECTRICITY THAT EXCEEDS 3500 KWH PER MONTH , OR WHERE THE HOME OCCUPATION EMITS GASES, FUMES, SMOKE, OR ODORS OUTSIDE OF THE BUILDING OR STRUCTURE AND ACROSS THE BUILDING OR STRUCTURE'S PROPERTY LINE, PRESENTS A DANGER OF FIRE OR EXPLOSION OR OTHERWISE CREATES A PUBLIC NUISANCE, AS DEFINED IN CHAPTER 655 OF THE CODE, TO SURROUNDING RESIDENTIAL PROPERTIES; FURTHER, THAT SUCH UTILIZATION OR EMISSION PRESENTS A

24 CLEAR AND PRESENT DANGER TO THE PUBLIC HEALTH, SAFETY, AND WELFARE
25 OF THE RESIDENTS OF THE CITY OF LANSING, AND IT IS IN THE PUBLIC INTEREST
26 THAT SUCH HOME OCCUPATION BE INSPECTED FOR SAFETY REASONS AT LEAST
27 ANNUALLY.

28 (b) EVERY PERSON OPERATING, OR AS A LESSOR OF AN OWNER
29 ALLOWING AN OPERATION OF, A HOME OCCUPATION, AS DEFINED IN SECTION
30 1240.03 OF THE CODE, IN A RESIDENTIALLY-ZONED DISTRICT SHALL ANNUALLY
31 REGISTER THE BUILDING OR STRUCTURE WITHIN WHICH SUCH HOME
32 OCCUPATION IS SITUATED WITH THE CITY OF LANSING OFFICE OF CODE
33 COMPLIANCE IF:

34 1. THE HOME OCCUPATION UTILIZES ELECTRICITY THAT EXCEEDS 3,500
35 KWH PER MONTH; OR

36 2. THE HOME OCCUPATION EXHAUSTS OR EMITS GASES, FUMES, SMOKE
37 OR ODOR INTO THE SURROUNDING AREAS OUTSIDE OF THE BUILDING OR
38 STRUCTURE AND ACROSS THE BUILDING OR STRUCTURE'S PROPERTY LINE.

39 (c) ANY DWELLING OR ACCESSORY BUILDING USED AS PART OF A HOME
40 OCCUPATION REGISTERED PURSUANT TO THIS SECTION SHALL BE INSPECTED
41 ANNUALLY BY THE OFFICE OF CODE COMPLIANCE FOR CODE AND SAFETY
42 COMPLIANCE AND FOR ADEQUATE VENTING OF GASES, FUMES, SMOKE OR
43 ODOR SO AS NOT TO CAUSE A PUBLIC NUISANCE IN THE SURROUNDING AREAS.

44
45 (d) IT IS THE INTENT OF THIS SECTION THAT THE REGISTRATION REQUIRED
46 HEREIN BE FOR SAFETY REASONS RELATED TO BUILDINGS OR STRUCTURES AND

NOT RELATED TO THE OWNER OR OCCUPANT OF SUCH BUILDING OR
STRUCTURE; THUS, EXCEPT FOR A NAME AND NECESSARY CONTACT
INFORMATION, PERSONAL INFORMATION RELATED TO ANY PERSON
REGISTERING THE BUILDING OR STRUCTURE SHALL NOT BE REQUIRED OR
COLLECTED. FURTHER, TO THE EXTENT ALLOWABLE UNDER THE MICHIGAN
FREEDOM OF INFORMATION ACT AND PROTECTED UNDER MICHIGAN AND
FEDERAL LAWS, INCLUDING, BUT NOT LIMITED TO, MCL 333.26421 ET SEQ. AND
U.S.PUBLIC LAW 104 -191 AND FEDERAL REGULATIONS PROMULGATED
THEREUNDER, PERSONAL INFORMATION RELATED TO AN OWNER OR OCCUPANT
OF A REGISTERED BUILDING OR STRUCTURE SHALL NOT BE DISCLOSED.

(e) FAILURE TO REGISTER A HOME OCCUPATION BUILDING OR STRUCTURE
AS REQUIRED BY THIS SECTION SHALL CONSTITUTE A MUNICIPAL CIVIL
INFRACTION PURSUANT TO CHAPTER 203 OF THE CODE AND THE PENALTIES SET
FORTH IN SECTION 202.99 OF THE CODE SHALL APPLY TO EACH SUCH CIVIL
INFRACTION OR AS SUCH PENALTIES MAY BE AMENDED FROM TIME TO TIME BY
AN ORDINANCE ENACTED BY THE LANSING CITY COUNCIL.

(f) THE PROVISIONS OF THIS ORDINANCE SHALL EXPIRE FIVE YEARS
AFTER THE DATE OF ITS ENACTMENT.

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.

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

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

AGENDA ITEM

INFORMATION
NOT AVAILABLE
AT THE TIME
PACKET WAS
DISTRIBUTED

**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 ESTABLISH AND PROVIDE FOR THE COMPOSITION OF A MEDICAL MARIHUANA COMMISSION AND TO DEFINE ITS FUNCTIONS AND RESPONSIBILITIES; 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.
- 1300.13 Location of Medical Marihuana Provisioning Centers. .
- 1300.14 Location of Medical Marihuana Safety Compliance Facilities, Medical Marihuana Processor Facilities and Medical Marihuana Grower Facilities.
- 1300.15 Denial and Revocation.
- 1300.16 Penalties.
- 1300.17 No Vested Rights.
- 1300.18 Zoning Board of Appeals.
- 1300.19 Sunset.

1300.1 –LEGISLATIVE INTENT.

THE PURPOSE OF THIS CHAPTER IS TO EXERCISE THE POLICE, REGULATORY, AND LAND USE POWERS OF THE CITY OF LANSING BY LICENSING AND REGULATING MEDICAL MARIHUANA PROVISIONING CENTERS, MEDICAL MARIHUANA GROWER FACILITIES, MEDICAL MARIHUANA COMPLIANCE FACILITIES, 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, POLICING, HEALTH AND SANITATION PRACTICES RELATED TO SUCH ACTIVITIES AND ALSO TO PROVIDE A METHOD TO DEFRAY ADMINISTRATIVE COSTS INCURRED BY SUCH REGULATION AND ENFORCEMENT.

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

1300.2 – DEFINITIONS, INTERPRETATION AND CONFLICTS.

FOR THE PURPOSES OF THIS CHAPTER:

(A) ANY TERM DEFINED BY THE MICHIGAN MEDICAL MARIHUANA ACT, MCL 333.26421 ET SEQ., AS AMENDED (“MMMA”), SHALL HAVE THE DEFINITION GIVEN IN THE MICHIGAN MEDICAL MARIHUANA ACT, AS AMENDED. IF THE DEFINITION OF A WORD OR PHRASE SET FORTH IN THIS CHAPTER CONFLICTS WITH THE DEFINITION IN THE MMMA, OR IF A TERM IS NOT DEFINED BUT IS DEFINED IN THE MMMA, THEN THE DEFINITION IN THE MMMA 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).

1 (C) THIS ORDINANCE SHALL NOT LIMIT AN INDIVIDUAL'S OR ENTITY'S
2 RIGHTS UNDER THE MMMA. THE MMMA SUPERSEDES THIS ORDINANCE WHERE
3 THERE IS A CONFLICT BETWEEN THEM.
4

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

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

24 (F) THE FOLLOWING TERMS SHALL HAVE THE DEFINITIONS GIVEN:
25

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

42 "CHAPTER" MEANS THIS CHAPTER 1300.
43

44 "CITY" MEANS THE CITY OF LANSING, MICHIGAN.
45

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

3
4 “COUNCIL, OR CITY COUNCIL,” MEANS THE CITY COUNCIL OF LANSING,
5 MICHIGAN.

6
7 “CULTIVATION” OR “CULTIVATE” AS USED IN THIS ORDINANCE MEANS: (1)
8 ALL PHASES OF GROWTH OF MARIHUANA FROM SEED TO HARVEST; OR (2)
9 PREPARING, PACKAGING OR REPACKAGING, LABELING, OR RELABELING OF ANY
10 FORM OF MARIHUANA; OR (3) TO THE EXTENT PERMITTED BY THE MMMA, IF AT
11 ALL, THE EXTRACTION OF RESIN FROM THE MARIHUANA OR THE CREATION OF
12 MARIHUANA INFUSED PRODUCTS FOR SALE OR PACKAGED FORM TO A MEDICAL
13 MARIHUANA PROVISIONING CENTER.

14
15 “DISQUALIFYING FELONY” MEANS A FELONY THAT MAKES AN INDIVIDUAL
16 INELIGIBLE TO SERVE AS A REGISTERED PRIMARY CAREGIVER UNDER THE
17 MMMA OR OTHER APPLICABLE STATE LAW.

18
19 “MEDICAL MARIHUANA” MEANS ANY MARIHUANA INTENDED FOR MEDICAL
20 USE THAT MEETS ALL REQUIREMENTS FOR MEDICAL MARIHUANA CONTAINED
21 IN THE MMMA AND ANY OTHER APPLICABLE LAW.

22
23 “MEDICAL MARIHUANA COMMISSION” OR “COMMISSION” MEANS THE
24 MEDICAL MARIHUANA COMMISSION ESTABLISHED UNDER SECTION 1300.3 OF
25 THIS CHAPTER.

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

41
42 “MEDICAL MARIHUANA GROWER FACILITY,” ALSO KNOWN AS “MEDICAL
43 MARIHUANA CULTIVATION FACILITY,” MEANS A COMMERCIAL ENTITY
44 LOCATED IN THE CITY THAT IS LICENSED TO OPERATE BY THE STATE, (TO THE
45 EXTENT ONE IS REQUIRED) AND HAS A LICENSE FROM THE CITY, THAT

1 CULTIVATES, DRIES, TRIMS OR CURES AND PACKAGES MARIHUANA IN
2 ACCORDANCE WITH STATE LAW.

3
4 “MEDICAL MARIHUANA ESTABLISHMENT(S), OR, “ESTABLISHMENT,” MEANS
5 ANY FACILITY, ESTABLISHMENT AND/OR CENTER THAT IS REQUIRED TO BE
6 LICENSED UNDER THIS CHAPTER INCLUDING A MEDICAL MARIHUANA
7 PROVISIONING CENTER OR MEDICAL MARIHUANA CAREGIVER CENTER, A
8 MEDICAL MARIHUANA GROWER FACILITY, A MEDICAL MARIHUANA PROCESSOR
9 FACILITY AND A MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY.

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

12
13 “PERSON” MEANS AN INDIVIDUAL, PARTNERSHIP, FIRM, COMPANY,
14 CORPORATION, ASSOCIATION, SOLE PROPRIETORSHIP, LIMITED LIABILITY
15 COMPANY, JOINT VENTURE, ESTATE, TRUST, OR OTHER LEGAL ENTITY.

16
17 “ LICENSE APPLICATION” REFERS TO THE REQUIREMENTS AND PROCEDURES
18 SET FORTH IN SECTIONS 1300.5 AND 1300.6.

19
20
21 “PROCESSOR” OR “MEDICAL MARIHUANA PROCESSOR FACILITY” MEANS A
22 COMMERCIAL ENTITY LOCATED IN THIS CITY THAT HAS A LICENSE TO OPERATE
23 ISSUED BY THE STATE (TO THE EXTENT ONE IS REQUIRED) AND HAS A LICENSE
24 FROM THE CITY, THAT EXTRACTS RESIN FROM THE MARIHUANA OR CREATES A
25 MARIHUANA-INFUSED PRODUCT, TO THE EXTENT PERMITTED BY STATE LAW..”

26
27 “SAFETY COMPLIANCE FACILITY” OR “MEDICAL MARIHUANA SAFETY
28 COMPLIANCE FACILITY” MEANS A COMMERCIAL ENTITY THAT HAS A LICENSE
29 TO OPERATE ISSUED BY THE STATE (TO THE EXTENT ONE IS REQUIRED) AND
30 HAS A LICENSE FROM THE CITY, THAT RECEIVES MARIHUANA FROM A MEDICAL
31 MARIHUANA ESTABLISHMENT OR A REGISTERED QUALIFYING PATIENT OR A
32 REGISTERED PRIMARY CAREGIVER, TESTS IT FOR CONTAMINANTS AND FOR
33 TETRAHYDROCANNABINOL AND OTHER CANNABINOIDS IN ACCORDANCE WITH
34 STATE LAW.

35
36 “SECURE TRANSPORTER” MEANS A COMMERCIAL ENTITY THAT HAS A
37 LICENSE TO OPERATE ISSUED BY THE STATE (TO THE EXTENT THAT ONE IS
38 REQUIRED) AND HAS A LICENSE FROM THE CITY, THAT IS A COMMERCIAL
39 ENTITY LOCATED IN THIS CITY THAT STORES MARIHUANA AND TRANSPORTS
40 MARIHUANA BETWEEN MEDICAL MARIHUANA FACILITIES FOR A FEE AND IN
41 ACCORDANCE WITH STATE LAW.

42
43 “STAKEHOLDER” MEANS, WITH RESPECT TO A TRUST, THE BENEFICIARIES,
44 WITH RESPECT TO A LIMITED LIABILITY COMPANY, THE MANAGERS OR
45 MEMBERS, WITH RESPECT TO A CORPORATION, WHETHER PROFIT OR NON-
46 PROFIT, THE OFFICERS, DIRECTORS, OR SHAREHOLDERS, AND WITH RESPECT TO

1 A PARTNERSHIP OR LIMITED LIABILITY PARTNERSHIP, THE PARTNERS, BOTH
2 GENERAL AND LIMITED.

3
4 “STATE” MEANS THE STATE OF MICHIGAN.

5
6 “RESTRICTED/LIMITED ACCESS AREA” MEANS A BUILDING, ROOM OR OTHER
7 AREA UNDER THE CONTROL OF THE LICENSEE WITH ACCESS GOVERNED BY THE
8 MMMA OR OTHER APPLICABLE STATE LAW.

9
10 (G) ANY TERM DEFINED BY THE MMMA AND NOT DEFINED IN THIS CHAPTER
11 SHALL HAVE THE DEFINITION GIVEN IN THE MMMA.

12 **1300.3 – ESTABLISHMENT OF THE MEDICAL MARIHUANA COMMISSION;**
13 **MEMBERSHIP; CHAIRPERSON; MEETINGS.**
14

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

22
23 (B) THE MEMBERS OF THE COMMISSION SHALL INCLUDE THE FOLLOWING:

- 24
25 (1) FOUR (4) MEMBERS, ONE FROM EACH WARD OF THE CITY, UPON
26 BEING RECOMMENDED TO THE MAYOR BY THE COUNCIL PERSON IN
27 THAT WARD, EACH WHO REPRESENTS A DULY ORGANIZED AND
28 EXISTING RESIDENTIAL OR NEIGHBORHOOD ORGANIZATION OR
29 NEIGHBORHOOD WATCH GROUP;
30
31 (2) ONE (1) MEMBER REPRESENTING A DULY ORGANIZED AND EXISTING
32 MEDICAL MARIHUANA PATIENT ADVOCACY ORGANIZATION;
33
34
35 (3) TWO (2) MEMBERS POSSESSING BUSINESS EXPERIENCE FROM THE
36 GENERAL POPULATION OF THE CITY.
37

38 (C) THE CHAIRPERSON OF THE COMMISSION SHALL BE ELECTED ANNUALLY
39 BY A MAJORITY VOTE OF THE MEMBERS OF THE COMMISSION. THE
40 COMMISSION MAY MEET AT SUCH TIMES AS THE COMMISSION MAY DETERMINE
41 OR AS OTHERWISE REQUIRED IN THIS CHAPTER. THE COMMISSION SHALL
42 ADOPT ITS OWN RULES OF PROCEDURE AND SHALL KEEP A RECORD OF ITS
43 PROCEEDINGS, SHOWING THE ACTION OF THE COMMISSION AND THE VOTE OF
44 EACH MEMBER UPON EACH QUESTION CONSIDERED. ALL MEETINGS OF THE
45 COMMISSION SHALL BE HELD IN CONFORMANCE WITH THE MICHIGAN OPEN

1 MEETINGS ACT, 1976 PA 267, MCL 15.261 ET SEQ. THE COMMISSION SHALL KEEP A
2 RECORD WHICH SHALL BE OPEN TO THE PUBLIC. THE PRESENCE OF FOUR (4)
3 MEMBERS SHALL CONSTITUTE A QUORUM FOR VOTING PURPOSES.
4

5 (D) NO VOTING MEMBER OF THE COMMISSION SHALL HOLD ANY OTHER
6 PUBLIC OFFICE OR PUBLIC EMPLOYMENT IN ANY LOCAL UNIT OF
7 GOVERNMENT SUPPORTED BY LANSING PROPERTY TAXES IN WHOLE OR IN
8 PART. NO MEMBER OF THE COMMISSION SHALL HAVE ANY DIRECT
9 FINANCIAL INTEREST IN A MEDICAL MARIHUANA ESTABLISHMENT.
10

11 (E) THE COMMISSION SHALL REVIEW ALL APPLICATIONS THAT ARE
12 FORWARDED TO IT BY THE CITY CLERK UNDER THIS CHAPTER. A LICENSE
13 SHALL NOT BE ISSUED UNTIL THE COMMISSION HAS ACTED ON THE
14 APPLICATION BY ISSUING A CERTIFICATE OF APPROVAL BY A MAJORITY VOTE
15 OF THE COMMISSION MEMBERS VOTING AT A MEETING.
16

17 (F) THE COMMISSION MAY PROPOSE CHANGES TO THIS CHAPTER TO THE CITY
18 COUNCIL AND MAY RECOMMEND RULES AND REGULATIONS RELATED TO THIS
19 CHAPTER FOR COUNCIL APPROVAL.
20

21 (G) THE CHIEF OF POLICE (OR A DESIGNEE), THE CHIEF OF THE FIRE
22 DEPARTMENT (OR A DESIGNEE) AND THE DIRECTOR OF PLANNING AND
23 NEIGHBORHOOD DEVELOPMENT (OR A DESIGNEE) SHALL ALSO SERVE THE
24 COMMISSION IN AN EX OFFICIO NON-VOTING CAPACITY.
25
26
27

28 **1300.4 - OPERATION WITHOUT LICENSE PROHIBITED.**
29

30 (A) EVERY MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY OF LANSING
31 SHALL BE LICENSED PURSUANT TO THE TERMS AND PROVISIONS SET FORTH
32 IN THIS CHAPTER. EXCEPT AS PROVIDED IN SUBSECTION 1300.4(b), NO PERSON
33 SHALL OPERATE A MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY
34 WITHOUT FIRST OBTAINING A LICENSE FOR THE MEDICAL MARIHUANA
35 ESTABLISHMENT FROM THE CITY CLERK. A MEDICAL MARIHUANA
36 ESTABLISHMENT OPERATING WITHOUT A LICENSE UNDER THE PROVISIONS
37 OF THIS CHAPTER IS DEEMED A PUBLIC NUISANCE.
38

39 (B) A MEDICAL MARIHUANA ESTABLISHMENT THAT IS OPERATING ON THE
40 EFFECTIVE DATE OF THIS CHAPTER AND IS NOT IN VIOLATION OF THE CITY'S
41 MORATORIUM ON STARTING NEW OPERATIONS (CITY ORDINANCE 1202) MAY
42 CONTINUE TO OPERATE DURING THE APPLICATION SUBMISSION AND REVIEW
43 PERIODS PROVIDED FOR IN SECTIONS 1300.5 AND 1300.6, ONLY SO LONG AS IT
44 SUBMITS ITS APPLICATION FOR A LICENSE WITHIN 30 DAYS OF THE
45 EFFECTIVE DATE OF THIS CHAPTER AND ONLY SO LONG AS IT HAS NOT BEEN
46 NOTIFIED BY THE CITY CLERK THAT IT WOULD NOT BE RECEIVING A LICENSE

1 OR THAT ITS APPLICATION WOULD NOT BE SUBMITTED TO THE COMMISSION
2 FOR CONSIDERATION PURSUANT TO 1300.5 (C) AND (E). ONCE A MEDICAL
3 MARIHUANA ESTABLISHMENT IS NOTIFIED BY THE CITY CLERK THAT IT WILL
4 NOT RECEIVE A LICENSE OR THAT ITS APPLICATION WILL NOT BE
5 SUBMITTED TO THE COMMISSION FOR CONSIDERATION, THE MEDICAL
6 MARIHUANA ESTABLISHMENT MUST CEASE OPERATING WITHIN 30
7 CALENDAR DAYS FROM THE DATE OF SUCH NOTIFICATION.
8

9 (C) THE CITY CLERK SHALL ISSUE A NEW LICENSE FOR A MEDICAL
10 MARIHUANA ESTABLISHMENT ONLY AFTER THE COMMISSION HAS ISSUED A
11 CERTIFICATE OF APPROVAL. THE TERM OF EACH LICENSE SHALL BE ONE
12 YEAR.
13

14
15 **1300.5– LICENSE APPLICATION SUBMISSION.**
16

17 (A) EACH MEDICAL MARIHUANA ESTABLISHMENT MUST BE LICENSED BY
18 THE CITY. APPLICATIONS FOR A LICENSE SHALL BE MADE IN WRITING TO
19 THE CITY CLERK. ALL APPLICATIONS SUBMITTED TO THE CITY CLERK SHALL
20 BE CONSIDERED FOR THE ISSUANCE OF A LICENSE.
21

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

26 (1) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICANT'S NAME,
27 DATE OF BIRTH, PHYSICAL ADDRESS, EMAIL ADDRESS, ONE OR MORE PHONE
28 NUMBERS, INCLUDING EMERGENCY CONTACT INFORMATION, A COPY OF A
29 GOVERNMENT ISSUED PHOTO IDENTIFICATION CARD OF THE APPLICANT,
30 AND A COPY OF THE APPLICANT'S CAREGIVER REGISTRY IDENTIFICATION
31 CARD ISSUED PURSUANT TO THE MMMA;
32

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

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

1
2 (4) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS,
3 FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE APPLICANT,
4 AFFIRMATION THAT EACH IS AT LEAST 18 YEARS OF AGE AND HAS NOT BEEN
5 CONVICTED OF OR PLED GUILTY OR NO CONTEST TO A DISQUALIFYING
6 FELONY. WITH RESPECT TO ALL OTHER MEDICAL MARIHUANA
7 ESTABLISHMENTS, FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE
8 APPLICANT, AN AFFIRMATION THAT EACH AND EACH AGENT OR EMPLOYEE
9 IS AT LEAST 18 YEARS OF AGE AND HAS NOT BEEN CONVICTED OF OR PLED
10 GUILTY OR NO CONTEST TO A DISQUALIFYING FELONY;
11

12 (5) A SIGNED RELEASE AUTHORIZING THE CITY OF LANSING POLICE
13 DEPARTMENT TO PERFORM A CRIMINAL BACKGROUND CHECK TO
14 ASCERTAIN WHETHER THE APPLICANT, EACH STAKEHOLDER OF THE
15 APPLICANT, EACH OPERATOR AND EMPLOYEE OF THE APPLICANT MEET THE
16 CRITERIA SET FORTH IN THIS CHAPTER;
17

18 (6) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS,
19 THE NAME, DATE OF BIRTH, PHYSICAL ADDRESS, COPY OF PHOTO
20 IDENTIFICATION, AND EMAIL ADDRESS FOR ANY OPERATOR OR EMPLOYEE
21 IF OTHER THAN THE APPLICANT;
22

23 (7) AN AFFIRMATION UNDER OATH AS TO WHETHER THE APPLICANT
24 OR OPERATOR HAS HAD A BUSINESS LICENSE REVOKED OR SUSPENDED, AND
25 IF REVOKED OR SUSPENDED, THEN THE REASON THEREFORE;
26

27 (8) FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE
28 APPLICANT, A RESUME THAT INCLUDES WHETHER THE INDIVIDUAL HAS ANY
29 RELEVANT EXPERIENCE WITH MEDICAL MARIHUANA OR A RELATED
30 INDUSTRY;
31

32 (9) A PATIENT EDUCATION PLAN TO DETAIL TO PATIENTS THE
33 BENEFITS OR DRAWBACKS OF CERTAIN MARIHUANA STRAINS OR PRODUCTS
34 IN CONNECTION WITH THE DEBILITATING MEDICAL CONDITIONS SET FORTH
35 IN THE MICHIGAN MEDICAL MARIHUANA ACT;
36

37 (10) A WRITTEN DESCRIPTION OF THE TRAINING AND EDUCATION THAT
38 THE APPLICANT WILL PROVIDE TO ALL EMPLOYEES;
39

40 (11) A COPY OF THE PROPOSED BUSINESS PLAN FOR THE
41 ESTABLISHMENT, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:
42

43 (I) THE PROPOSED OWNERSHIP STRUCTURE OF THE
44 ESTABLISHMENT, INCLUDING PERCENTAGE OWNERSHIP OF
45 EACH PERSON OR ENTITY; AND
46

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

(12) 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 THE LEASE FOR THE PREMISES;

(13) 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 MUST CONTAIN THE SPECIFICATION DETAILS OF EACH PIECE OF SECURITY EQUIPMENT. EACH MEDICAL MARIHUANA ESTABLISHMENT MUST HAVE A SECURITY GUARD PRESENT DURING BUSINESS HOURS;

(14) 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;

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

(16) 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;

(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

1 ON-SITE BURNING OR INTRODUCTION IN THE SEWERAGE SYSTEM IS
2 PROHIBITED;

3
4 (18) A PROPOSED PATIENT RECORDKEEPING PLAN THAT WILL TRACK
5 QUANTITIES SOLD TO INDIVIDUAL PATIENTS AND CAREGIVERS, AND WILL
6 MONITOR INVENTORY;

7
8 (19) A DESCRIPTION OF PROCEDURES FOR TESTING OF CONTAMINANTS,
9 INCLUDING MOLD AND PESTICIDES;

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

16
17 (21) VERIFICATION, WITH COPIES OF ACTUAL BANK STATEMENTS,
18 SHOWING THAT THE APPLICANT HAS LIQUID FUNDS IN THE APPLICANT'S
19 NAME IN THE AMOUNT NEEDED TO COMPLETE THE MEDICAL MARIHUANA
20 ESTABLISHMENT, BUT IN NO EVENT LESS THAN TWENTY-FIVE (\$25,000)
21 THOUSAND DOLLARS IN IMMEDIATELY AVAILABLE FUNDS;

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

28
29 (23) AS IT RELATES TO A MEDICAL MARIHUANA GROWER FACILITY, THE
30 FOLLOWING ADDITIONAL ITEMS SHALL BE REQUIRED:

31
32 (I) A CULTIVATION PLAN THAT INCLUDES AT A MINIMUM A
33 DESCRIPTION OF THE CULTIVATION METHODS TO BE USED, INCLUDING
34 PLANS FOR THE GROWING MEDIUMS, TREATMENTS, AND / OR ADDITIVES;

35
36 (II) A PRODUCTION TESTING PLAN THAT INCLUDES AT A MINIMUM A
37 DESCRIPTION OF HOW AND WHEN SAMPLES FOR LABORATORY TESTING
38 BY AN INTERNATIONAL ORGANIZATION FOR STANDARDIZATION
39 ACCREDITED TESTING FACILITY WILL BE SELECTED, WHAT TYPE OF
40 TESTING WILL BE REQUESTED, AND HOW THE TEST RESULTS WILL BE
41 USED;

42
43 (III) AN AFFIDAVIT THAT ALL OPERATIONS WILL BE CONDUCTED IN
44 CONFORMANCE WITH THE MMMA OR OTHER APPLICABLE STATE LAW;

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

6
7 (V) ALL CULTIVATION MUST BE PERFORMED IN A BUILDING.
8

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

21 (25) ANY OTHER INFORMATION DEEMED NECESSARY BY THE CITY.
22
23
24

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

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

42 (E) NO APPLICATION SHALL BE SUBMITTED TO THE MEDICAL
43 MARIHUANA COMMISSION UNLESS:
44

45 (1) THE FIRE DEPARTMENT AND THE BUILDING SAFETY OFFICE HAVE
46 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 REFER A COPY OF THE APPLICATION TO THE COMMISSION FOR ITS CONSIDERATION.

1300.6-LICENSE APPLICATION EVALUATION.

(A) EXCEPT AS PROVIDED IN SECTION 1300.8 (A), THE COMMISSION WILL ASSESS ALL APPLICATIONS REFERRED TO IT BY THE CITY CLERK PURSUANT TO SECTION 1300.5.

(B) IN ITS APPLICATION DELIBERATIONS, THE COMMISSION 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) (1-24).

(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

1 IN THE MEDICAL MARIHUANA INDUSTRY, OR POSE A THREAT TO
2 THE PUBLIC HEALTH, SECURITY, SAFETY, MORALS, GOOD ORDER, OR
3 GENERAL WELFARE.
4

5 (C) IF THE COMMISSION ISSUES A CERTIFICATE OF APPROVAL TO AN
6 APPLICANT, THE CITY CLERK SHALL ISSUE AN INITIAL LICENSE TO
7 THAT APPLICANT WITHIN TEN (10) BUSINESS DAYS.
8

9 (D) NOTHING IN THIS SECTION IS INTENDED TO CONFER A PROPERTY OR
10 OTHER RIGHT, DUTY, PRIVILEGE OR INTEREST ENTITLING AN
11 APPLICANT TO AN ADMINISTRATIVE HEARING UPON DENIAL OF AN
12 APPLICATION OR WITH REGARD TO ANY SCORING DECISION.
13

14
15 **1300.7 – LICENSE RENEWAL APPLICATION.**
16

17 (A) APPLICATION FOR A LICENSE RENEWAL REQUIRED BY THIS
18 CHAPTER SHALL BE MADE IN WRITING TO THE CITY CLERK AT LEAST THIRTY
19 (30) DAYS PRIOR TO THE EXPIRATION OF AN EXISTING LICENSE.
20

21 (B) AN APPLICATION FOR A LICENSE RENEWAL REQUIRED BY THIS
22 CHAPTER SHALL BE MADE UNDER OATH ON A FORM PROVIDED BY THE CITY,
23 AND SHALL CONTAIN ALL OF THE INFORMATION REQUIRED BY 1300.5(b).
24

25 (C) AN APPLICATION SHALL BE ACCOMPANIED BY A RENEWAL FEE IN
26 AN AMOUNT ESTABLISHED BY CITY COUNCIL RESOLUTION, OF WHICH HALF
27 WILL BE RETURNED SHOULD THE LICENSE NOT BE RENEWED. THE RENEWAL
28 FEE IS ESTABLISHED TO DEFRAID THE COSTS OF THE ADMINISTRATION OF THIS
29 CHAPTER.
30

31 (D) UPON RECEIPT OF A COMPLETED APPLICATION MEETING THE
32 REQUIREMENTS OF THIS CHAPTER AND THE LICENSE RENEWAL FEE, THE CITY
33 CLERK SHALL REFER A COPY OF THE RENEWAL APPLICATION TO EACH OF THE
34 FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT, THE BUILDING
35 SAFETY OFFICE, THE LANSING POLICE DEPARTMENT, THE ZONING
36 ADMINISTRATOR, THE CITY TREASURER, AND THE MEDICAL MARIHUANA
37 COMMISSION.
38

39 (E) NO RENEWAL APPLICATION SHALL BE APPROVED UNLESS:
40

41 (1) THE FIRE DEPARTMENT AND THE BUILDING SAFETY OFFICE HAVE
42 INSPECTED THE PROPOSED LOCATION FOR COMPLIANCE WITH ALL
43 LAWS FOR WHICH THEY ARE CHARGED WITH ENFORCEMENT WITHIN
44 THE PAST CALENDAR YEAR;
45

(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 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 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 WITHIN 60 DAYS OF THE APPLICATION BEING FILED.

1300.8 – LICENSES GENERALLY.

(A) TO THE EXTENT PERMISSIBLE, ALL INFORMATION SUBMITTED IN CONJUNCTION WITH AN APPLICATION FOR A LICENSE OR LICENSE RENEWAL REQUIRED BY THIS CHAPTER IS CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE MICHIGAN FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 ET SEQ. FURTHERMORE, NO PERSONAL INFORMATION CONCERNING THE APPLICANT SHALL BE SUBMITTED TO THE MEDICAL 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, THE CITY TREASURER, AND THE MEDICAL MARIHUANA COMMISSION. NO LICENSE TRANSFER SHALL BE APPROVED UNLESS EACH SUCH INDIVIDUAL OR DEPARTMENT GIVES WRITTEN APPROVAL THAT THE LICENSEE AND THE PROPOSED LICENSE LOCATION MEET THE STANDARDS IDENTIFIED IN 1300.5(E) AND THE MEDICAL

MARIHUANA COMMISSION 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.

(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.

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

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

(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

1 THE MMMA, NO MEDICAL MARIHUANA IS PERMITTED TO BE STORED IN AN
2 AREA ACCESSIBLE BY THE GENERAL PUBLIC OR REGISTERED
3 CUSTOMERS/PATIENTS. MEDICAL MARIHUANA MAY BE DISPLAYED IN A SALES
4 AREA ONLY IF PERMITTED BY THE MMMA;

5
6 (G) ANY USABLE MEDICAL MARIHUANA REMAINING ON THE PREMISES OF A
7 MEDICAL MARIHUANA PROVISIONING CENTER WHILE THE MEDICAL
8 MARIHUANA PROVISIONING CENTER IS NOT IN OPERATION SHALL BE SECURED
9 IN A SAFE PERMANENTLY AFFIXED TO THE PREMISES;

10
11 (H) DRIVE-THROUGH WINDOW ON THE PREMISES OF A MEDICAL MARIHUANA
12 PROVISIONING CENTER SHALL NOT BE PERMITTED;

13
14 (I) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPERATED IN
15 A MANNER CREATING NOISE, DUST, VIBRATION, GLARE, FUMES, OR ODORS
16 DETECTABLE TO NORMAL SENSES BEYOND THE BOUNDARIES OF THE PROPERTY
17 ON WHICH THE MEDICAL MARIHUANA PROVISIONING CENTER IS OPERATED;

18
19 (J) THE LICENSE REQUIRED BY THIS CHAPTER SHALL BE PROMINENTLY
20 DISPLAYED ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING
21 CENTER;

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

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

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

1 USING THIS PRODUCT. KEEP THIS PRODUCT OUT OF REACH OF
2 CHILDREN. THIS PRODUCT MAY NOT BE USED IN ANY WAY THAT DOES
3 NOT COMPLY WITH STATE LAW OR BY PERSON WHO DOES NOT
4 POSSESS A VALID MEDICAL MARIHUANA PATIENT REGISTRY CARD.”

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

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

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

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

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

28
29 (Q) IT SHALL BE PROHIBITED TO USE THE SYMBOL OR IMAGE OF A
30 MARIHUANA LEAF IN ANY EXTERIOR BUILDING SIGNAGE.

31
32 (R) NO LICENSED MEDICAL MARIHUANA PROVISIONING CENTER SHALL
33 PLACE OR MAINTAIN, OR CAUSE TO BE PLACED OR MAINTAINED, AN
34 ADVERTISEMENT OF MEDICAL MARIHUANA IN ANY FORM OR THROUGH ANY
35 MEDIUM:

36
37 (1) WITHIN ONE THOUSAND (1,000) FEET MEASURED PROPERTY LINE TO
38 PROPERTY LINE OF THE REAL PROPERTY LINE COMPRISING AN OPERATIONAL
39 PUBLIC OR PRIVATE ELEMENTARY OR SECONDARY SCHOOL; A COMMERCIAL
40 CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS REQUIRED
41 TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF
42 HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE
43 CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ; OR

44
45 (2) WITHIN FIVE HUNDRED (500) FEET, MEASURED PROPERTY LINE TO
46 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; OR ANOTHER MEDICAL MARIHUANA ESTABLISHMENT.

(S) 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 MICHIGAN MEDICAL MARIHUANA ACT AND THE GENERAL RULES OF THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, AS THEY 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 CULTIVATION FACILITY;

(3) ALL ACTIVITY RELATED TO THE CULTIVATION FACILITY SHALL BE DONE 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 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

1 TO VERIFY THE LAWFUL AMOUNT OF MEDICAL MARIHUANA AT THE
2 FACILITY;

3
4 (6) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
5 BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MICHIGAN
6 MEDICAL MARIHUANA ACT, AS AMENDED;

7
8 (7) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL
9 PERMITS SHALL BE OBTAINED FOR ANY PORTION OF THE STRUCTURE IN
10 WHICH ELECTRICAL WIRING, LIGHTING AND/OR WATERING DEVICES THAT
11 SUPPORT THE CULTIVATION, GROWING OR HARVESTING OF MARIHUANA ARE
12 LOCATED;

13
14 (8) THAT PORTION OF THE STRUCTURE WHERE ANY CHEMICALS SUCH AS
15 HERBICIDES, PESTICIDES, AND FERTILIZERS ARE STORED SHALL BE SUBJECT
16 TO INSPECTION AND APPROVAL BY THE LANSING FIRE DEPARTMENT TO
17 INSURE COMPLIANCE WITH THE MICHIGAN FIRE PROTECTION CODE;

18
19 (9) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
20 MARIHUANA GROWER FACILITY SHALL BE PROHIBITED;

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

27
28 (11) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
29 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY,
30 INCLUDING BUT NOT LIMITED TO:

31
32 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;

33
34 (II) WASHING HANDS THOROUGHLY IN ADEQUATE HAND-WASHING
35 AREAS BEFORE STARTING WORK AND AT ANY OTHER TIME WHEN THE
36 HANDS MAY HAVE BECOME SOILED OR CONTAMINATED.

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

43
44 (12) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
45 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN

1 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
2 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
3

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

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

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

17 (16) EACH CULTIVATION CENTER SHALL PROVIDE ITS OCCUPANTS WITH
18 ADEQUATE AND READILY ACCESSIBLE TOILET FACILITIES THAT ARE
19 MAINTAINED IN A SANITARY CONDITION AND GOOD REPAIR;
20

21 (17) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
22 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
23 PREVENTS THE GROWTH OF THESE MICROORGANISMS;
24

25 (18) MEDICAL MARIHUANA GROWER FACILITIES SHALL BE FREE FROM
26 INFESTATION BY INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;
27

28 (19) MEDICAL MARIHUANA GROWER FACILITIES SHALL PRODUCE NO
29 PRODUCTS OTHER THAN USEABLE MEDICAL MARIHUANA INTENDED FOR
30 HUMAN CONSUMPTION.
31

32 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
33 MEDICAL MARIHUANA GROWER FACILITY SHALL BE PROHIBITED.
34

35 **1300.11 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
36 **SAFETY COMPLIANCE FACILITY.**
37

38 (A) THE FOLLOWING MINIMUM STANDARDS FOR SAFETY COMPLIANCE
39 FACILITIES SHALL APPLY:
40

41 (1) THE SAFETY COMPLIANCE FACILITY SHALL COMPLY AT ALL TIMES
42 AND IN ALL CIRCUMSTANCES WITH THE MICHIGAN MEDICAL MARIHUANA
43 ACT AND THE GENERAL RULES OF THE DEPARTMENT OF LICENSING AND
44 REGULATORY AFFAIRS, AS THEY MAY BE AMENDED FROM TIME TO TIME;
45

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 FACILITY;
4

5 (3) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
6 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT
7 ON THE PREMISES;
8

9 (4) ANY SAFETY COMPLIANCE FACILITY SHALL MAINTAIN A LOG BOOK
10 AND/OR DATABASE IDENTIFYING BY DATE THE AMOUNT OF MEDICAL
11 MARIHUANA ON THE PREMISES AND FROM WHICH PARTICULAR SOURCE.
12 THE FACILITY SHALL MAINTAIN THE CONFIDENTIALITY OF QUALIFYING
13 PATIENTS IN COMPLIANCE WITH THE MICHIGAN MEDICAL MARIHUANA ACT,
14 AS AMENDED;
15

16 (5) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
17 BUILDING IN AN ENCLOSED, LOCKED FACILITY IN ACCORDANCE WITH THE
18 MICHIGAN MEDICAL MARIHUANA ACT, AS AMENDED;
19

20 (6) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN THE
21 SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH TESTING MEDICAL
22 MARIHUANA;
23

24 (7) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
25 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY;
26

27 (8) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
28 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
29 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
30 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
31

32 (9) FLOORS, WALLS AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
33 MANNER THAT THEY MAY ADEQUATELY CLEANED AND KEPT CLEAN AND IN
34 GOOD REPAIR;
35

36 (10) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
37 MAINTAINED IN A SANITARY CONDITION;
38

39 (11) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
40 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
41 PREVENTS THE GROWTH OF THESE MICROORGANISMS;
42

43 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
44 MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE PROHIBITED.
45

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

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

(1) THE PROCESSOR SHALL COMPLY AT ALL TIMES AND IN ALL CIRCUMSTANCES WITH THE MICHIGAN MEDICAL MARIHUANA ACT AND THE GENERAL RULES OF THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, 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 FACILITY;

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

(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 FACILITY SHALL MAINTAIN A LOG BOOK AND/OR DATABASE 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 MICHIGAN MEDICAL MARIHUANA ACT, AS AMENDED;

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

(9) THAT PORTION OF THE STRUCTURE WHERE THE STORAGE OF ANY CHEMICALS SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE

1 LANSING FIRE DEPARTMENT TO INSURE COMPLIANCE WITH THE MICHIGAN
2 FIRE PROTECTION CODE;

3
4 (10) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
5 MARIHUANA PROCESSOR FACILITY SHALL BE PROHIBITED EXCEPT AS
6 AUTHORIZED BY LANSING CITY CHARTER AND STATE LAW;

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

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

16
17 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;

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

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

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

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

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

44
45 (16) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
46 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 PROCESSOR FACILITY SHALL BE PROHIBITED.

1300.13 - LOCATION OF MEDICAL MARIJUANA PROVISIONING CENTERS .

(A) NO MEDICAL MARIJUANA PROVISIONING CENTER SHALL BE LOCATED WITHIN:

(1) ONE THOUSAND (1000) FEET, MEASURED FROM PROPERTY LINE TO PROPERTY LINE, OF AN OPERATIONAL PUBLIC OR PRIVATE ELEMENTARY OR SECONDARY SCHOOL; 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, 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; 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.

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

(A) NO MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY, MEDICAL
MARIHUANA PROCESSOR FACILITY, OR MEDICAL MARIHUANA GROWER
FACILITY 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 PUBLIC OR PRIVATE ELEMENTARY OR SECONDARY
SCHOOL; 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, 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 OR ANOTHER MEDICAL MARIHUANA
ESTABLISHMENT.

(B) ALL MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL
MARIHUANA GROWER FACILITIES AND MEDICAL MARIHUANA PROCESSOR
FACILITIES SHALL BE SUBJECT TO 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.

1300.15 - DENIAL AND REVOCATION.

(A) A LICENSE ISSUED UNDER THIS CHAPTER MAY BE REVOKED AFTER AN
ADMINISTRATIVE HEARING AT WHICH THE CITY CLERK DETERMINES THAT ANY
GROUNDS FOR REVOCATION 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);

1
2 (B) A LICENSE APPLIED FOR OR ISSUED UNDER THIS CHAPTER MAY BE
3 DENIED OR REVOKED ON ANY OF THE FOLLOWING BASES:

4
5 (1) A MATERIAL VIOLATION OF ANY PROVISION OF THIS CHAPTER;

6
7 (2) ANY CONVICTION OF A DISQUALIFYING FELONY;

8
9 (3) COMMISSION OF FRAUD OR MISREPRESENTATION OR THE MAKING OF
10 A FALSE STATEMENT BY THE APPLICANT OR ANY STAKEHOLDER OF THE
11 APPLICANT WHILE ENGAGING IN ANY ACTIVITY FOR WHICH THIS CHAPTER
12 REQUIRES A LICENSE;

13
14 (4) FAILURE TO OBTAIN A CERTIFICATE OF APPROVAL FROM THE
15 MEDICAL MARIHUANA COMMISSION ;

16
17 (5) THE MEDICAL MARIHUANA ESTABLISHMENT IS DETERMINED BY THE
18 CITY TO HAVE BECOME A PUBLIC NUISANCE.

19
20 (C) APPEAL OF DENIAL OF APPLICATION: THE CITY CLERK SHALL NOTIFY
21 AN APPLICANT OF THE REASON (S) FOR DENIAL OF AN APPLICATION AND
22 PROVIDE THE APPLICANT WITH THE OPPORTUNITY TO BE HEARD. ANY
23 APPLICANT AGGRIEVED BY THE DENIAL OF A LICENSE UNDER THIS CHAPTER
24 MAY APPEAL TO THE CITY CLERK. SUCH APPEAL SHALL BE TAKEN BY FILING
25 WITH THE CITY CLERK, WITHIN 14 DAYS AFTER NOTICE OF THE ACTION
26 COMPLAINED OF HAS BEEN MAILED TO THE APPLICANT'S LAST KNOWN
27 ADDRESS, A WRITTEN STATEMENT SETTING FORTH FULLY THE GROUNDS
28 FOR THE APPEAL. THE REVIEW ON APPEAL SHALL BE LIMITED TO WHETHER
29 THERE HAS BEEN AN ABUSE OF DISCRETION IN THE DECISION TO DENY THE
30 APPLICATION. THE DECISION AND ORDER OF THE CITY CLERK ON APPEAL
31 SHALL BE FINAL AND CONCLUSIVE.

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35 **1300.16 - PENALTIES.**

36
37 (A) THE CITY OF LANSING MAY REQUIRE AN APPLICANT OR LICENSEE OF A
38 MEDICAL MARIHUANA FACILITY TO PRODUCE DOCUMENTS, RECORDS, OR ANY
39 OTHER MATERIAL PERTINENT TO THE INVESTIGATION OF AN APPLICATION OR
40 ALLEGED VIOLATION OF THIS CHAPTER. FAILURE TO PROVIDE THE REQUIRED
41 MATERIAL MAY BE GROUNDS FOR APPLICATION DENIAL OR LICENSE
42 REVOCATION;

43
44 (B) ANY PERSON IN VIOLATION OF ANY PROVISION OF THIS CHAPTER SHALL
45 BE SUBJECT TO A CIVIL FINE AND COSTS. INCREASED CIVIL FINES MAY BE
46 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 CITY CLERK MAY TEMPORARILY SUSPEND A MEDICAL MARIHUANA ESTABLISHMENT LICENSE WITHOUT A PRIOR HEARING IF THE CITY CLERK FINDS THAT PUBLIC SAFETY OR WELFARE REQUIRES EMERGENCY ACTION AFFECTING THE PUBLIC HEALTH, SAFETY, OR WELFARE. THE CITY CLERK SHALL CAUSE THE TEMPORARY SUSPENSION BY ISSUING A SUSPENSION NOTICE IN CONNECTION WITH INSTITUTION OF PROCEEDINGS FOR NOTICE AND A HEARING;

(E) IF THE CITY CLERK 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 ISSUED. THE HEARING SHALL BE LIMITED TO THE ISSUES CITED IN THE SUSPENSION NOTICE;

(F) IF THE CITY CLERK DOES NOT HOLD A HEARING WITHIN THIRTY (30) DAYS AFTER THE DATE OF SUSPENSION WAS ISSUED, 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

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

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.