



**AGENDA**  
**Committee on Public Safety**  
**Tuesday, April 18, 2017 @ 3:30 p.m.**  
**City Hall, Council Chambers**

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

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
  - April 5, 2017
4. **Public Comment on Agenda Items**
5. **Discussion/Action:**
  - A.) DISCUSSION- Draft Ordinance –Medical Marihuana Licensing
  - B.) DISCUSSION – Medical Marihuana Moratorium
6. **Other**
7. **Adjourn**



**MINUTES**  
**Committee on Public Safety**  
**Wednesday, April 5, 2017 @ 3:30 p.m.**  
**City Hall, Council Chambers**

**CALL TO ORDER**

The meeting called to order at 3:34 p.m.

**ROLL CALL**

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

**OTHERS PRESENT**

Sherrie Boak, Council Staff  
Jim Smiertka, City Attorney  
Heather Sumner, Assistant City Attorney  
Mark Dotson, Deputy City Attorney  
Mary Ann Prince  
Kath Miles  
Jon Miles  
Elaine Womboldt  
Teisah Doyle  
Rev. Jeremy Hall  
David Dodson  
Rich Hall  
Lee Klein  
Bryan Maylow  
Brant Johnson

**MINUTES**

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM MARCH 15, 2017 AS PRESENTED. MOTION CARRIED 3-0.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM MARCH 30, 2017 AS PRESENTED. MOTION CARRIED 3-0.

**PUBLIC COMMENT**

No public comment at this time.

**DISCUSSION/ACTION:**

**ORDINANCE DRAFT #7 Medical Marihuana Licensing**

Council Member Hussain provided a history of the process of the recent ordinance, with draft 7 being reviewed 3 weeks prior at which the Committee vetted the first 16 pages. Since that time, Council Member Hussain stated he had received a communication from the City Attorney that there was additional language that needed to be added.

Mr. Smietka then presented his findings from attending a recent conference where he had conversations with the LARA Director. One of the issues was that performance standards for different centers should be put in the ordinance at a local level or subject to the license at the State. Under the State Facilities Act, there are performance standards for difference centers. In Draft 7 a lot of those issues should be handled by the State, and in preparing Draft 7 those were taken out. Mr. Smiertka admitted that he had asked the Director of LARA, and her recommendation was to put the performance standards in the local ordinance because the State Commission has not been appointed yet and they would need time to get organized, and would not be addressed at the state level until 2018.

Council Member Wood stated her concern that the Committee worked on and moved draft 6a based on direction and review by the City Attorney incorporating points that duplicate the State. She pointed out that then the City Attorney took those points out of Draft 7, however the City Attorney was asking to place them back in. Therefore Council Member Wood asked the Committee to consider going back to the Draft 6a version. Another topic to consider, Council Member Wood suggested looking at other municipalities because some only allow dispensaries, some only allow grow facilities.

Council Member Hussain went over the timeline of the ordinances that have addressed medical marihuana, which includes the 2011 ordinance which is still on the books, and the City Attorney has deemed enforceable. That ordinance has a cap on dispensaries at 48. In 2013 the State Supreme Court upheld the State Attorney General. Dispensaries then were closed, but with no enforcement they started to open up again. In 2016 the Council started again to address the issues and in doing so reached out to patient advocacy groups, medical dispensaries and neighborhoods. The timeline continued in September 2016 when the Committee passed the final draft to the Planning Board for their zoning review. On October 4, 2016 the City Attorney asked for 60 days to review the ordinance again, and with recent State legislation, the City Attorney thought the ordinance should comport to State law. Council Member Hussain asked the question on why the Planning Board reviewed the complete ordinance when the State only allows them to review the zoning, and then concluded his overview of the timeline noting that Draft 7 was presented back to the Committee in early 2017.

Council Member Hussain offered options to the other Committee members to consider, including continuing to vet Draft 7; revert back to Draft 6a and make changes to reflect the State laws and Act; lastly the option to acknowledge that the current ordinance is on the books and amend the language to reduce from 48 dispensaries or lower. Council Member Hussain pointed out that the current ordinance has been deemed by the City Attorney to be legal and enforceable.

Mr. Smiertka wanted the Committee to know that when his department were working on the ordinance in 2016, there were also draft bills in the legislature and they tried to comport with those bills which eventually became law. One of those bills was the charge of the Commission and the review of the performance standards. Mr. Smiertka then pointed out that since that time, those items have changed at the State level because the State will not be able to get to that part because of timing, therefore Mr. Smierkta at this time was asking for the

performance standards to be added back in to the ordinance. Mr. Smiertka then defended the earlier 60 day review request form 2016 was to look at definitions in Draft 6a, to make sure no elements of vagueness.

Council Member Wood pointed out that the definitions for parks and play grounds were never a discussion in Draft 6a, and there is already a clear definition in the Charter and Master Plan, and so asked what information was additional. Mr. Smiertka defended it was to make consistency and eliminate any vagueness. Mr. Smiertka went on to speak on the Draft 7 where he placed a reserve section for the Committee to decide if they want to put in a "Commission".

Council Member Hussain provided his opinion that additional definitions is not an issue, but there seemed to be an ongoing back and forth discussion and recommendations from Law, and therefore he was leaning towards going back to Draft 6a, which the Committee had already taken the time to make sure it comported with the State and also had approached the community on for discussion. Council Member Hussain then voiced his concern again on the role that the Planning Board took during their review what was out of their area to review and comment on. Mr. Smiertka admitted he had not attended the first meeting of the Planning Board review of the ordinance, but he did provide them with direction on their only ability which was to review the zoning issues. In February 2017 he went to the Planning Board with only the three (3) pages in the Draft 7 ordinance that they could review. He assured the Committee at this time that there would be no legal reason to go back to the Planning Board with 6a because they have already had input on that. He added that the only changes he saw to 6a would be definition changes at this point to comply with the State Act.

Council Member Wood asked about the drive-thru window item that was removed from the ordinance. Mr. Smiertka assured them that Law provided information, and the Committee can consider and proceed the way they wish.

Council Member Wood asked Law about the ordinance that is currently on the books and they have told Council is enforceable, what does Law consider that to be now. Mr. Smiertka acknowledged he would have to look at it again and do a review of it before he can determine what would occur under that current ordinance. Council Member Hussain reminded the Committee and Law that in October of 2016 the Committee and Council made a motion to repeal the current ordinance that is on the books and they were advised by Law not to repeal it because it would be better to have something then nothing. Mr. Smiertka confirmed there is something on the books and you could assume everyone is acting in accordance with it.

Council Member Houghton spoke in support of Draft 6a, stating it appeared to be what the City needed, and her opinion would be to provide something concrete and enforceable. She added that there are other Council Members who have an interest that do not sit on this Committee, and the consideration should be given to move the ordinance to another Committee such as Development & Planning where zoning is addressed. Council Member Wood asked for those concerns from other Council Members, but Council Member Houghton did not have specifics, but that all Council Members have an interest in how the Ordinance is written.

Council Member Wood supported moving in the direction of back to Draft 6a making the adjustments that need to be made based on the recent findings by Law from the Director of LARA and any changes to comply with the recent State Act.

Mr. Smiertak stated Law will go back to 6a, but wanted the Committee to know of what he thought were five (5) issues. Those being whether the ordinance would stay in this

Committee, another Committee or Committee of the Whole; whether there will be a Volunteer Commission; how to vet the applications and guidelines on the decisions; the topic of buffering; and the number of locations allowed. And additional topic he mentioned is if the Committee would consider only allowing certain uses, such only grow facilities would be allowed, or only dispensaries would be allowed, or only transporters. He again stated that LARA currently is not closing to setting up their Commission. The ordinance will also now include the item of hold harmless.

Council Member Hussain answered some of the questions on clarifying that the Commission and performance standards have been defined in the draft, the zoning and "child care" were defined, and there have been lengthy discussion on the number of facilities. With that being said, Council Member Hussain spoke in support of going back to Draft 6a with asking the City Attorney to look at the language for the appropriate changes. The Committee will still need to hold the discussion on the question of the Commission.

Mr. Smiertka acknowledged his office will begin work on the original Draft 6a and any debate from other Council Members will have to take place at the Council meeting. Council Member Hussain assured everyone present he would not take the route of discharging to another committee.

Ms. Sumner spoke on the influx in the State with the Department of LARA on their licensing and process for relicensing and Mr. Smiertka added that he was told that LARA will be going back to the legislature with changes.

Council Member Hussain asked Mr. Smiertka how long it would take his office to make the changes back to Draft 6a. Ms. Sumner asked the Committee to consider waiting until after a recent study commissioned by the City Pulse with MSU was done. Council Member Hussain assured her and the public he would not allow the City Pulse to dictate the path the ordinance would take. Mr. Smiertka stated his office could have it done in 2 weeks. There was a discussion on dates and due to scheduling conflicts by the Committee, it was determined not to wait 2 weeks but to have the topic up for discussion at a meeting on Wednesday, April 12<sup>th</sup> at 4 p.m. Mr. Smiertka stated his office could have it ready then.

The Committee discussed the topic of the "Commission", making the selection, guidelines and role. Council Member Wood supported leaving a place holder in the ordinance "Reserved" for the "Commission". Mr. Smiertka stated his only issue with that was that in Draft 7 where it is written that way; "Reserved", throughout the ordinance they had removed the word "Commission" and replaced it with "Clerk". Council Member Wood supported having a discussion on that when they review Draft 6a again.

The Committee then discussed the recent moratorium, businesses still opening or relocating, and obtaining a list. Mr. Smiertka suggested they could ask for a list to be compiled asking all current business inform them so they can create a "confirmed list". Council Member Houghton asked if the business replied would that give them any grandfathering rights. Mr. Smiertka stated they would still have to put in for registration so they can be checked. His office will have to discuss and plan the proper procedures to address this and the time line with the recent moratorium. The process can be discussed at the April 12<sup>th</sup> meeting.

Council Member Hussain started a discussion on the bill board signage and the window signage. Ms. Sumner admitted the Law office reviewed ordinance, where they found that in the downtown area they can have no more than 20% coverage. The Law office is continuing the research and considering proposing that same regulation throughout the entire City. She noted, that one issue they are also researching is the businesses who have franchise

agreements that require full window signage. In regards to the billboards that speak to “High Lansing”, Law does not see any way to address the billboard without a violation on their freedom of speech. Council Member Wood asked Mr. Smiertka if Draft 6a would speak to signage. Mr. Smiertka confirmed it would speak to the distance requirements in the zoning section, and under the Michigan Medical Licensing Act states that the “Commission” has permission to address with signage.

### **PUBLIC COMMENT**

Ms. Doyle spoke in support of medical marihuana and distributed reports to the Committee. Ms. Doyle asked that the Committee consider limiting commerce.

Rev. Hall spoke in support of the medical assistance and medical marihuana usage.

Ms. Miles referenced statistics on the medical marihuana in Colorado, supported draft 6a and the 2011 ordinance current on the books, and disagreed with the proposed buffering distance. Kathy miles- ref. statistics on med. Mari in Colorado. Support committee in the planning

Council Member Wood stepped away from the meeting at 4:46 p.m.

Ms. Prince spoke in support of an ordinance to regulate, and asked if the Committee could vote to not allow for any.

Mr. Dodson, resident from Ann Arbor, asked for details on the buffer from other facilities.

Mr. Hall acknowledged the Committee for their work, and referenced Section 1300.17 of Draft 7 and the distance between relevant facilities.

Council Member Wood returned to the meeting at 4:50 p.m.

Mr. Hall noted that there was nothing in the ordinance that defined *relevant facility*.

Ms. Womboldt spoke in support of the draft 6a, asked law if the current ordinance is active when they will start licensing current in the ordinance.

Mr. Klein asked who will draft the rules and regulations for the Commission, asked the Committee what the basis was for their decisions. Mr. Klein concluded with his belief that what is occurring in Colorado is working well.

Mr. Maylow spoke on behalf of the health industry and medical marihuana industry.

Mr. Johnson asked about the drive thru options and their limits. Mr. Johnson then asked if the moratorium would lifted for the businesses to participate.

Council Member Hussain acknowledged all the public comment and also confirmed that there has been an ordinance in place since 2011 and the business could be closed but have not. The State of Michigan gave the permission to the local government to determine what and where, and Draft 6a reflects that.

Regarding drive-thru, Mr. Smiertka stated it would be considered under zoning, as is similar to any other business who has a drive-thru. This Committee he stated could address a policy issue.

Council Member Wood pointed out to the public that the Ordinance from 2011 had a cap on the number and never received a law suit.

Council Member Hussain reminded the public and Committee that the next meeting would be April 12<sup>th</sup> at 4 p.m.

**ADJOURN**

The meeting was adjourned 5:07 p.m.

Submitted by, Sherrie Boak,

Recording Secretary

Lansing City Council

Approved: \_\_\_\_\_

**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, a Medical Marihuana Safety Compliance Facility, and **Medical Marihuana Secure Transporter.**
- 1300.13 Location of Medical Marihuana Provisioning Centers. .
- 1300.14 Location of Medical Marihuana Safety Compliance Facilities, Medical Marihuana Processor Facilities, Medical Marihuana Grower Facilities, and Medical Marihuana Secure Transporters.
- 1300.15 **Revocation; Bases for Revocation; Appeal of License Denial.**
- 1300.16 Penalties.
- 1300.17 No Vested Rights.
- 1300.18 Zoning Board of Appeals.
- 1300.19 Sunset.

**1300.1 –LEGISLATIVE INTENT.**

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

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

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

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

FOR THE PURPOSES OF THIS CHAPTER:

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

1  
2 (B) ANY TERM DEFINED BY 21 USC 860(E) REFERENCED IN THIS CHAPTER  
3 SHALL HAVE THE DEFINITION GIVEN BY 21 USC 860(E).  
4

5 (C) THIS ORDINANCE SHALL NOT LIMIT AN INDIVIDUAL'S OR ENTITY'S  
6 RIGHTS UNDER THE MMMA. THE MMMA AND THE MMFLA SUPERSEDE THIS  
7 ORDINANCE WHERE THERE IS A CONFLICT BETWEEN THEM.  
8

9 (D) ALL ACTIVITIES RELATED TO MEDICAL MARIHUANA, INCLUDING THOSE  
10 RELATED TO A MEDICAL MARIHUANA PROVISIONING CENTER, A MEDICAL  
11 MARIHUANA GROWER FACILITY, A MEDICAL MARIHUANA SECURE  
12 TRANSPORTER, A MEDICAL MARIHUANA PROCESSOR OR A MEDICAL  
13 MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE IN COMPLIANCE WITH  
14 THE RULES OF THE MEDICAL MARIHUANA LICENSING BOARD, THE MICHIGAN  
15 DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR ANY SUCCESSOR  
16 AGENCY, THE RULES AND REGULATIONS OF THE CITY OF LANSING, THE MMMA,  
17 AND THE MMFLA.  
18

19 (E) ANY USE WHICH PURPORTS TO HAVE ENGAGED IN THE CULTIVATION OR  
20 PROCESSING OF MEDICAL MARIHUANA INTO A USABLE FORM, OR THE  
21 DISTRIBUTION OF MEDICAL MARIHUANA, OR THE TESTING OF MEDICAL  
22 MARIHUANA EITHER PRIOR TO OR AFTER ENACTMENT OF THIS CHAPTER  
23 WITHOUT OBTAINING THE REQUIRED LICENSING SET FORTH IN THIS CHAPTER  
24 SHALL BE DEEMED NOT A LEGALLY ESTABLISHED USE AND THEREFORE NOT  
25 ENTITLED TO LEGAL NONCONFORMING STATUS UNDER THE PROVISIONS OF  
26 THIS CHAPTER, THE LANSING CODIFIED ORDINANCES AND/OR STATE LAW. THE  
27 CITY FINDS AND DETERMINES THAT IT HAS NOT HERETOFORE AUTHORIZED OR  
28 LICENSED THE EXISTENCE OF ANY MEDICAL MARIHUANA ESTABLISHMENT, AS  
29 DEFINED HEREIN, IN THE CITY.  
30

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

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

“CHAPTER” MEANS THIS CHAPTER 1300.

“CITY” MEANS THE CITY OF LANSING, MICHIGAN.

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

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

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

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

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

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

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

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

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

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

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

6  
7 “MEDICAL MARIHUANA LICENSING BOARD” MEANS THAT CERTAIN BOARD  
8 ESTABLISHED BY THE MMFLA.

9  
10 “MEDICAL MARIHUANA PROVISIONING CENTER,” MEANS A COMMERCIAL  
11 ENTITY LOCATED IN THE CITY THAT IS LICENSED TO OPERATE BY THE STATE  
12 PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO THIS  
13 CHAPTER, THAT SELLS, SUPPLIES, OR PROVIDES MARIHUANA TO REGISTERED  
14 QUALIFYING PATIENTS ONLY AS PERMITTED BY STATE LAW. MEDICAL  
15 MARIHUANA PROVISIONING CENTER, AS DEFINED IN THE MMFLA, INCLUDES  
16 ANY COMMERCIAL PROPERTY WHERE MARIHUANA IS SOLD IN CONFORMANCE  
17 WITH STATE LAW AND REGULATION. A NONCOMMERCIAL LOCATION USED BY A  
18 PRIMARY CAREGIVER TO ASSIST A QUALIFYING PATIENT, AS DEFINED IN THE  
19 MMMA, AND CONNECTED TO THE CAREGIVER THROUGH THE DEPARTMENT’S  
20 MARIHUANA REGISTRATION PROCESS IN ACCORDANCE WITH THE MMMA, IS  
21 NOT A MEDICAL MARIHUANA PROVISIONING CENTER.

22  
23 “MMMA” MEANS THE MICHIGAN MEDICAL MARIHUANA ACT, AS AMENDED,  
24 AT MCL 333.26421.

25  
26 “ORDINANCE” MEANS THE ORDINANCE ADOPTING THIS CHAPTER 1300.

27  
28 “PERSON” MEANS AN INDIVIDUAL, PARTNERSHIP, FIRM, COMPANY,  
29 CORPORATION, ASSOCIATION, SOLE PROPRIETORSHIP, LIMITED LIABILITY  
30 COMPANY, JOINT VENTURE, ESTATE, TRUST, OR OTHER LEGAL ENTITY.

31  
32  
33 “PROCESSOR” OR “MEDICAL MARIHUANA PROCESSOR FACILITY” MEANS A  
34 COMMERCIAL ENTITY LOCATED IN THIS CITY THAT IS LICENSED TO OPERATE  
35 BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY  
36 PURSUANT TO THIS CHAPTER, THAT EXTRACTS RESIN FROM THE MARIHUANA  
37 OR CREATES A MARIHUANA-INFUSED PRODUCT, TO THE EXTENT PERMITTED BY  
38 STATE LAW.”

39  
40 “SAFETY COMPLIANCE FACILITY” OR “MEDICAL MARIHUANA SAFETY  
41 COMPLIANCE FACILITY” MEANS A COMMERCIAL ENTITY THAT IS LICENSED TO  
42 OPERATE BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE  
43 CITY PURSUANT TO THIS CHAPTER, THAT RECEIVES MARIHUANA FROM A  
44 MEDICAL MARIHUANA ESTABLISHMENT OR A REGISTERED QUALIFYING  
45 PATIENT OR A REGISTERED PRIMARY CAREGIVER, TESTS IT FOR

1 CONTAMINANTS AND FOR TETRAHYDROCANNABINOL AND OTHER  
2 CANNABINOIDS IN ACCORDANCE WITH STATE LAW.

3  
4 “SECURE TRANSPORTER” OR “MEDICAL MARIHUANA SECURE TRANSPORTER”  
5 MEANS A COMMERCIAL ENTITY THAT IS LICENSED TO OPERATE BY THE STATE  
6 PURSUANT TO THE MMFLA AND IS LICENSED TO OPERATE BY THE CITY  
7 PURSUANT TO THIS CHAPTER, THAT IS A COMMERCIAL ENTITY LOCATED IN THIS  
8 CITY THAT STORES MARIHUANA AND TRANSPORTS MARIHUANA BETWEEN  
9 MEDICAL MARIHUANA FACILITIES FOR A FEE AND IN ACCORDANCE WITH STATE  
10 LAW.

11  
12 “STAKEHOLDER” MEANS, WITH RESPECT TO A TRUST, THE BENEFICIARIES,  
13 WITH RESPECT TO A LIMITED LIABILITY COMPANY, THE MANAGERS OR  
14 MEMBERS, WITH RESPECT TO A CORPORATION, WHETHER PROFIT OR NON-  
15 PROFIT, THE OFFICERS, DIRECTORS, OR SHAREHOLDERS, AND WITH RESPECT TO  
16 A PARTNERSHIP OR LIMITED LIABILITY PARTNERSHIP, THE PARTNERS, BOTH  
17 GENERAL AND LIMITED.

18  
19 “STATE” MEANS THE STATE OF MICHIGAN.

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

24  
25 (G) ANY TERM DEFINED BY THE MMMA, THE MMFLA, OR THE MTA AND NOT  
26 DEFINED IN THIS CHAPTER SHALL HAVE THE DEFINITION PROVIDED IN THOSE  
27 ACTS.

28 **1300.3 – ESTABLISHMENT OF THE MEDICAL MARIHUANA COMMISSION;**  
29 **MEMBERSHIP; CHAIRPERSON; MEETINGS.**

30  
31 (A) THE MEDICAL MARIHUANA COMMISSION IS HEREBY ESTABLISHED. THE  
32 COMMISSION SHALL CONSIST OF SEVEN (7) MEMBERS, WHO SHALL BE  
33 APPOINTED BY THE MAYOR WITH THE CONSENT OF COUNCIL. MEMBERS SHALL  
34 SERVE FOR TERMS OF OFFICE OF THREE (3) YEARS. PROVIDED, HOWEVER, FOR  
35 THE INITIAL APPOINTMENTS TO THE COMMISSION, TWO MEMBERS SHALL  
36 SERVE FOR A TERM OF ONE (1) YEAR, TWO MEMBERS SHALL SERVE FOR A TERM  
37 OF TWO (2) YEARS, AND THREE (3) MEMBERS SHALL SERVE FOR A TERM OF  
38 THREE (3) YEARS.

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

- 41  
42 (1) FOUR (4) MEMBERS, ONE FROM EACH WARD OF THE CITY, UPON  
43 BEING RECOMMENDED TO THE MAYOR BY THE COUNCIL PERSON IN  
44 THAT WARD, EACH WHO REPRESENTS A DULY ORGANIZED AND

EXISTING RESIDENTIAL OR NEIGHBORHOOD ORGANIZATION OR  
NEIGHBORHOOD WATCH GROUP;

(2) ONE (1) MEMBER REPRESENTING A DULY ORGANIZED AND EXISTING  
MEDICAL MARIHUANA PATIENT ADVOCACY ORGANIZATION;

(3) TWO (2) MEMBERS POSSESSING BUSINESS EXPERIENCE FROM THE  
GENERAL POPULATION OF THE CITY.

(C) THE CHAIRPERSON OF THE COMMISSION SHALL BE ELECTED ANNUALLY  
BY A MAJORITY VOTE OF THE MEMBERS OF THE COMMISSION. THE  
COMMISSION MAY MEET AT SUCH TIMES AS THE COMMISSION MAY DETERMINE  
OR AS OTHERWISE REQUIRED IN THIS CHAPTER. THE COMMISSION SHALL  
ADOPT ITS OWN RULES OF PROCEDURE AND SHALL KEEP A RECORD OF ITS  
PROCEEDINGS, SHOWING THE ACTION OF THE COMMISSION AND THE VOTE OF  
EACH MEMBER UPON EACH QUESTION CONSIDERED. ALL MEETINGS OF THE  
COMMISSION SHALL BE HELD IN CONFORMANCE WITH THE MICHIGAN OPEN  
MEETINGS ACT, 1976 PA 267, MCL 15.261 ET SEQ. THE COMMISSION SHALL KEEP A  
RECORD WHICH SHALL BE OPEN TO THE PUBLIC. THE PRESENCE OF FOUR (4)  
MEMBERS SHALL CONSTITUTE A QUORUM FOR VOTING PURPOSES.

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

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

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

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

**1300.4 - OPERATION WITHOUT LICENSE PROHIBITED.**

(A) 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 TO THE COMMISSION 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 SUBMITTED TO THE COMMISSION 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 COMMISSION HAS ISSUED A CERTIFICATE OF APPROVAL. THE TERM OF EACH LICENSE SHALL BE ONE YEAR. A LICENSE ISSUED UNDER THIS CHAPTER MAY BE CONDITIONED ON THE APPROVAL OF THE OPERATOR BY THE STATE AT THE LOCATION UNDER THE MMFLA.

#### **1300.5– LICENSE APPLICATION SUBMISSION.**

(A) EACH MEDICAL MARIHUANA ESTABLISHMENT MUST BE LICENSED BY THE CITY. APPLICATIONS FOR A LICENSE SHALL BE MADE IN WRITING TO THE CITY CLERK. ALL APPLICATIONS SUBMITTED TO THE CITY CLERK IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER SHALL BE CONSIDERED FOR THE ISSUANCE OF A LICENSE. EACH APPLICATION SHALL CONTAIN A SIGNED ACKNOWLEDGEMENT THAT THE APPLICANT IS AWARE AND UNDERSTANDS THAT ALL MATTERS RELATED TO MARIHUANA. GROWING, CULTIVATION, POSSESSION, DISPENSING,

TESTING, SAFETY COMPLIANCE, TRANSPORTING, DISTRIBUTION, AND USE ARE CURRENTLY SUBJECT TO STATE AND FEDERAL LAWS, RULES, AND REGULATIONS, AND THAT THE APPROVAL OR GRANTING OF A LICENSE HEREUNDER DOES NOT EXONERATE OR EXCULPATE THE APPLICANT FROM ABIDING BY THE PROVISIONS AND REQUIREMENTS AND PENALTIES ASSOCIATED WITH THOSE LAWS, RULES, AND REGULATIONS OR EXPOSURE TO ANY PENALTIES ASSOCIATED THEREWITH; AND FURTHER THE APPLICANT WAIVES AND FOREVER RELEASES ANY CLAIM, DEMAND, ACTION, LEGAL REDRESS, OR RECOURSE AGAINST THE CITY OF LANSING, ITS ELECTED AND APPOINTED OFFICIALS AND ITS EMPLOYEES AND AGENTS FOR ANY CLAIMS, DAMAGES, LIABILITIES, CAUSES OF ACTION, DAMAGES, AND ATTORNEY FEES THE APPLICANT MAY OCCUR AS A RESULT OF THE VIOLATION BY APPLICANT, ITS OFFICIALS, MEMBERS, PARTNERS, SHAREHOLDERS, EMPLOYEES AND AGENTS OF THOSE LAWS, RULES, AND REGULATIONS AND HEREBY WAIVES, AND ASSUMES THE RISK OF, ANY SUCH CLAIMS AND DAMAGES, AND LACK OF RECOURSE AGAINST THE CITY OF LANSING, ITS ELECTED AND APPOINTED OFFICIALS, EMPLOYEES, ATTORNEYS, AND AGENTS.

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

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

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

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

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

10  
11 (5) A SIGNED RELEASE AUTHORIZING THE CITY OF LANSING POLICE  
12 DEPARTMENT TO PERFORM A CRIMINAL BACKGROUND CHECK TO  
13 ASCERTAIN WHETHER THE APPLICANT, EACH STAKEHOLDER OF THE  
14 APPLICANT, EACH OPERATOR AND EMPLOYEE OF THE APPLICANT MEET THE  
15 CRITERIA SET FORTH IN THIS CHAPTER;

16  
17 (6) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS,  
18 THE NAME, DATE OF BIRTH, PHYSICAL ADDRESS, COPY OF PHOTO  
19 IDENTIFICATION, AND EMAIL ADDRESS FOR ANY OPERATOR OR EMPLOYEE  
20 IF OTHER THAN THE APPLICANT;

21  
22 (7) AN AFFIRMATION UNDER OATH AS TO WHETHER THE APPLICANT  
23 OR OPERATOR HAS HAD A BUSINESS LICENSE REVOKED OR SUSPENDED, AND  
24 IF REVOKED OR SUSPENDED, THEN THE REASON THEREFORE;

25  
26 (8) FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE  
27 APPLICANT, A RESUME THAT INCLUDES WHETHER THE INDIVIDUAL HAS ANY  
28 RELEVANT EXPERIENCE WITH MEDICAL MARIHUANA OR A RELATED  
29 INDUSTRY;

30  
31 (9) A PATIENT EDUCATION PLAN TO DETAIL TO PATIENTS THE  
32 BENEFITS OR DRAWBACKS OF CERTAIN MARIHUANA STRAINS OR PRODUCTS  
33 IN CONNECTION WITH THE DEBILITATING MEDICAL CONDITIONS SET FORTH  
34 IN THE MICHIGAN MEDICAL MARIHUANA ACT;

35  
36 (10) A WRITTEN DESCRIPTION OF THE TRAINING AND EDUCATION THAT  
37 THE APPLICANT WILL PROVIDE TO ALL EMPLOYEES;

38  
39 (11) A COPY OF THE PROPOSED BUSINESS PLAN FOR THE  
40 ESTABLISHMENT, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

41  
42 (I) THE PROPOSED OWNERSHIP STRUCTURE OF THE  
43 ESTABLISHMENT, INCLUDING PERCENTAGE OWNERSHIP OF  
44 EACH PERSON OR ENTITY; AND  
45

(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, THE MMFLA, AND OTHER APPLICABLE  
45 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, ITS ELECTED AND APPOINTED OFFICIALS,  
11 EMPLOYEES, AND AGENTS, AS ADDITIONAL INSURED PARTIES,  
12 AVAILABLE FOR THE PAYMENT OF ANY DAMAGES ARISING OUT OF AN  
13 ACT OR OMISSION OF THE APPLICANT OR ITS STAKEHOLDERS, AGENTS,  
14 EMPLOYEES, OR SUBCONTRACTORS, IN THE AMOUNT OF (A) AT LEAST  
15 ONE MILLION DOLLARS FOR PROPERTY DAMAGE; (B) AT LEAST ONE  
16 MILLION DOLLARS FOR INJURY TO ONE PERSON; AND (C) AT LEAST TWO  
17 MILLION DOLLARS FOR INJURY TO TWO OR MORE PERSON RESULTING  
18 FROM THE SAME OCCURRENCE. THE INSURANCE POLICY UNDERWRITER  
19 MUST HAVE A MINIMUM A.M. BEST COMPANY INSURANCE RANKING OF  
20 B+, CONSISTENT WITH STATE LAW.  
21

22 (25) ANY OTHER INFORMATION DEEMED NECESSARY BY THE CITY.  
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) (1-25).

(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 COMMISSION 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, THE CITY TREASURER, AND THE MEDICAL MARIHUANA  
COMMISSION.

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

1 LOCATION MEET THE STANDARDS IDENTIFIED IN 1300.5(E) AND THE MEDICAL  
2 MARIHUANA COMMISSION HAS DETERMINED THAT THE PROPOSED LOCATION  
3 MEETS THE REQUIREMENTS OF 1300.6 (B)(2).

4  
5 (C) LICENSEES MAY TRANSFER A LICENSE ISSUED UNDER THIS CHAPTER TO A  
6 DIFFERENT INDIVIDUAL OR ENTITY UPON RECEIVING WRITTEN APPROVAL BY  
7 THE CITY CLERK. IN ORDER TO REQUEST APPROVAL TO TRANSFER A LICENSE TO  
8 A DIFFERENT INDIVIDUAL OR ENTITY, THE LICENSEE MUST MAKE A WRITTEN  
9 REQUEST TO THE CITY CLERK, INDICATING THE CURRENT LICENSEE AND THE  
10 PROPOSED LICENSEE. UPON RECEIVING THE WRITTEN REQUEST, THE CITY  
11 CLERK SHALL CONSIDER THE REQUEST AS A NEW APPLICATION FOR A LICENSE  
12 AND THE PROCEDURES SET FORTH IN 1300.5 AND 1300.6 SHALL BE FOLLOWED.

13  
14 (D) LICENSEES SHALL REPORT ANY OTHER CHANGE IN THE INFORMATION  
15 REQUIRED BY THIS CHAPTER TO THE CITY CLERK WITHIN TEN (10) BUSINESS  
16 DAYS OF THE CHANGE. FAILURE TO DO SO MAY RESULT IN SUSPENSION OR  
17 REVOCATION OF THE LICENSE.

18  
19 **1300.9 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**  
20 **PROVISIONING CENTER.**

21  
22 (A) EVERY MEDICAL MARIHUANA PROVISIONING CENTER MUST BE LOCATED  
23 IN A BUILDING.

24  
25 (B) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPEN  
26 BETWEEN THE HOURS OF 10 P.M. AND 9 A.M.;

27  
28 (C) CONSUMPTION OF MARIHUANA SHALL BE PROHIBITED ON THE PREMISES  
29 OF A MEDICAL MARIHUANA PROVISIONING CENTER EXCEPT AS PERMITTED BY  
30 LANSING CITY CHARTER SECTION 8-501 AND STATE LAW;

31  
32 (D) A MEDICAL MARIHUANA PROVISIONING CENTER SHALL CONTINUOUSLY  
33 MONITOR THE ENTIRE PREMISES ON WHICH THEY ARE OPERATED WITH  
34 SURVEILLANCE SYSTEMS THAT INCLUDE SECURITY CAMERAS. THE VIDEO  
35 RECORDINGS SHALL BE MAINTAINED IN A SECURE, OFF-SITE LOCATION FOR A  
36 PERIOD OF 14 DAYS;

37  
38 (E) UNLESS PERMITTED BY THE MMMA, PUBLIC OR COMMON AREAS OF THE  
39 MEDICAL MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM  
40 RESTRICTED OR NON-PUBLIC AREAS OF THE PROVISIONING CENTER BY A  
41 PERMANENT BARRIER. UNLESS PERMITTED BY THE MMMA, NO MEDICAL  
42 MARIHUANA IS PERMITTED TO BE STORED, DISPLAYED, OR TRANSFERRED IN AN  
43 AREA ACCESSIBLE TO THE GENERAL PUBLIC;

44  
45 (F) ALL MEDICAL MARIHUANA STORAGE AREAS WITHIN MEDICAL  
46 MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM ANY

CUSTOMER/PATIENT AREAS BY A PERMANENT BARRIER. UNLESS PERMITTED BY THE MMMA, NO MEDICAL MARIHUANA IS PERMITTED TO BE STORED IN AN AREA ACCESSIBLE BY THE GENERAL PUBLIC OR REGISTERED CUSTOMERS/PATIENTS. MEDICAL MARIHUANA MAY BE DISPLAYED IN A SALES AREA ONLY IF PERMITTED BY THE MMMA;

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

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

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

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

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

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

- (1) A UNIQUE ALPHANUMERIC IDENTIFIER FOR THE PERSON TO WHOM IT IS BEING DELIVERED;
- (2) A UNIQUE ALPHA NUMERIC IDENTIFIER FOR THE CULTIVATION SOURCE OF THE MARIHUANA;
- (3) THAT THE PACKAGE CONTAINS MARIHUANA;
- (4) THE DATE OF DELIVERY, WEIGHT, TYPE OF MARIHUANA AND DOLLAR AMOUNT OR OTHER CONSIDERATION BEING EXCHANGED IN THE TRANSACTION;
- (5) A CERTIFICATION THAT ALL MARIHUANA IN ANY FORM CONTAINED IN THE PACKAGE WAS CULTIVATED, MANUFACTURED, AND PACKAGED IN THE STATE OF MICHIGAN;
- (6) THE WARNING THAT; "THIS PRODUCT IS MANUFACTURED WITHOUT ANY REGULATORY OVERSIGHT FOR HEALTH, SAFETY OR EFFICACY. THERE MAY BE HEALTH RISKS ASSOCIATED WITH THE INGESTION OR USE OF THIS PRODUCT. USING THIS PRODUCT MAY CAUSE

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

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

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

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

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

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

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

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

37  
38 (1) WITHIN ONE THOUSAND (1,000) FEET MEASURED PROPERTY LINE TO  
39 PROPERTY LINE OF THE REAL PROPERTY LINE COMPRISING AN OPERATIONAL  
40 PUBLIC OR PRIVATE ELEMENTARY OR SECONDARY SCHOOL; A COMMERCIAL  
41 CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS REQUIRED  
42 TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF  
43 HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE  
44 CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ; OR  
45

(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; 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 MMMA, THE MMFLA, THE MTA, 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 **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 COMPLY WITH THE MTA AND SHALL MAINTAIN A LOG BOOK AND/OR DATABASE IDENTIFYING BY DATE THE AMOUNT OF MEDICAL MARIHUANA AND THE NUMBER OF MEDICAL MARIHUANA PLANTS ON THE PREMISES WHICH SHALL NOT EXCEED THE AMOUNT PERMITTED UNDER THE GROWER LICENSE ISSUED BY THE STATE OF MICHIGAN. THIS LOG SHALL BE AVAILABLE TO LAW ENFORCEMENT PERSONNEL TO CONFIRM THAT THE MEDICAL MARIHUANA GROWER DOES NOT HAVE MORE MEDICAL MARIHUANA THAN AUTHORIZED AT THE LOCATION AND SHALL NOT BE USED TO DISCLOSE MORE

1 INFORMATION THAN IS REASONABLY NECESSARY TO VERIFY THE LAWFUL  
2 AMOUNT OF MEDICAL MARIHUANA AT THE FACILITY;

3  
4 (6) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE  
5 BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE  
6 MMFLA, AND THE RULES AND REGUALTIONS OF THE MEDICAL MARIHUANA  
7 LICENSING BOARD, AS AMENDED;

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

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

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

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

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

32  
33 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;

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

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

44  
45 (12) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE  
46 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 MMMA, THE MMFLA, THE MTA, AND  
43 THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD, AS  
44 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 MMMA, THE MMFLA, THE MTA, AND THE RULES AND REGULATIONS OF THE  
19 MEDICAL MARIHUANA LICENSING BOARD, AS AMENDED;  
20

21 (6) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN THE  
22 SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH TESTING MEDICAL  
23 MARIHUANA;  
24

25 (7) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL  
26 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY;  
27

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

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

37 (10) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE  
38 MAINTAINED IN A SANITARY CONDITION;  
39

40 (11) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF  
41 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT  
42 PREVENTS THE GROWTH OF THESE MICROORGANISMS;  
43

44 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A  
45 MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE PROHIBITED.  
46

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

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

(1) THE PROCESSOR AND SECURE TRANSPORTER SHALL COMPLY AT ALL TIMES AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, AND THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD, AS THEY MAY BE AMENDED FROM TIME TO TIME;

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

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

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

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

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

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

(8) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL PERMITS SHALL BE OBTAINED FOR ANY PORTION OF THE STRUCTURE IN

1 WHICH ELECTRICAL WIRING FOR DEVICES THAT SUPPORT THE PROCESSING  
2 OF MARIHUANA ARE LOCATED;

3  
4 (9) THAT PORTION OF THE STRUCTURE WHERE THE STORAGE OF ANY  
5 CHEMICALS EXIST SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY  
6 THE LANSING FIRE DEPARTMENT TO INSURE COMPLIANCE WITH THE  
7 MICHIGAN FIRE PROTECTION CODE;

8  
9 (10) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL  
10 MARIHUANA PROCESSOR OR SECURE TRANSPORTER FACILITY SHALL BE  
11 PROHIBITED EXCEPT AS AUTHORIZED BY LANSING CITY CHARTER AND  
12 STATE LAW;

13  
14 (11) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN  
15 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH PROCESSING.  
16 MULTI-TENANT COMMERCIAL BUILDINGS MAY PERMIT ACCESSORY USES IN  
17 SUITES SEGREGATED FROM THE PROCESSOR FACILITY;

18  
19 (12) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL  
20 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY,  
21 INCLUDING BUT NOT LIMITED TO:

22  
23 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;

24  
25 (II) WASHING HANDS THOROUGHLY IN ADEQUATE HAND-WASHING  
26 AREAS BEFORE STARTING WORK AND AT ANY OTHER TIME WHEN THE  
27 HANDS MAY HAVE BECOME SOILED OR CONTAMINATED.

28  
29 (III) REFRAINING FROM HAVING DIRECT CONTACT WITH MEDICAL  
30 MARIHUANA IF THE PERSON HAS OR MAY HAVE AN ILLNESS, OPEN  
31 LESION, INCLUDING BOILS, SORES OR INFECTED WOUNDS, OR ANY OTHER  
32 ABNORMAL SOURCE OF MICROBIAL CONTAMINATION, UNTIL THE  
33 CONDITION IS CORRECTED.

34  
35 (13) 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 (14) 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 (15) THERE SHALL BE ADEQUATE SCREENING OR OTHER PROTECTION  
45 AGAINST THE ENTRY OR PESTS. RUBBISH SHALL BE DISPOSED OF SO AS TO  
46 MINIMIZE THE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR

1 THE WASTE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR  
2 WASTE BECOMING AND ATTRACTANT, HARBORAGE OR BREEDING PLACES  
3 FOR PESTS;  
4

5 (16) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE  
6 MAINTAINED IN A SANITARY CONDITION;  
7

8 (17) EACH MEDICAL MARIHUANA PROCESSOR FACILITY SHALL PROVIDE  
9 ITS OCCUPANTS WITH ADEQUATE AND READILY ACCESSIBLE TOILET  
10 FACILITIES THAT ARE MAINTAINED IN A SANITARY CONDITION AND GOOD  
11 REPAIR;  
12

13 (18) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF  
14 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT  
15 PREVENTS THE GROWTH OF THESE MICROORGANISMS;  
16

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

20 (20) PROCESSOR FACILITIES SHALL PRODUCE NO PRODUCTS OTHER THAN  
21 USEABLE MEDICAL MARIHUANA INTENDED FOR HUMAN CONSUMPTION.  
22

23 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A  
24 PROCESSOR FACILITY SHALL BE PROHIBITED.  
25  
26

27 **1300.13 - LOCATION OF MEDICAL MARIJUANA PROVISIONING CENTERS .**  
28

29 (A) NO MEDICAL MARIJUANA PROVISIONING CENTER SHALL BE LOCATED  
30 WITHIN:  
31

32 (1) ONE THOUSAND (1000) FEET, MEASURED FROM PROPERTY LINE  
33 TO PROPERTY LINE, OF AN OPERATIONAL PUBLIC OR PRIVATE  
34 ELEMENTARY OR SECONDARY SCHOOL; PARK; A COMMERCIAL  
35 CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS  
36 REQUIRED TO BE LICENSED OR REGISTERED WITH THE  
37 MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR  
38 ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE  
39 ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ.;  
40

41 (2) FIVE HUNDRED (500) FEET, MEASURED FROM PROPERTY LINE TO  
42 PROPERTY LINE, OF ; A FACILITY AT WHICH SUBSTANCE ABUSE  
43 PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND  
44 REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN  
45 PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED; A  
46 CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS SERVICES

1 ARE CONDUCTED; OR ANOTHER MEDICAL MARIHUANA  
2 ESTABLISHMENT.  
3

4 (B) MEDICAL MARIHUANA PROVISIONING CENTERS SHALL BE LIMITED TO F  
5 AND F1-COMMERCIAL, G2-WHOLESALE, H-LIGHT INDUSTRIAL, AND I-HEAVY  
6 INDUSTRIAL AS PROVIDED BY THE ZONING PROVISIONS OF THE LANSING  
7 CODIFIED ORDINANCES.  
8

9 **1300.14 - LOCATION OF MEDICAL MARIHUANA SAFETY COMPLIANCE**  
10 **FACILITIES, MEDICAL MARIHUANA PROCESSOR FACILITIES, MEDICAL**  
11 **MARIHUANA GROWER FACILITIES, AND MEDICAL MARIHUANA SECURE**  
12 **TRANSPORTERS.**  
13

14 (A) NO MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY, MEDICAL  
15 MARIHUANA PROCESSOR FACILITY, MEDICAL MARIHUANA GROWER FACILITY,  
16 OR **MEDICAL MARIHUANA SECURE TRANSPORTER** SHALL BE LOCATED WITHIN  
17

18 (1) ONE THOUSAND (1,000) FEET, MEASURED FROM THE PROPERTY LINE  
19 OF THE MEDICAL MARIHUANA ESTABLISHMENT TO THE PROPERTY LINE OF  
20 AN OPERATIONAL PUBLIC OR PRIVATE ELEMENTARY OR SECONDARY  
21 SCHOOL; PARK; A COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME  
22 OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE  
23 MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS  
24 SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT, 1973 PA  
25 116, MCL 722.11 ET SEQ.; OR  
26

27 (2) FIVE HUNDRED (500) FEET, MEASURED FROM THE PROPERTY LINE  
28 OF THE MEDICAL MARIHUANA ESTABLISHMENT TO THE PROPERTY LINE OF  
29 A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR  
30 SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE  
31 TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE  
32 OFFERED; OR A CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS  
33 SERVICES ARE CONDUCTED OR ANOTHER MEDICAL MARIHUANA  
34 ESTABLISHMENT.  
35

36  
37 (B) ALL MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL  
38 MARIHUANA GROWER FACILITIES, MEDICAL MARIHUANA PROCESSOR  
39 FACILITIES, AND **MEDICAL MARIHUANA SECURE TRANSPORTER FACILITIES**  
40 SHALL BE SUBJECT TO SUBSECTION (A) AND SHALL BE LIMITED TO THE H-LIGHT  
41 INDUSTRIAL, I-HEAVY INDUSTRIAL, OR G2-WHOLESALE ZONING DISTRICTS AS  
42 IDENTIFIED IN THE LANSING CODIFIED ORDINANCES.  
43

44  
45 **1300.15 - LICENSE REVOCATION; BASES FOR REVOCATION; APPEAL OF**  
46 **LICENSE DENIAL.**

1  
2 (A) A LICENSE ISSUED UNDER THIS CHAPTER MAY BE REVOKED AFTER AN  
3 ADMINISTRATIVE HEARING AT WHICH THE CITY CLERK DETERMINES THAT ANY  
4 GROUNDS FOR REVOCATION UNDER SUBSECTION (B) EXIST. NOTICE OF THE  
5 TIME AND PLACE OF THE HEARING AND THE GROUNDS FOR REVOCATION MUST  
6 BE GIVEN TO THE LICENSEE AT LEAST FIVE DAYS PRIOR TO THE DATE OF THE  
7 HEARING, BY FIRST CLASS MAIL TO THE ADDRESS GIVEN ON THE LICENSE  
8 APPLICATION OR ANY ADDRESS PROVIDED PURSUANT TO 1300.4(A)(1) OR (2);  
9

10 (B) A LICENSE ISSUED UNDER THIS CHAPTER MAY BE DENIED OR REVOKED  
11 ON ANY OF THE FOLLOWING BASES:  
12

13 (1) A MATERIAL VIOLATION OF ANY PROVISION OF THIS CHAPTER;  
14

15 (2) ANY CONVICTION OF A DISQUALIFYING FELONY BY THE LICENSEE,  
16 STAKEHOLDER, OR ANY PERSON HOLDING AN OWNERSHIP INTEREST IN THE  
17 LICENSEE;  
18

19 (3) COMMISSION OF FRAUD OR MISREPRESENTATION OR THE MAKING OF  
20 A FALSE STATEMENT BY THE APPLICANT, LICENSEE, OR ANY STAKEHOLDER  
21 OF THE APPLICANT OR LICENSEE WHILE ENGAGING IN ANY ACTIVITY FOR  
22 WHICH THIS CHAPTER REQUIRES A LICENSE;  
23

24 (4) FAILURE TO OBTAIN AND MAINTAIN A CERTIFICATE OF APPROVAL  
25 FROM THE MEDICAL MARIHUANA COMMISSION ;  
26

27 (5) THE MEDICAL MARIHUANA ESTABLISHMENT IS DETERMINED BY THE  
28 CITY TO HAVE BECOME A PUBLIC NUISANCE.  
29

30 (C) APPEAL OF DENIAL OF APPLICATION: THE CITY CLERK SHALL NOTIFY  
31 AN APPLICANT OF THE REASON (S) FOR DENIAL OF AN APPLICATION AND  
32 PROVIDE THE APPLICANT WITH AN OPPORTUNITY TO BE HEARD. ANY  
33 APPLICANT AGGRIEVED BY THE DENIAL OF A LICENSE UNDER THIS CHAPTER  
34 MAY APPEAL TO THE CITY CLERK. SUCH APPEAL SHALL BE TAKEN BY FILING  
35 WITH THE CITY CLERK, WITHIN 14 DAYS AFTER NOTICE OF THE ACTION  
36 COMPLAINED OF HAS BEEN MAILED TO THE APPLICANT'S LAST KNOWN  
37 ADDRESS, A WRITTEN STATEMENT SETTING FORTH FULLY THE GROUNDS  
38 FOR THE APPEAL. THE REVIEW ON APPEAL SHALL BE LIMITED TO WHETHER  
39 THERE HAS BEEN AN ABUSE OF DISCRETION IN THE DECISION TO DENY THE  
40 APPLICATION. THE DECISION AND ORDER OF THE CITY CLERK ON APPEAL  
41 SHALL BE FINAL AND CONCLUSIVE.  
42  
43

44 **1300.16 – PENALTIES; TEMPORARY SUSPENSION OF A LICENSE**  
45

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

7  
8 (B) ANY PERSON IN VIOLATION OF ANY PROVISION OF THIS CHAPTER SHALL  
9 BE SUBJECT TO A CIVIL FINE AND COSTS. INCREASED CIVIL FINES MAY BE  
10 IMPOSED FOR A REPEAT VIOLATION. AS USED IN THIS SECTION "REPEAT  
11 VIOLATION" SHALL MEAN A SECOND OR ANY SUBSEQUENT INFRACTION OF THE  
12 SAME REQUIREMENT OR PROVISION COMMITTED BY A PERSON OR  
13 ESTABLISHMENT WITHIN ANY 12-MONTH PERIOD. UNLESS OTHERWISE  
14 SPECIFICALLY PROVIDED IN THIS CHAPTER OR ANY OTHER CHAPTER FOR A  
15 MUNICIPAL INFRACTION, THE PENALTY SCHEDULE IS AS FOLLOWS:

- 16  
17 1. \$500, PLUS COSTS, FOR THE FIRST VIOLATION;  
18 2. \$750, PLUS COSTS, FOR A REPEAT VIOLATION;  
19 3. \$750, PLUS COSTS, PER DAY, PLUS COSTS, FOR ANY VIOLATION THAT  
20 CONTINUES FOR MORE THAN ONE DAY.

21  
22 (C) ALL FINES IMPOSED UNDER THIS CHAPTER SHALL BE PAID WITHIN 45  
23 DAYS AFTER THE EFFECTIVE DATE OF THE ORDER IMPOSING THE FINE OR AS  
24 OTHERWISE SPECIFIED IN THE ORDER;

25  
26 (D) THE **MAYOR** MAY TEMPORARILY SUSPEND A MEDICAL MARIHUANA  
27 ESTABLISHMENT LICENSE WITHOUT A PRIOR HEARING IF THE MAYOR FINDS  
28 THAT PUBLIC SAFETY OR WELFARE REQUIRES EMERGENCY ACTION  
29 AFFECTING THE PUBLIC HEALTH, SAFETY, OR WELFARE. THE **MAYOR** SHALL  
30 CAUSE THE TEMPORARY SUSPENSION BY ISSUING A SUSPENSION NOTICE IN  
31 CONNECTION WITH INSTITUTION OF PROCEEDINGS FOR NOTICE AND A  
32 HEARING;

33  
34 (E) IF THE **MAYOR** TEMPORARILY SUSPENDS A LICENSE WITHOUT A PRIOR  
35 HEARING, THE LICENSEE IS ENTITLED TO A HEARING WITHIN THIRTY (30)  
36 DAYS AFTER THE SUSPENSION NOTICE **HAS BEEN SERVED ON THE LICENSEE**  
37 **OR POSTED ON THE LICENSED PREMISES. IN THE CASE OF A LICENSE ISSUED**  
38 **FOR A MEDICAL MARIHUANA GROWER FACILITY, THE HEARING SHALL BE**  
39 **HELD WITHIN SEVEN (7) DAYS AFTER THE NOTICE HAS BEEN SERVED ON THE**  
40 **LICENSEE OR POSTED ON THE PREMISES OF THE LICENSED FACILITY. THE**  
41 **HEARING SHALL BE LIMITED TO THE ISSUES CITED IN THE SUSPENSION**  
42 **NOTICE;**

43  
44 (F) IF THE **MAYOR DOES NOT HOLD A HEARING WITHIN THIRTY (30) DAYS**  
45 **AFTER THE DATE THE SUSPENSION WAS SERVED ON THE LICENSEE OR**  
46 **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**

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 30<sup>th</sup> day after enactment unless given  
immediate effect by the City Council.