

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN
CITY COUNCIL CHAMBERS, 10TH FLOOR
LANSING CITY HALL
124 W. MICHIGAN AVENUE**



AGENDA FOR JULY 24, 2017

TO THE HON. MAYOR AND MEMBERS OF THE CITY COUNCIL:

The following items were listed on the agenda in the City Clerk's Office in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council on Monday, July 24, 2017 at 7:00 p.m. at the Council Chambers, 10th Floor, City Hall.

I. ROLL CALL

II. MEDITATION AND PLEDGE OF ALLEGIANCE

III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS

Approval of the Printed Council Proceedings of July 10, 2017

IV. CONSIDERATION OF LATE ITEMS (Suspension of Council Rule #9 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)

V. TABLED ITEMS

VI. SPECIAL CEREMONIES

VII. COMMENTS BY COUNCIL MEMBERS AND CITY CLERK

VIII. COMMUNITY EVENT ANNOUNCEMENTS (Time, place, purpose, or definition of event – 1 minute limit)

IX. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

X. MAYOR'S COMMENTS

XI. SHOW CAUSE HEARINGS

XII. PUBLIC COMMENT ON LEGISLATIVE MATTERS (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes. Speakers must sign up on white form.)

A. SCHEDULED PUBLIC HEARINGS

1. In consideration of Public Improvement III; Jolly Road Rehabilitation
MDOT JN133093A

2. In consideration of SLU-2-2017: Special Land Use Permit, 3600 N. Grand River Avenue, Residential Land Use in the "H" Light Industrial District
3. In consideration of An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 1442. Signs, Section 1442.15 Window Signs; Permitted Zoning Districts

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

1. BY COUNCIL MEMBERS BROWN CLARKE, HUSSAIN, DUNBAR, HOUGHTON, SPITZLEY, WASHINGTON, WOOD, AND YORKO
 - a. Tribute; in recognition of Judge Cherry for his Years of Service and Retirement
 - b. Tribute; in recognition of Eliza Walls' 90th Birthday
 - c. Tribute; in recognition of the Lincoln School Reunion
 - d. Tribute; in recognition of the New Mount Calvary Baptist Church 53rd Anniversary
2. BY THE COMMITTEE OF THE WHOLE
 - a. Confirmation of Reappointments of 20 Individuals to Various Boards and Commissions
 - b. Confirmation of Reappointments of 6 Individuals to Various Boards and Commissions
 - c. Ballot Proposal; Sidewalk Millage
 - d. Ballot Proposal; Act-3-2017; Sale of Cooley-Haze House with Historic Preservation Covenant
 - e. Ballot Proposal; Charter Amendment to provide that dedicated park land may not be disposed of or converted to another use without first being approved by an affirmative vote of a majority of City electors
 - f. Ballot Proposal; Charter Amendment to provide that monetary consideration from the sale of dedicated park land shall be deposited in the operating fund accounts of the Department of Parks and Recreation

C. RESOLUTIONS FOR ACTION

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

- a. Z-4-2017: Vacant parcel (33-01-01-29-259-120) east of 1219 Victor Avenue, Rezoning from “B” Residential District to “C” Residential District

2. BY THE COMMITTEE OF THE WHOLE

- a. Chapter 1300; Regulation and Licensing of Medical Marihuana Establishments

F. ORDINANCES FOR PASSAGE

1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

- a. Z-8-2016; Rezoning 3001 S. Washington Avenue; “D-1” Professional Office and “J” Parking Districts to “F” Commercial District

XIV. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

XV. REPORTS OF CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS (Motion that all items be considered as being read in full and that the proper referrals be made by the President)

A. REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS

1. Letter(s) from the City Clerk re:

- a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk’s Office
- b. Tri-County Office on Aging Fiscal Year 2018 Annual Implementation Plan

2. Letter(s) from the Mayor re:

- a. International Association of Fire Fighters Collective Bargaining Agreement
- b. Public Improvement IV; New Public Sidewalk, Jolly Rd. from Wise Rd. to Pleasant Grove Rd.
- c. Industrial Facilities Exemption Certificate (IFT-1-17); Cameron Tool, 1800 Bassett

- d. OPRA Certificate; Super Fancy Too, LLC at 1101 S. Washington Avenue
- e. OPRA Certificate; REO Life, LLC at 1103 S. Washington Avenue
- f. OPRA Certificate Amendment for DED Development, LLC at 629 W. Hillsdale St
- g. Appointment of Stephanie Space to the Building Board of Appeals for a term to expire June 30, 2020
- h. Reappointments of 11 Individuals to Various Boards and Commissions

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

- 1. Claim Appeal; Claim #1422 Kent Bowden for trash removal and recycling
- 2. Request from Capitol Properties LLC to extend NEZ Certification No. 2007-0092
- 3. Request for Approval of the Office of Community Corrections Funding Application

XVI. MOTION OF EXCUSED ABSENCE

XVII. REMARKS BY COUNCIL MEMBERS

XVIII. REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

XIX. PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes. Speakers must sign up on yellow form.)

XX. ADJOURNMENT



CHRIS SWOPE, CITY CLERK

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

**CITY OF LANSING
NOTICE OF A PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held in the Council Chambers of City Hall, 124 W. Michigan Avenue, Lansing, Michigan, 10th Floor, on the July 24, 2017 at 7:00 P.M. for the purpose of considering Special Assessment Roll #B-096 for public improvements in the form of sidewalk repair and construction in conjunction with the Jolly Road Rehabilitation Project (MDOT JN 133093A) excepting all public street and alleys and other land deemed not benefited, pursuant to Chapter 1026.06(c)(1) of the Code of Ordinances.

PROPERTY BENEFITED:

All lands fronting Jolly Road between Wise Road and Pleasant Grove Road, excepting all public streets and alleys and other land deemed not benefited; and

The estimated expense of said improvements based upon the construction bid is as follows:

ESTIMATED COST OF IMPROVEMENTS

Assessment Roll Number B-096	Federal and City Contribution	Assessable to Property Owner
Sidewalk Construction	\$10,760.87	\$9,527.62
Other Costs	\$1,002,043.50	\$0.00
Total	\$1,012,804.37	\$9,527.62

Let it be known any person who intends to protest this special assessment must appear and protest at the special assessment hearing in order to appeal the amount of the special assessment to the Michigan Tax Tribunal. Any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made. The protest of this special assessment must be presented by the property owners, or their representative in person or in writing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov. before 5 p.m., on the day of the Public Hearing scheduled above. Copies of the Street Addresses, Tax Parcel Numbers and amount assessed to each property owner, respectively, for each of the properties adjacent to, or in front of, where such sidewalk improvement was made will be posted in the 9th Floor City Clerk's Office; First Floor Lobby of City Hall; and the 10th Floor City Council Chambers. Public Service Department: 517-483-4455.

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope



Chris Swope

Lansing City Clerk

THIS IS NOT A BILL

July 12, 2017

From: Chris Swope, Lansing City Clerk

Subject: NOTICE OF PUBLIC HEARING
Regarding Special Assessment Roll #B096
known as Jolly Road Rehabilitation Project, PS64123

Whereas, it is a matter of public necessity for sidewalk replacement in front of and adjacent to the property described below:

Parcel Number: 32-01-01-21-451-101
Property Address: 7014 W. JOLLY RD

PROPERTY BENEFITED - SIDEWALK REPAIRS

The records of the Lansing City Assessor indicate that you are the owner or a party of interest in the above named property which exists within the project limits. Pursuant to Chapter 1026.06(c)(2) of the Code of Ordinances, the City is directed to provide you with the following information regarding the project:

YOUR ESTIMATED COST OF THE IMPROVEMENT IS: **\$79.63**

Subject to confirmation of the Assessment Roll

<u>DESCRIPTION OF IMPROVEMENTS:</u>	<u>Sq. Ft.</u>	<u>Rate</u>	<u>Amount</u>
4-inch sidewalk – 50% Assessment		.5 x \$5.57	
6-inch sidewalk – 50% Assessment	25	.5 x \$6.37	\$79.63
6-inch driveway – 50% Assessment		.5 x \$5.31	
4-inch sidewalk – 100% Assessment		\$5.57	
6-inch sidewalk – 100% Assessment		\$6.37	
TOTAL PROPOSED ASSESSMENT:			\$79.63

THIS IS NOT A BILL

SEE OVER FOR MORE INFORMATION

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 517-377-0068 FAX
www.lansingmi.gov/clerk city.clerk@lansing.mi.gov

PUBLIC HEARING INFORMATION

The City Council will hold a Public Hearing to review, prior to confirmation, said assessment roll, and consider any complaints or objections that there may be with respect to this assessment.

When: July 24, 2017 at 7:00 P.M.

Where: Council Chambers, 10th Floor City Hall, 124 W. Michigan Ave., Lansing, MI 48933

HOW TO APPEAL

A property owner or party in interest, or his or her representative, may protest the special assessment in one of the following ways:

- Send a letter appealing the assessment to: City Clerk's Office, 9th Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933; -or-
- Send an email appealing the assessment via email to: city.clerk@lansingmi.gov; -or-
- Appear in person at the Public Hearing and either hand deliver an appeal letter or speak at the Public Hearing (must sign in at meeting to speak).

Written appeals must be received before the close of the public hearing on July 24, 2017.

Further appeal of the Special Assessment may be made to the Michigan Tax Tribunal, *if* filed within 35 days after confirmation of the special assessment on *or* if that special assessment was protested at the July 24, 2017 hearing. Visit www.michigan.gov/taxtrib for more information.

SAMPLE

INSTALLMENT PAYMENTS, INTEREST AND PENALTY INFORMATION

The first installment or total assessment if due, must be paid within 90 days from the billing date to avoid a 3% penalty. Current ordinance provides for an interest rate on special assessments, when bonds are not issued for the project, to be equal to the July 1st 10-year Treasury rate, applied on all special assessment rolls confirmed after July 1. As of this hearing date, the projected 10-year Treasury rate is estimated to be 2.348%. The special assessment roll may be adjusted to reflect the applicable 10-year Treasury rate, as prescribed by City of Lansing Ordinance. The taxpayer shall have the option of extending the time for payment of the special assessment for a **term of 5 years**.

INITIAL BILLING WILL BE MAILED BY THE CITY TREASURER WITHIN 10 DAYS OF THE COUNCIL CONFIRMATION OF THIS ROLL. THE CITY COUNCIL TYPICALLY CONFIRMS AN ASSESSMENT ROLL TWO WEEKS AFTER THE HEARING, PROVIDING THERE IS CONCURRENCE.

If you have any questions regarding this assessment, please contact the Public Service Department at (517) 483-4455.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

SLU-2-2017: 3600 N. Grand River Avenue

Special Land Use Permit - Residential Land Use in the "H" Light Industrial District

The Lansing City Council will hold a public hearing on Monday, July 24, 2017, at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider SLU-2-2017. This is a request by AIS Construction Equipment Corporation to permit housing for students attending classes at 3600 N. Grand River Avenue in the building on the site located nearest the corner of N. Grand River & Remy Drive. Residential land use is permitted in the "H" Light Industrial district, which is the designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

GENERAL INFORMATION

APPLICANT/OWNER: Summit Street Development, LLC
700 May Street
Lansing, MI 48906

LOCATION: 700 E. Oakland Street & 3 vacant parcels to its south

REQUESTED ACTION: Special Land Use Permit to residential use in the "I" Heavy Industrial District

EXISTING LAND USE: Vacant/Parking Lot

EXISTING ZONING: "I" Heavy Industrial District

PROPOSED ZONING: No change

PROPERTY SIZE & SHAPE: 6.22 acres

SURROUNDING LAND USE: N: Industrial Building
S: Office Building
E: Office Building
W: Vacant

SURROUNDING ZONING: N: "I" Heavy Industrial District
S: "I" Heavy Industrial District
E: "I" Heavy Industrial District
W: "I" Heavy Industrial District

MASTER PLAN DESIGNATION: The Design Lansing Master Plan designates the subject property as "Downtown Mixed-Use Center: Edge". Prudden Street and May Street are both designated as local roads.

SPECIFIC INFORMATION

This is a request by Summit Street Development, LLC to construct up to 522 residential units on the property bounded by Oakland Avenue to the north, May Street to the south, Prudden Street to the east and the former railroad right-of-way to the west. Residential land use is permitted in the "I" Heavy Industrial district, which is the designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

AGENCY RESPONSES:

BWL:

Building Safety: The BSO has no objections.

Development:

Fire Marshal:

Parks & Recreation: No comments.

Public Service: Any redevelopment of the site with significant site changes will require a site plan review.

Transportation:

ANALYSIS

Section 1282.03(f)(1)-(2) sets forth the criteria which must be used to evaluate a Special Land Use permit request. The criteria and evaluation are as follows.

- 1. Is the proposed special land use designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area?**

The subject property is located between May Street to the south and Oakland Avenue to the north on the west side of Prudden Street. The applicant is seeking a special land use permit to allow the construction of up to 522 residential units on a site that includes 4 existing parcels of land totaling 6.22 acres. The apartments will be a mix of 1, 2 and 3 bedroom units. The site is currently zoned "I" Heavy industrial which district permits residential land uses, with a special land use permit.

Residential development is the most appropriate use of the subject property, given the land use pattern already established in the area. The property south of May Street is an office building and the parcel to its south is a former industrial building that was converted to apartments in the 1990's. Both of these parcels are zoned "I" Heavy Industrial. To the southwest of the subject property is a more recent residential development that is also zoned "I" Heavy Industrial. Special land use permits were granted by the City to allow both of these residential developments.

- 2. Will the proposed special land use change the essential character of the surrounding area?**

As described above, multiple family residential use of the subject property will not change the essential character of the area which is already primarily characterized by multiple family

residential developments. In fact, if the site were to be used for one of the heavy industrial permitted by right in the "I" Heavy Industrial district, it would have more of an impact on the essential character of the area than the residential development being proposed.

3. Will the proposed special land use interfere with the enjoyment of adjacent property?

Residential use of the site will not interfere with the enjoyment of adjacent properties. The "I" Heavy Industrial district permits manufacturing, open storage yards, recycling, power stations and other high impact industrial uses as a matter of right. Such uses could generate noise, odors, vibrations, heavy traffic, etc. that would negatively impact and interfere with enjoyment of the existing residential and office uses in the area.

4. Will the proposed special land use represent an improvement to the use or character of property under consideration and the surrounding area in general, and will the use be in keeping with the natural environment of the lot?

Development of the property for residential use is considered to be an "improvement" to the property and to the surrounding area in general. The site is currently used for a parking lot that detracts rather than contributes to the area in which it is located.

5. Will the proposed special land use be hazardous to adjacent property or involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare?

No nuisances are anticipated to result from residential use of the subject property. In fact, residential use of the property will likely have much less of an impact on the surrounding area as most heavy industrial uses that would be permitted as a matter of right in the "I" Heavy Industrial district.

6. Will the proposed special land use be adequately served by essential public facilities and services, or is it demonstrated that the person responsible for the proposed special land use is able to continually provide adequately for the services and facilities deemed essential to the special land use under consideration?

No negative comments have been received from any of the reviewing departments or agencies with regard to impacts on public facilities and services. The proposed development will need to be reviewed through the City's administrative site plan review process which includes review and approval of a storm water management plan by the City engineers.

7. Will the proposed special land use place demand on public services and facilities in excess of current capacity?

The adequacy of utilities and transportation systems to accommodate the proposed development will be determined during the City's administrative site plan review process.

8. Is the proposed special land use consistent with the intent and purpose of this Zoning Code and the objectives of any currently adopted Comprehensive Plan?

Residential development of the subject property will be consistent with the intent and purpose of both the Zoning Ordinance and the Design Lansing Master Plan. The Zoning Ordinance permits residential land use in the “I” Heavy Industrial district, with a special land use permit when it can be determined through an analysis of the criteria contained in Section 1282.03(f)(1)-(9) of the Zoning Ordinance that such use is appropriate for the proposed location. In this particular case, residential use of the property will comply with the necessary criteria, subject to compliance with the specific requirements for development in the “I” Heavy Industrial district. This is described in detail under item 9 below.

The Design Lansing Comprehensive Plan designates the subject property for “Downtown Mixed-Use Center: Edge”. The intent of this designation as stated in the Plan is:

“To support the downtown area by allowing a mix of uses and to enhance the quality of the pedestrian environment; maintain the presence of older, often historic buildings; and provide for a transition in building height and use intensity to near-downtown neighborhoods.”

The Master Plan lists the following as typical uses for this designation:

“Office, institutions, entertainment, live-work and residential. Retail and personal services as an accessory use should be located in the same building as a primary use. Automobile-oriented uses and light industrial are permitted with special approval. High rise office and residential towers with large surface parking lots and limited street frontage should *not* be permitted.”

“Typical densities/building heights: Base density/height and bonuses for residential, mixed-income housing, ground floor retail, open space and other desired development features will need to be determined. Minimum 2 stories; **up to 10 stories should be considered** with height overlay zones and bonuses for desired development features. Residential densities of 20-100 dwelling units/acre depending on sub-area location and existing development context.”

The applicant’s proposal is consistent with the intent and purpose of the Master Plan. As noted above, residential use is listed as one of the uses that should be allowed for this district. The proposed building(s) will be a maximum of 10 stores and area and the proposed density of 83 dwelling units per acre is also within the acceptable density levels for this district.

9. Will the proposed special land use meet the dimensional requirements of the district in which the property is located?

The “I” Heavy Industrial district permits residential development, with approval of a special land use permit, if the proposed development complies with the dimensional requirements of

the “DM-4” Residential district. The dimensional requirements applicable to this proposal are as follows:

Density: 700 square feet of lot for each 1-bedroom unit
950 square feet of lot for each 2-bedroom unit
1,400 square feet of lot for each 3+-bedroom unit

The applicant has not provided a breakdown of the proposed number of units by bedroom count. The applicant simply states that the development will consist of up to 522 units that will be a mix of 1, 2 and 3 bedrooms. The site contains 6.22 acres of land (270,943.2 square feet). Thus, even if the applicant were proposing to construct all 1-bedroom units, 365,400 square feet of lot area would be required. Therefore, the applicant’s proposal well exceeds the density levels permitted by the Zoning Ordinance.

Building Height: 120 feet

The applicant has not provided any renderings or plans of the proposed building(s), however, the application states that the building(s) will be “up to 10 stories”. The 120 foot height limitation should be adequate to accommodate 10 stories.

Parking: 1-bedroom unit – 1.5 spaces
2+ bedroom unit – 2 spaces

The applicant has not provided any details on how parking for the proposed development will be accommodated, particularly since some of the parking in the existing lot north of May Street is necessary to fulfill the requirements for the office/residential uses south of May Street.

The applicant may need to request variances from the Board of Zoning Appeals with respect to density and parking.

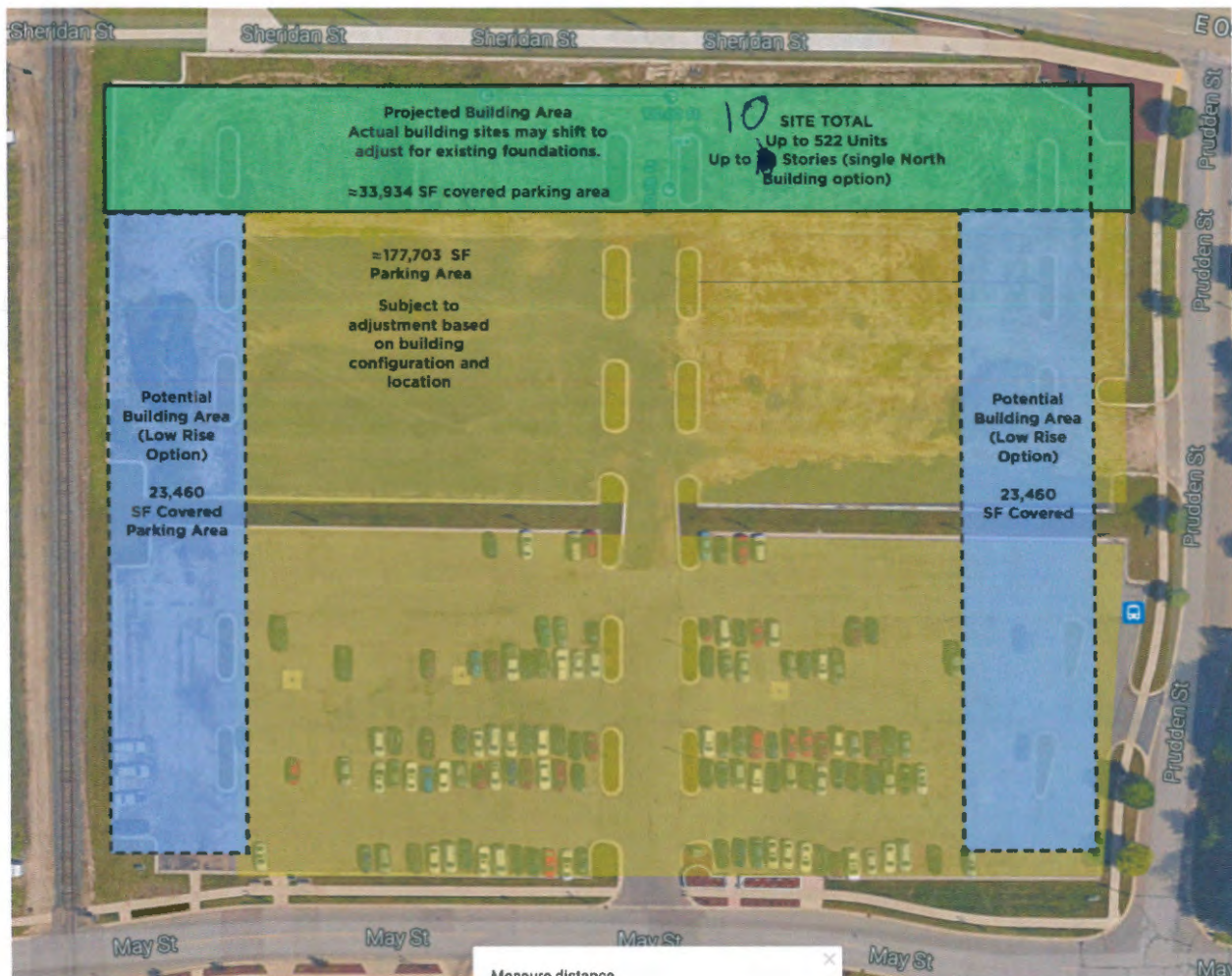
RECOMMENDATION

Based on the findings of fact contained in the staff report, it is recommended that SLU-1-2017 be approved to permit the development of the property bounded by Oakland Avenue to the north, May Street to the south, Prudden Street to the east and the former railroad right-of-way to the west, for multiple family residential use to the density permitted under the “DM-4” district, unless a variance to the allowable density is permitted by the Board of Zoning Appeals.

Respectfully Submitted,

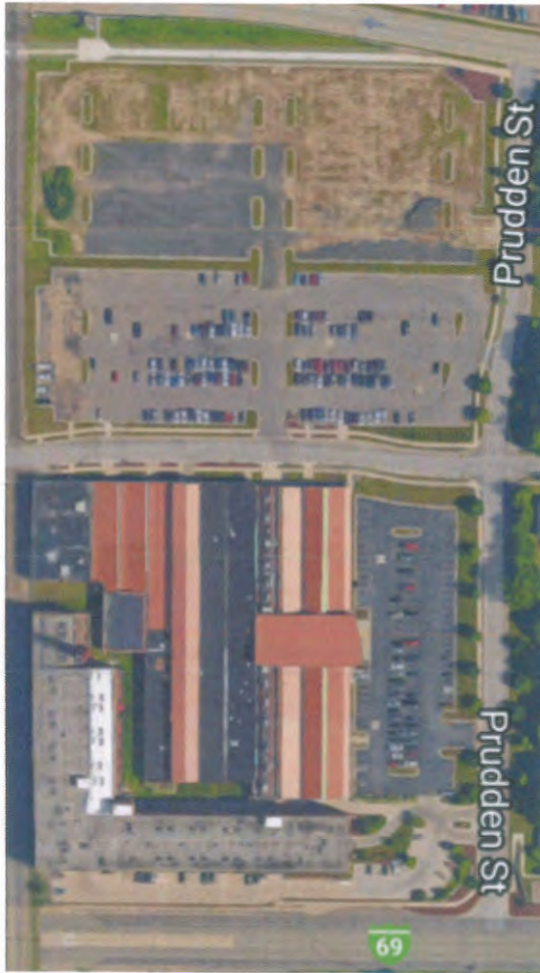
**Susan Stachowiak
Zoning Administrator**

Site Plan Intended General Areas



Site Photos

Arial Overhead



View to southwest from northeast corner. Looking down Oakland Avenue; Demmer on right, Site on left. Prudden Tech Centre and Motor Wheel far left.

Site Photos



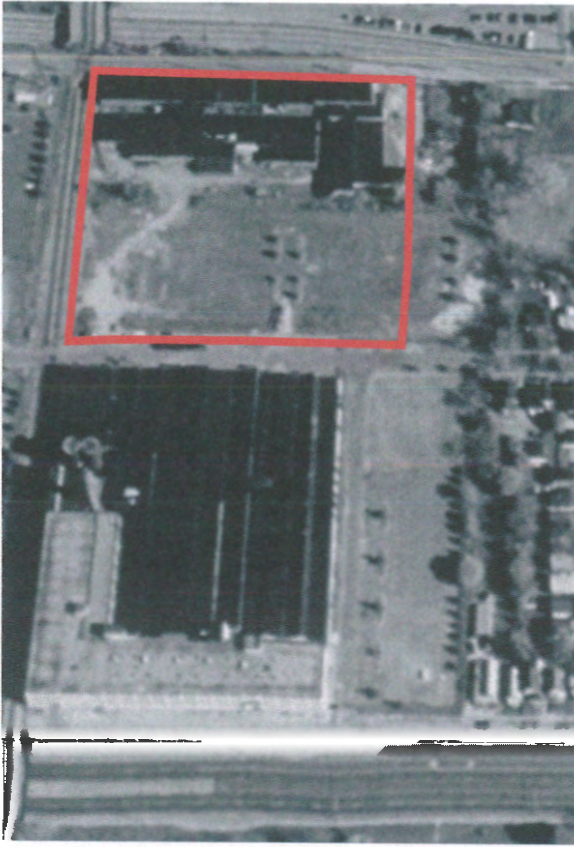
View from center of site looking North. Demmer is across Oakland viaduct.



View from above Demmer looking South toward site.

PARCEL HISTORY

Historic Configuration



1998 arial photograph showing pre-existing structures on the subject parcels.



2005 arial photograph showing the remaining foundations, now buried, on the subject site.



E Oakland Ave

Sheridan Rd

May St

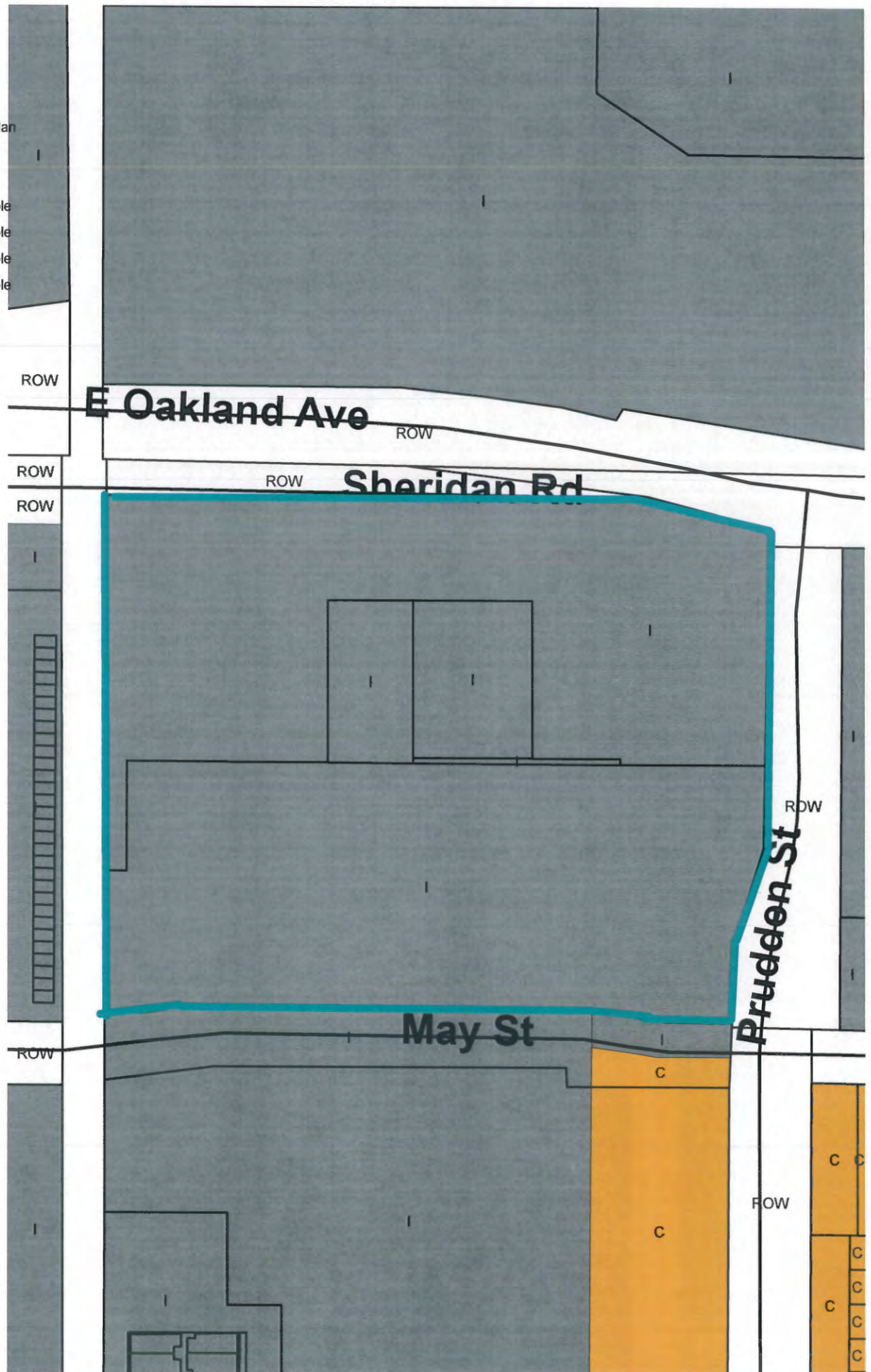
Prudden St



Legend

- roads_final
- Tax Parcels
- A Residential-Single
- B Residential-Single
- C Residential-2 Unit
- NONE
- CUP Community Unit Plan
- D-1 Professional Office
- D-2 Residential/Office
- DM-1 Residential-Multiple
- DM-2 Residential-Multiple
- DM-3 Residential-Multiple
- DM-4 Residential-Multiple
- E-1 Apartment Shop
- E-2 Local Shopping
- F Commercial
- F-1 Commercial
- G-1 Business
- G-2 Wholesale
- H Light Industrial
- I Heavy Industrial
- J Parking
- ROW Right of Way

Zoning



**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, July 24, 2017 at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering:

An Ordinance of the City of Lansing, Michigan amend Chapter 1442 - Signs, Section 1442.15 - Window Signs; Permitted Zoning Districts.

For more information please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, May 5, 2014, at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk

www.facebook.com/LansingClerkSwope

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1442. – SIGNS, SECTION 1442.15. – WINDOW SIGNS; PERMITTED ZONING DISTRICTS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1442 – Signs, Section 1442.15 – Window Signs; permitted Zoning Districts, of the Code of Ordinances of the City of Lansing, Michigan by and is hereby amended to read as follows:

Window signs are permitted in office, commercial, wholesale and industrial zoning districts.

(a) *SIZE*. WINDOW SIGNS SHALL NOT EXCEED 20 PERCENT OF THE WINDOW AREA FROM WHICH THE SIGN CAN BE SEEN FROM THE EXTERIOR OF THE BUILDING. ALL MOUNTING HARDWARE AND EQUIPMENT SHALL BE CONCEALED FROM THE EXTERIOR VIEW OF THE BUILDING.

(b) *EXCEPTIONS*. BUILDINGS THAT ARE USED FOR A PUBLIC PURPOSE AND ARE OWNED OR ENTIRELY OCCUPIED BY THE UNITED STATES FEDERAL GOVERNMENT, STATE OF MICHIGAN OR THE CITY OF LANSING AND ANY OF ITS AGENCIES, DEPARTMENTS OR INSTRUMENTALITIES ARE EXEMPT FROM THE DIMENSIONAL REQUIREMENTS OF THIS CHAPTER. THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT SHALL HAVE SOLE AUTHORITY TO APPROVE OR DENY SIGNS FOR ENTITIES SEEKING A VARIANCE AFTER REVIEWING THE PROPOSED SIGNS' COMPATABILITY WITH THE SURROUNDING AREA AND THE GOALS EXPRESSED IN THIS CHAPTER.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are repealed.

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 so declared to be invalid.

Section 4. This ordinance shall take effect of the 30th day after enactment unless given immediate effect by City Council.

Approved as to Form:

City Attorney

Dated: _____

BY COUNCIL MEMBERS BROWN CLARKE, DUNBAR, HOUGHTON, HUSSAIN,
SPITZLEY, WASHINGTON, WOOD, AND YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Judge Patrick Cherry was appointed to the bench January 20, 1975 and will serve his last day July 13, 2017; and

WHEREAS, Judge Patrick Cherry was born in Lansing, Michigan, and upon graduation from Resurrection High School in 1963, Judge Cherry attended University of Michigan and graduated in 1966 with a B.A., and attended Wayne State University and graduated in 1969 with his Juris Doctor; and

WHEREAS, Judge Cherry has (5) children and enjoys spending time outdoors with his family hunting, and fishing. He has one granddaughter Bella who is the apple of his eye. He is a fan of University of Michigan's athletic program, and an avid follower of high school sports which are his favorite; and

WHEREAS, Judge Cherry served in the Ingham County Prosecutor's Office as Chief Trial Attorney and Chief of the Criminal Division before he was appointed to the bench in 1975 by Governor Milliken. Judge Cherry served as Chief Judge of the 54-A District Court from 1999 to 2006; and

WHEREAS, Judge Cherry served as a Board member of the National Conference on Alcoholism in the 70's, officiated MSHAA high school basketball games, and mentored and supervised several interns from Western Michigan University; and

THEREFORE BE RESOLVED that the Lansing City Council extends our gratitude for the many years of distinguished service by Judge Patrick Cherry. We wish him well on the next chapter of his life.

BY COUNCIL MEMBERS BROWN CLARKE, DUNBAR, HOUGHTON, HUSSAIN,
SPITZLEY, WASHINGTON, WOOD, AND YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Eliza Walls was born July 30, 1927 to Tensley and Eliza Walls. She attended George P Austin school in Linden, Alabama. Eliza married her soul mate Richard Houston Sr. August 16, 1947 and they have (8) children; and

WHEREAS, Eliza worked as a share cropper for the first forty-four years of her life. She then relocated to Milwaukee, Wisconsin in 1968 where she worked in her cousin's cleaners pressing clothes until she moved to Lansing, Michigan in 1969; and

WHEREAS, upon arriving in Lansing Eliza worked as a school bus driver, Baker, Hair Dresser, and was a foster parent to many children over the years; and

WHEREAS, Eliza's hobbies included cooking, cleaning, washing, pressing clothes, driving trucks, and styling hair. She now enjoys traveling with the gospel group Heavenly Stars of Lansing Michigan as their road manager. And being "Mother" of her church Greater Love Apostolic Temple; and

WHEREAS, Eliza is proud to be the matriarch of six generations and looks forward to seeing where her life leads her.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, along with her friends and family hereby pay tribute to the honors and accomplishments of Eliza Walls and we wish her a Happy 90th Birthday and many more!

BY COUNCIL MEMBERS BROWN CLARKE, DUNBAR, HOUGHTON, HUSSAIN,
SPITZLEY, WASHINGTON, WOOD, AND YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the site for the Logan Street School was purchased in June 1896, and enlarged in August 1903, with a four room addition constructed in 1912; and

WHEREAS, the Logan Street School was closed in 1933 and construction started on the new building in June of 1936, opening in February 1937. By School Board vote the new building name was officially changed to Lincoln School; and

WHEREAS, the Lincoln School accommodated meetings, physical recreation assemblies, theatricals and lectures; it was also used as a social center for meetings, and social activities of the neighborhood, in addition to the regular educational classes; and

WHEREAS, many children, and grandchildren of the neighborhood families and graduates of Lincoln went on to become prominent citizens of the City of Lansing. Some of those names include Gregory Eaton, Joel Ferguson, Dr. Surae Eaton, John Boles, and the late Vivian (Byrd) Riddle.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby recognizes and congratulates you as you celebrate the 121-year legacy of the Lincoln School with this reunion. We wish you all continued success in the coming years.

BY COUNCIL MEMBERS BROWN CLARKE, DUNBAR, HOUGHTON, HUSSAIN,
SPITZLEY, WASHINGTON, WOOD, AND YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, New Mount Calvary Baptist Church began August 8, 1964. It grew from former members of Friendship Baptist Church. At a prayer meeting just days after the church began Reverend Ferdinand Fritz, a former Pastor at Friendship Baptist Church agreed to serve as the Pastor; and

WHEREAS, the first official church service was held on Sunday August 16, 1964 at the YWCA on Townsend Street in Lansing, Michigan. Throughout its history the congregation has occupied three other buildings; and

WHEREAS, during the first year, twelve members were added to the Church; (8) by Baptism; (2) by Restoration; (2) by Christian Experience, also (2) babies were dedicated to the Lord. With a membership of approximately 160, New Mount Calvary Baptist Church was completely organized with 12 Auxiliaries; and

WHEREAS, throughout its history there have been three Pastors: Reverend Ferdinand S. Fritz, Reverend Columbus Clayton and Reverend Dr. Lonnie J. Chipp; and

WHEREAS, during New Mount Calvary's history, the lives of many individuals have been impacted through evangelism, discipleship, preaching, teaching, counseling and community involvement; and

NOW, THEREFORE, BE IT RESOLVED, The City of Lansing City Council wishes to recognize New Mount Calvary Baptist Church for 53 years of service to the Lord and its members. Savior Jesus Christ who said in regard to the church- "Upon this rock, I will build my church and the gates of hell shall not prevail against it". May you continue on in your journey and service for many more years to come.

DRAFT

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

WHEREAS, the Mayor made reappointments to various Boards as stated below; and

WHEREAS, the Mayor's office has verified that the nominees have been vetted and meet the qualifications as required by the City Charter.

NOW, THEREFORE BE IT RESOLVED, the City Council confirms the reappointments to various Boards as stated below:

Board of Fire Commissioners:

Betty Draher as a First Ward Member for a term to expire June 30, 2021

Board of Police Commissioners:

Clyde Carnegie as a Fourth Ward Member for a term to expire June 30, 2020

Drew Macon as a First Ward Member for a term to expire June 30, 2021

William Renfrew as an At-Large Member for a term to expire June 30, 2021

Board of Public Service:

Lyndon Babcock as an At-Large Member for a term to expire June 30, 2021

Board of Zoning Appeals:

Emly Horne as an At-Large Member for a term to expire June 30, 2020

Jordan Leaming as an At-Large Member for a term to expire June 30, 2020

Downtown Lansing Inc.:

Terry Carella as a Business Representative for a term to expire June 30, 2021

Summer Schriener as an Adjacent Neighborhood Representative for a term to expire June 30, 2021

Election Officers Compensation Commission:

Kurt Berryman as an At-Large Member for a term to expire October 1, 2023

Human Relations & Community Service Board:

Edwina Marshall as a First Ward Member for a term to expire June 30, 2021

Memorial Review Board:

Chad Rogers as an At-Large Member for a term to expire June 30, 2020

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

WHEREAS, the Mayor made reappointments to various Boards as stated below:

Board of Public Service:

Nancy Mahlow as the First Ward Member for a term to expire June 30, 2021

Board of Zoning Appeals:

Mitch Rice as an At-Large Member for a term to expire June 30, 2019;

Economic Development Corporation:

Pierre Lavoie as an At-Large Member for a term to expire February 28, 2023

Calvin Jones as an At-Large Member for a term to expire February 28, 2023

Employees Retirement Board:

Amy Kraus as a Citizen Retiree for a term to expire June 30, 2021; and

WHEREAS, the Mayor's office has verified that the nominees have been vetted and meet the qualifications as required by the City Charter;

BE IT RESOLVED, the City Council confirms the reappointments to various Boards as stated below:

Board of Public Service:

Nancy Mahlow as a First Ward Member for a term to expire June 30, 2021;

Board of Zoning Appeals:

Mitch Rice as an At-Large Member for a term to expire June 30, 2019;

Economic Development Corporation:

Pierre Lavoie as an At-Large Member for a term to expire February 28, 2023;

Calvin Jones as an At-Large Member for a term to expire February 28, 2023;

Employees Retirement Board:

Amy Kraus as a Citizen Retiree for a term to expire June 30, 2021.

City of Lansing
Counties of Ingham and Eaton, State of Michigan
RESOLUTION SUBMITTING SIDEWALK AND NEIGHBORHOOD STREET
IMPROVEMENTS BOND PROPOSAL
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council of the City of Lansing (the “City”) has determined that it is in the best interest of the City and its residents and property owners that the City improve, replace, reconstruct and construct sidewalks and neighborhood streets , including related site improvements, appurtenances and attachments (the “Project”); and

WHEREAS, the City Council has determined that the City should borrow money in an amount not-to-exceed Eleven Million Five Hundred Thousand Dollars (\$11,500,000) and issue general obligation bonds of the City in one or more series for the purpose of paying the cost of the Project; and

WHEREAS, the City Council wishes to place a proposal to issue bonds for the Project before the qualified electors of the City at the general election to be held in the City on Tuesday, November 7, 2017 (the “Election Date”); and

WHEREAS, in order for the bond proposal to be submitted to the City’s electors on the Election Date, it is necessary for the City Council to certify the ballot wording of the proposal to the City and County Clerks as required by Act 116, Public Acts of Michigan, 1954, as amended (the “Michigan Election Law”).

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The bond proposal attached to this Resolution as Exhibit A (the “Bond Proposal”) shall be submitted to a vote of the qualified electors of the City on the Election Date.
2. The ballot wording of the Bond Proposal is hereby certified to the City and County Clerks for submission to the City’s electors on the Election Date. The City Clerk is hereby authorized and directed to file this Resolution and/or complete any such forms, certificates or documents as may be required by the County Clerk to evidence the foregoing certification and/or submission as required by the Michigan Election Law.
3. The City Clerk and the County Clerk are hereby directed to (a) post and publish notice of last day of registration and notice of election for the Election Date in the manner required by the Michigan Election Law, and (b) have prepared and printed, as provided by the Michigan Election Law, ballots for submitting the Bond Proposal on the Election Date, which ballots may include other matters presented to the electorate on the same date.

4. The estimated first year millage rate and simple average annual millage rate set forth in the Bond Proposal are reasonable estimates of such millage rates based on current assumptions.

5. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the City reasonably expects to reimburse itself with the proceeds of debt to be incurred by the City for costs of the Project that were or will be paid subsequent to sixty (60) days prior to the date hereof.
- (b) The maximum principal amount of debt expected to be issued for the Project is \$11,500,000.
- (c) The expenditures described above are “capital expenditures” as defined in Treasury Regulation § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

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

WHEREAS, the City of Lansing is the owner of real property commonly known as the Cooley-Haze House, formerly known as the Women's Historical Center located at 213 W. Malcolm X Street, Lansing, Michigan and legally described as: LOT 20 BLOCK 177 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN (the "Property"); and

WHEREAS, the Council has decided to present to the electors of the City of Lansing whether to sell the Property; and

WHEREAS, sale of the Property is in the best interest of the City because the City will no longer incur the expenses associated with maintaining the Property; and

WHEREAS, the Park Board met and approved placing the sale of the Property on the ballot for consideration by Lansing voters at its meeting on June 14, 2017; and

WHEREAS, any net proceeds from the sale of the Property will be used for improvements in the City of Lansing park and recreation system;

NOW, THEREFORE, BE IT RESOLVED that the proposal to sell the Property be submitted to the electors of the City of Lansing for approval pursuant to Section 8-403.4 of the City Charter at the election to be held on November 7, 2017.

BE IT FURTHER RESOLVED that said proposal be submitted to the electors of the City in the manner and form substantially as follows:

CITY OF LANSING
SALE OR DISPOSITION OF COOLEY-HAZE HOUSE WITH HISTORIC
PRESERVATION COVENANT

Shall the City of Lansing be authorized to sell, or otherwise dispose of the Cooley-Haze Property, formerly known as the Michigan Women's Historical Center, legally described as: LOT 20 BLOCK 177 ORIG PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, with a historic preservation covenant?

YES [] NO []

BE IT FURTHER RESOLVED that the votes cast upon the proposal shall be counted, canvassed, and returned, and the results determined in the same manner as required for other electoral questions, as prescribed by law.

BE IT FURTHER RESOLVED that the City Clerk is required to provide sufficient notice of the placement of this ballot proposal, in conformance with state election law, including to the County Clerk, and is hereby authorized to take appropriate steps for the placement on the November 7, 2017 ballot.

BE IT FINALLY RESOLVED that if the sale of the Property is approved by the voters of the City of Lansing, and the Property is sold in compliance with the requirement of the City Charter, the net proceeds from the sale will be used for improvements in the City's Parks and Recreation Department system.

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

WHEREAS, pursuant to Section 8-403.6 of the Lansing City Charter, an affirmative vote of a majority of the electorate is required before any park, recreation, cemetery, or waterfront land may be sold; and

WHEREAS, it has been determined that the City of Lansing would benefit from greater citizen participation in other forms of property disposition, in addition to sale of park property, including leases, licenses, easements, transfers or exchanges; and

WHEREAS, such citizen participation by voting on such additional forms of disposition would require an amendment to the Charter;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing, pursuant to the authority of the Home Rule Cities Act (MCL 117.1 et. seq.), and by a three-fifths (3/5) vote of its members elect, hereby proposes that the following amendment to Article 8, Chapter 4 of the Lansing City Charter be submitted to the electors of the City for adoption or rejection at the election to be held on November 7, 2017:

Chapter 4 Property

8-403.7. In addition to Section 8-403.6, no part or entirety of dedicated park land may be disposed of by transfer, easement, lease, license, or other exchange, or be converted to another use without approval, by majority vote, of the electors of the City voting on the question at a regular or special election.

As used in this Section, “converted to another use” means changing the use of a park, or significant part thereof, from a recreation or conservation use to another use not directly related or incidental to public recreation or conservation.

This Section shall not apply to park land disposed of or converted to use by another public entity transferee.

BE IT FURTHER RESOLVED that in accordance with the Home Rule Cities Act (MCL 117.1, et. seq.), the question shall be captioned and stated on the ballot as follows:

CITY OF LANSING CHARTER AMENDMENT
ELECTORATE APPROVAL OF PARK LAND DISPOSITION AND CONVERSION OF
USE

It is proposed that the Lansing City Charter be amended to require electorate approval prior to park land disposition or conversion of use by adding section 8-403.7 that will provide for the following:

[32442:4:20170721:131756]

8-403.7. Providing that dedicated park land may not be disposed of or converted to another use without first being approved by an affirmative vote of a majority of City electors voting at a regular or special election; and defining “converted to another use” as meaning the change in use of the park, or a significant part of it, from recreation or conservation use to another use not directly related or incidental to the public recreation or conservation; and providing that this Section shall not apply to disposition or conversion of use to another public entity.

Shall this amendment be adopted?

☐ YES
☐ NO

BE IT FURTHER RESOLVED that the Charter amendment would take effect on December 31, 2017.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed and authorized to, in accordance with the Home Rule Cities Act (MCL 117.1, et. seq.), transmit a copy of this resolution and roll call vote on it, along with a copy of the proposed amendment to the Governor of the State of Michigan for approval and a copy to the Attorney General of the State of Michigan for approval as to the form in which the proposal shall be presented to electors.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to cause the above proposal to be placed on the ballot at the election to be held on November 7, 2017.

BE IT FURTHER RESOLVED that the ballot wording is hereby certified to the City Clerk for submission to the City’s electors at the election to be held on November 7, 2017.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice of the election and notice of registration therefore in the manner prescribed by law and to do all things and to provide all supplies necessary to submit the ballot proposal to the vote of the electors as required by law.

BE IT FURTHER RESOLVED that in accordance with law, the City Clerk shall post the proposed Charter amendment in full at each polling place.

BE IT FINALLY RESOLVED that the canvass and determination of the votes of said question shall be made in accordance with the laws of the State of Michigan and the Charter of the City of Lansing.

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

WHEREAS, from time to time dedicated park land is sold or disposed of in accordance with the requirements of the City Charter; and

WHEREAS, it is deemed beneficial to the citizens of Lansing that its parks and recreational facilities be reasonably preserved; and

WHEREAS, one means of furthering the preservation of parks and recreational facilities is by providing the monetary consideration received from the sale and disposition of park land remain in the City's Parks and Recreation Department budget accounts;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing, pursuant to the authority of the Home Rule Cities Act (MCL 117.1 et. seq.), and by a three-fifths (3/5) vote of its members elect, hereby proposes that the following amendment to Article 8, Chapter 4 of the Lansing City Charter be submitted to the electors of the City for adoption or rejection at the election to be held on November 7, 2017:

Chapter 4 Property

8-403.8. Monetary consideration received from the sale of dedicated park land in accordance with Section 8-403.6 of this Charter or from other methods of disposition of park land shall be deposited in the operating fund accounts of the Department of Parks and Recreation.

BE IT FURTHER RESOLVED that in accordance with the Home Rule Cities Act (MCL 117.1, et. seq.), the question shall be captioned and stated on the ballot as follows:

CITY OF LANSING CHARTER AMENDMENT
ELECTORATE APPROVAL OF BUDGET ACCOUNT DEPOSIT OF MONETARY
PROCEEDS FROM SALE OR OTHER DISPOSITION OF PARK LAND

It is proposed that the Lansing City Charter be amended to require monetary proceeds from the sale or disposition of park land be deposited in City Parks and Recreation Department accounts by adding section 8-403.8 that will provide for the following:

8-403.8. Monetary consideration received from the sale of dedicated park land in accordance with Section 8-403.6 of this Charter or from other methods of disposition of park land shall be deposited in the operating fund accounts of the Department of Parks and Recreation.

Shall this amendment be adopted?

☐ YES
☐ NO

BE IT FURTHER RESOLVED that the Charter amendment would take effect on December 31, 2017.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed and authorized to, in accordance with the Home Rule Cities Act (MCL 117.1, et. seq.), transmit a copy of this resolution and roll call vote on it, along with a copy of the proposed amendment to the Governor of the State of Michigan for approval and a copy to the Attorney General of the State of Michigan for approval as to the form in which the proposal shall be presented to electors.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to cause the above proposal to be placed on the ballot at the election to be held on November 7, 2017.

BE IT FURTHER RESOLVED that the ballot wording is hereby certified to the City Clerk for submission to the City's electors at the election to be held on November 7, 2017.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice of the election and notice of registration therefore in the manner prescribed by law and to do all things and to provide all supplies necessary to submit the ballot proposal to the vote of the electors as required by law.

BE IT FURTHER RESOLVED that in accordance with law, the City Clerk shall post the proposed Charter amendment in full at each polling place.

BE IT FINALLY RESOLVED that the canvass and determination of the votes of said question shall be made in accordance with the laws of the State of Michigan and the Charter of the City of Lansing.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-4-2017: Vacant parcel (33-01-01-29-259-120) east of 1219 Victor Avenue,
Rezoning from “B” Residential District to “C” Residential District

was introduced by the Committee on Development & Planning, read a first time by its title and referred to the Committee on Development and Planning.

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, August 14, 2017, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-4-2017: Vacant parcel (33-01-01-29-259-120) east of 1219 Victor Avenue,
Rezoning from "B" Residential District to "C" Residential District

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-4-2017

Parcel Number: 33-01-01-29-259-120

Legal Descriptions: Lot 7, except the East 20 feet thereof, also Lots 8-12 and the East 30 Feet of Lot 13; Block 29, Elmhurst Subdivision, City of Lansing, Ingham County, MI, from "B" Residential district to "C" Residential district

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2017, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

INTRODUCTION OF ORDINANCE

Council Member Wood introduced:

An Ordinance of the City of Lansing, Michigan to replace Chapter 1300 of the City of Lansing Codified Ordinances in its entirety; to provide for the regulation and licensing of medical marihuana establishments; to establish land use and zoning requirements attendant thereto; to protect the public health, safety, and welfare of the City of Lansing; to set licensing fees for the purpose of defraying the costs associated with the implementation and enforcement of the provisions of the chapter; and to provide penalties for violations of the chapter.

The Ordinance is referred to the Committee of the Whole

**RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL**

RESOLVED by the City Council, City of Lansing, that a public hearing be set for August 14, 2017 at 7:00 p.m. in the City Council Chambers, 10th floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance of the City of Lansing, Michigan to replace Chapter 1300 of the City of Lansing Codified Ordinances in its entirety; to provide for the regulation and licensing of medical marihuana establishments; to establish land use and zoning requirements attendant thereto; to protect the public health, safety, and welfare of the City of Lansing; to set licensing fees for the purpose of defraying the costs associated with the implementation and enforcement of the provisions of the chapter; and to provide penalties for violations of the chapter.

Interested Persons are invited to attend this Public Hearing

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

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

THE CITY OF LANSING ORDAINS:

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

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

1300.1 –LEGISLATIVE INTENT.

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

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

EXCEPT AS MAY BE REQUIRED OR PERMITTED BY LAW OR REGULATION, IT IS NOT THE INTENT OF THIS CHAPTER TO DIMINISH, ABROGATE, OR RESTRICT THE PROTECTIONS FOR MEDICAL USE OF MARIHUANA FOUND IN THE MICHIGAN MEDICAL MARIHUANA ACT, THE MEDICAL MARIHUANA FACILITIES LICENSING ACT OR SECTION 8-501 OF THE LANSING CITY CHARTER.

1300.2 – DEFINITIONS, INTERPRETATION AND CONFLICTS.

FOR THE PURPOSES OF THIS CHAPTER:

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

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

(C) THIS ORDINANCE SHALL NOT LIMIT AN INDIVIDUAL’S OR ENTITY’S RIGHTS UNDER THE MMMA, MMFLA OR MTA AND THESE SUPERSEDE THIS ORDINANCE WHERE THERE IS A CONFLICT BETWEEN THEM AND THE

1 IMMUNITIES AND PROTECTION ESTABLISHED IN THE MMMA UNLESS
2 SUPERSEDED OR PREEMPTED BY THE MMFLA.
3

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

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

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

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

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

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

38 “BUILDING” MEANS AN INDEPENDENT, ENCLOSED STRUCTURE HAVING A
39 ROOF SUPPORTED BY COLUMNS OR WALLS, INTENDED AND / OR USED FOR
40 SHELTER OR ENCLOSURE OF PERSONS OR CHATTELS. WHEN ANY PORTION OF A
41 STRUCTURE IS COMPLETELY SEPARATED FROM EVERY OTHER PART BY
42 DIVIDING WALLS FROM THE GROUND UP, AND WITHOUT OPENINGS, EACH
43 PORTION OF SUCH STRUCTURE SHALL BE DEEMED A SEPARATE STRUCTURE,
44 REGARDLESS OF WHETHER THE PORTIONS OF SUCH STRUCTURE SHARE
45 COMMON PIPES, DUCTS, BOILERS, TANKS, FURNACES, OR OTHER SUCH SYSTEMS.
46 THIS DEFINITION REFERS ONLY TO PERMANENT STRUCTURES, AND DOES NOT

1 INCLUDE TENTS, SHEDS, GREENHOUSES AND PRIVATE GARAGES ON
2 RESIDENTIAL PROPERTY, STABLES, OR OTHER ACCESSORY STRUCTURES. A
3 BUILDING DOES NOT INCLUDE SUCH STRUCTURES WITH INTERIOR AREAS NOT
4 NORMALLY ACCESSIBLE FOR HUMAN USE, SUCH AS GAS HOLDERS, TANKS,
5 SMOKE STACKS, GRAIN ELEVATORS, COAL BUNKERS, OIL CRACKING TOWERS
6 OR SIMILAR STRUCTURES.

7
8 “CHAPTER” MEANS THIS CHAPTER 1300.

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

15
16 “CITY” MEANS THE CITY OF LANSING, MICHIGAN.

17
18 “COUNCIL, OR CITY COUNCIL,” MEANS THE CITY COUNCIL OF LANSING,
19 MICHIGAN.

20
21 “CULTIVATION” OR “CULTIVATE” AS USED IN THIS CHAPTER MEANS: (1) ALL
22 PHASES OF GROWTH OF MARIHUANA FROM SEED TO HARVEST, DRIES, TRIMS OR
23 CURES; (2) PREPARING, PACKAGING OR REPACKAGING, LABELING, OR
24 RELABELING OR ANY FORM OF MARIHUANA.

25
26 “DISQUALIFYING FELONY” MEANS A FELONY THAT MAKES AN INDIVIDUAL
27 INELIGIBLE TO SERVE AS A REGISTERED PRIMARY CAREGIVER UNDER THE
28 MMMA, MMFLA OR MTA.

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

37
38 “LICENSE” OR “MEDICAL MARIHUANA BUSINESS LICENSE” MEANS A LICENSE
39 ISSUED FOR THE OPERATION OF A MEDICAL MARIHUANA ESTABLISHMENT
40 PURSUANT TO THE TERMS AND CONDITIONS OF THIS CHAPTER AND INCLUDES A
41 LICENSE WHICH HAS BEEN RENEWED PURSUANT TO SECTION 1300.7.

42
43 “LICENSE APPLICATION” MEANS AN APPLICATION SUBMITTED FOR A
44 LICENSE PURSUANT TO THE REQUIREMENTS AND PROCEDURES SET FORTH IN
45 SECTIONS 1300.5 AND 1300.6.

1 “LICENSEE” MEANS A PERSON ISSUED A LICENSE FOR AN ESTABLISHMENT
2 PURSUANT TO THIS CHAPTER.

3
4 “MARIHUANA” MEANS ALL PARTS OF THE PLANT CANNABIS SATIVA L.,
5 GROWING OR NOT; THE SEEDS OF THE PLANT; THE RESIN EXTRACTED FROM
6 ANY PART OF THE PLANT; AND EVERY COMPOUND, MANUFACTURE, SALT,
7 DERIVATIVE, MIXTURE, OR PREPARATIONS OF THE PLANT OR ITS SEEDS OR
8 RESIN.

9 MARIHUANA DOES NOT INCLUDE:

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

22
23 “MARIHUANA-INFUSED PRODUCT” MEANS A TOPICAL FORMULATION,
24 TINCTURE, BEVERAGE, EDIBLE SUBSTANCE, OR SIMILAR PRODUCT CONTAINING
25 ANY USABLE MARIHUANA THAT IS INTENDED FOR HUMAN CONSUMPTION IN A
26 MANNER OTHER THAN SMOKE INHALATION. MARIHUANA-INFUSED PRODUCT
27 SHALL NOT BE CONSIDERED A FOOD FOR PURPOSE OF THE FOOD LAW, 2000 PA
28 92, MCL 289.1101 TO 289.8111.

29
30 “MARIHUANA TRACKING ACT” OR “MTA” MEANS PUBLIC ACT 282 OF 2016
31 .M.C.L. 333.27901, ET. SEQ.

32
33 “MEDICAL MARIHUANA” MEANS ANY MARIHUANA INTENDED FOR MEDICAL
34 USE THAT MEETS ALL DESCRIPTIONS AND REQUIREMENTS FOR MEDICAL
35 MARIHUANA CONTAINED IN THE MMMA, MMFLA AND THE MTA AND ANY
36 OTHER APPLICABLE LAW.

37
38 “MEDICAL MARIHUANA COMMISSION” OR “COMMISSION” MEANS THE
39 MEDICAL MARIHUANA COMMISSION ESTABLISHED UNDER SECTION 1300.3
40 OF THIS CHAPTER.

41
42 “MEDICAL MARIHUANA FACILITIES LICENSING ACT” OR “MMFLA” MEANS
43 PUBLIC ACT 281 OF 2016, MCL 333.27101, ET. SEQ.

44
45 “MEDICAL MARIHUANA ESTABLISHMENT(S), OR, “ESTABLISHMENT,” MEANS
46 ANY FACILITY, ESTABLISHMENT AND/OR CENTER THAT IS REQUIRED TO BE
47 LICENSED UNDER THIS CHAPTER AND POSSESSES A LICENSE TO OPERATE

1 UNDER THE MMFLA, INCLUDING: A MEDICAL MARIHUANA PROVISIONING
2 CENTER, A MEDICAL MARIHUANA GROWER FACILITY; A MEDICAL MARIHUANA
3 PROCESSOR FACILITY; A MEDICAL MARIHUANA SECURE TRANSPORTER; AND A
4 MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY.

5
6 “MEDICAL MARIHUANA GROWER FACILITY,” MEANS A COMMERCIAL OR
7 BUSINESS ENTITY LOCATED IN THE CITY THAT IS LICENSED TO OPERATE BY THE
8 STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO
9 TERMS AND CONDITIONS OF THIS CHAPTER THAT CULTIVATES, DRIES, TRIMS OR
10 CURES AND PACKAGES MARIHUANA IN ACCORDANCE WITH STATE LAW.

11
12 “MEDICAL MARIHUANA LICENSING BOARD” MEANS THE STATE BOARD
13 ESTABLISHED PURSUANT TO THE MMFLA.

14
15 “MEDICAL MARIHUANA PROVISIONING CENTER,” MEANS A COMMERCIAL OR
16 BUSINESS ENTITY LOCATED IN THE CITY THAT IS LICENSED TO OPERATE BY THE
17 STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO
18 THE TERMS AND CONDITIONS OF THIS CHAPTER, THAT SELLS, SUPPLIES, OR
19 PROVIDES MARIHUANA TO REGISTERED QUALIFYING PATIENTS ONLY AS
20 PERMITTED BY STATE LAW. MEDICAL MARIHUANA PROVISIONING CENTER, AS
21 DEFINED IN THE MMMA, MMFLA AND MTA, INCLUDES ANY COMMERCIAL
22 PROPERTY OR BUSINESS WHERE MARIHUANA IS SOLD IN CONFORMANCE WITH
23 STATE LAW AND REGULATION. A NONCOMMERCIAL OR NONBUSINESS
24 LOCATION USED BY A PRIMARY CAREGIVER TO ASSIST A QUALIFYING PATIENT,
25 AS DEFINED IN THE MMMA, MMFLA OR MTA CONNECTED TO THE CAREGIVER
26 THROUGH THE STATE’S MARIHUANA REGISTRATION PROCESS IN ACCORDANCE
27 WITH THE MMMA, MMFLA OR MTA IS NOT A MEDICAL MARIHUANA
28 PROVISIONING CENTER FOR PURPOSES OF THIS CHAPTER.

29
30 “MMFLA” MEANS THE MDEICAL MARIHUANA FACILITIES LICENSING ACT,
31 MCL 333.2701, ET.SEQ. AS AMENDED FROM TIME TO TIME.

32
33 “MMMA” MEANS THE MICHIGAN MEDICAL MARIHUANA ACT, MCL 333.26421
34 ET.SEQ AS AMENDED FROM TIME TO TIME.

35
36 “MTA” MEANS THE MARIHUANA TRACKING ACT, MCL 333.27901, ET. SEQ. AS
37 AMENDED FROM TIME TO TIME.

38
39 “ORDINANCE” MEANS THE ORDINANCE ADOPTING THIS CHAPTER 1300.

40
41 “PARK” MEANS AN AREA OF LAND DESIGNATED BY THE CITY AS A PARK ON
42 ITS MASTER PLAN OR ON A COUNCIL-APPROVED LIST OF CITY PARKS.

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

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

12
13 “PUBLIC PLAYGROUND EQUIPMENT” MEANS AN OUTDOOR FACILITY,
14 GROUPING, OR CONCENTRATION OPEN TO THE PUBLIC AND ON
15 PUBLIC PROPERTY AND CONTAINING THREE OR MORE APPARATUS,
16 INCLUDING, BUT NOT LIMITED TO, SLIDES, CLIMBERS, SEESAWS, AND
17 SWINGS, DESIGNED FOR THE RECREATIONAL USE OF CHILDREN AND
18 OWNED AND OPERATED BY A LOCAL UNIT OF GOVERNMENT, SCHOOL
19 DISTRICT, OR OTHER UNIT OR AGENCY OF GOVERNMENT.

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, THE MMFLA, THE MTA OR OTHER APPLICABLE STATE LAW.

24
25 “SAFETY COMPLIANCE FACILITY” OR “MEDICAL MARIHUANA SAFETY
26 COMPLIANCE FACILITY” MEANS A COMMERCIAL **OR BUSINESS** ENTITY **LOCATED**
27 **IN THE CITY** THAT IS LICENSED TO OPERATE BY THE STATE PURSUANT TO THE
28 MMFLA AND IS LICENSED BY THE CITY PURSUANT TO **THE TERMS AND**
29 **CONDITIONS OF** THIS CHAPTER, THAT RECEIVES MARIHUANA FROM A MEDICAL
30 MARIHUANA ESTABLISHMENT OR A REGISTERED QUALIFYING PATIENT OR A
31 REGISTERED PRIMARY CAREGIVER, TESTS IT FOR CONTAMINANTS AND FOR
32 TETRAHYDROCANNABINOL AND OTHER CANNABINOIDS IN ACCORDANCE WITH
33 STATE LAW.

34
35 “SCHOOL’ MEANS AND INCLUDES BUILDINGS USED FOR SCHOOL PURPOSES
36 TO PROVIDE INSTRUCTION TO CHILDREN AND YOUTH IN GRADES PRE-
37 KINDERGARTEN THROUGH 12, AND HEADSTART WHEN THAT INSTRUCTION IS
38 PROVIDED BY A PUBLIC, PRIVATE, DENOMINATIONAL, OR PAROCHIAL SCHOOL.
39 **REF. BUFFERING 1300.13 (A)**

40
41 “SECURE TRANSPORTER” OR “MEDICAL MARIHUANA SECURE TRANSPORTER”
42 MEANS A COMMERCIAL **OR BUSINESS** ENTITY THAT IS LICENSED TO OPERATE
43 BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED TO OPERATE BY THE
44 CITY PURSUANT TO **THE TERMS AND CONDITIONS OF** THIS CHAPTER, ~~THAT IS A~~
45 ~~COMMERCIAL ENTITY LOCATED IN THIS CITY~~ THAT STORES MARIHUANA AND
46 TRANSPORTS MARIHUANA BETWEEN MEDICAL MARIHUANA FACILITIES FOR A
47 FEE AND IN ACCORDANCE WITH STATE LAW.

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

“STATE” MEANS THE STATE OF MICHIGAN.

(G) ANY TERM DEFINED BY THE MMMA, THE MMFLA, OR THE MTA AND NOT DEFINED IN THIS CHAPTER SHALL HAVE THE DEFINITION **GIVEN IN THE MMMA, MMFLA, OR MTA, AS APPLICABLE.** ~~PROVIDED IN THOSE ACTS.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

NOTIFIED BY THE CITY CLERK THAT IT WOULD NOT BE RECEIVING A LICENSE OR THAT ITS APPLICATION WOULD NOT BE SUBMITTED FOR CONSIDERATION TO THE COMMISSION. ONCE A MEDICAL MARIHUANA ESTABLISHMENT IS NOTIFIED BY THE CITY CLERK THAT IT WILL NOT RECEIVE A LICENSE OR THAT ITS APPLICATION WILL NOT BE SUBMITTED TO THE COMMISSION FOR CONSIDERATION, THE MEDICAL MARIHUANA ESTABLISHMENT MUST CEASE OPERATING WITHIN 30 CALENDAR DAYS FROM THE DATE OF SUCH NOTIFICATION. CONTINUING TO OPERATE AFTER NOTIFICATION FROM THE CLERK SHALL BE A FACTOR THAT MAY BE CONSIDERED BY THE COMMISSION IN SUBSEQUENT LICENSING DETERMINATIONS.

(C) THE CITY CLERK SHALL ISSUE A NEW LICENSE FOR A MEDICAL MARIHUANA ESTABLISHMENT ONLY AFTER THE COMMISSION HAS ISSUED A CERTIFICATE OF APPROVAL. THE TERM OF EACH LICENSE SHALL BE ONE YEAR. A LICENSE ISSUED UNDER THIS CHAPTER MAY BE CONDITIONED ON THE APPROVAL OF THE OPERATOR BY THE STATE AT THE LOCATION UNDER THE MMFLA.

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

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

~~MEDICAL MARIHUANA ESTABLISHMENT MUST CEASE OPERATING WITHIN
30 CALENDAR DAYS FROM THE DATE OF SUCH NOTIFICATION.~~

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

1300.5– LICENSE APPLICATION SUBMISSION.

~~(A) EACH MEDICAL MARIHUANA ESTABLISHMENT MUST BE LICENSED BY
THE CITY. APPLICATIONS FOR A LICENSE SHALL BE MADE IN WRITING TO
THE CITY CLERK. ALL APPLICATIONS SUBMITTED TO THE CITY CLERK IN
ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER SHALL BE
CONSIDERED FOR THE ISSUANCE OF A LICENSE. EACH APPLICATION
SHALL CONTAIN A SIGNED ACKNOWLEDGEMENT THAT THE APPLICANT IS
AWARE AND UNDERSTANDS THAT ALL MATTERS RELATED TO
MARIHUANA GROWING, CULTIVATION, POSSESSION, DISPENSING,
TESTING, SAFETY COMPLIANCE, TRANSPORTING, DISTRIBUTION, AND USE
ARE CURRENTLY SUBJECT TO STATE AND FEDERAL LAWS, RULES, AND
REGULATIONS, AND THAT THE APPROVAL OR GRANTING OF A LICENSE
HEREUNDER DOES NOT EXONERATE OR EXCULPATE THE APPLICANT
FROM ABIDING BY THE PROVISIONS AND REQUIREMENTS AND PENALTIES
ASSOCIATED WITH THOSE LAWS, RULES, AND REGULATIONS OR
EXPOSURE TO ANY PENALTIES ASSOCIATED THEREWITH; AND FURTHER
THE APPLICANT WAIVES AND FOREVER RELEASES ANY CLAIM, DEMAND,
ACTION, LEGAL REDRESS, OR RECOURSE AGAINST THE CITY OF LANSING,
ITS ELECTED AND APPOINTED OFFICIALS AND ITS EMPLOYEES AND
AGENTS FOR ANY CLAIMS, DAMAGES, LIABILITIES, CAUSES OF ACTION,
DAMAGES, AND ATTORNEY FEES THE APPLICANT MAY INCUR AS A
RESULT OF THE VIOLATION BY APPLICANT, ITS OFFICIALS, MEMBERS,
PARTNERS, SHAREHOLDERS, EMPLOYEES AND AGENTS OF THOSE LAWS,
RULES, AND REGULATIONS AND HEREBY WAIVES, AND ASSUMES THE
RISK OF, ANY SUCH CLAIMS AND DAMAGES, AND LACK OF RECOURSE
AGAINST THE CITY OF LANSING, ITS ELECTED AND APPOINTED
OFFICIALS, EMPLOYEES, ATTORNEYS, AND AGENTS.~~

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

- ~~(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;

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (15) A FLOOR PLAN OF THE MEDICAL MARIHUANA ESTABLISHMENT, AS
2 WELL AS A SCALE DIAGRAM ILLUSTRATING THE PROPERTY UPON WHICH
3 THE MEDICAL MARIHUANA ESTABLISHMENT IS TO BE OPERATED, INCLUDING
4 ALL AVAILABLE PARKING SPACES, AND SPECIFYING WHICH PARKING
5 SPACES, IF ANY, ARE HANDICAPPED-ACCESSIBLE;
6

7 (16) ANY PROPOSED TEXT OR GRAPHICAL MATERIALS TO BE SHOWN ON
8 THE EXTERIOR OF THE PROPOSED MEDICAL MARIHUANA ESTABLISHMENT;
9

10 (17) A LOCATION AREA MAP, AS MEASURED PURSUANT TO SECTION
11 1300.13 (D) OF THE MEDICAL MARIHUANA ESTABLISHMENT AND
12 SURROUNDING AREA THAT IDENTIFIES THE RELATIVE LOCATIONS AND THE
13 DISTANCES, AS MEASURED PURSUANT TO SECTION 1300.13 (D), TO THE
14 BUFFERED USES SET FORTH IN SECTION 1300.13 (A) ~~A LOCATION AREA MAP OF~~
15 ~~THE MEDICAL MARIHUANA ESTABLISHMENT AND SURROUNDING AREA~~
16 ~~THAT IDENTIFIES THE RELATIVE LOCATIONS AND THE DISTANCES (CLOSEST~~
17 ~~PROPERTY LINE TO THE SUBJECT ESTABLISHMENT'S PROPERTY LINE) FROM~~
18 ~~THE SUBJECT MEDICAL MARIHUANA ESTABLISHMENT TO THE CLOSEST REAL~~
19 ~~PROPERTY OF AN OPERATIONAL PUBLIC OR PRIVATE ELEMENTARY OR~~
20 ~~SECONDARY SCHOOL, CHURCH, PARK, A FACILITY AT WHICH SUBSTANCE~~
21 ~~ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND~~
22 ~~REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA~~
23 ~~368 OF 1978, MCL 333.6101 ET SEQ., ANOTHER LICENSED MEDICAL MARIHUANA~~
24 ~~ESTABLISHMENT OR A COMMERCIAL CHILD CARE ORGANIZATION (NON-~~
25 ~~HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED~~
26 ~~WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES;~~
27

28 (18) A FACILITY SANITATION PLAN TO PROTECT AGAINST ANY
29 MARIHUANA BEING INGESTED BY ANY PERSON OR ANIMAL, INDICATING
30 HOW THE WASTE WILL BE STORED AND DISPOSED OF, AND HOW ANY
31 MARIHUANA WILL BE RENDERED UNUSABLE UPON DISPOSAL. DISPOSAL BY
32 ON-SITE BURNING OR INTRODUCTION IN THE SEWERAGE SYSTEM IS
33 PROHIBITED;
34

35 (19) A PROPOSED PATIENT RECORDKEEPING PLAN THAT WILL TRACK
36 QUANTITIES SOLD TO INDIVIDUAL PATIENTS AND CAREGIVERS, AND WILL
37 MONITOR INVENTORY;
38

39 (20) A DESCRIPTION OF PROCEDURES FOR TESTING OF CONTAMINANTS,
40 INCLUDING MOLD AND PESTICIDES;
41

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

1
2 (22) VERIFICATION, INCLUDING COPIES OF ACTUAL BANK STATEMENTS,
3 SHOWING THAT THE APPLICANT HAS MINIMUM NET WORTH OF ONE
4 HUNDRED THOUSAND DOLLARS (\$100,000) IN THE APPLICANT'S NAME. WITH
5 COPIES OF ACTUAL BANK STATEMENTS, SHOWING THAT THE APPLICANT HAS
6 TANGIBLE FINANCIAL CAPITAL IN THE APPLICANT'S NAME IN THE AMOUNT
7 SUFFICIENT TO COMPLETE THE MEDICAL MARIHUANA ESTABLISHMENT AND
8 TO FUND THE BUSINESS PLAN AND OTHER PLANS REQUIRED BY THIS
9 SECTION 1300.5;

10
11 (23) AN ESTIMATE OF THE NUMBER AND TYPE OF JOBS THAT THE
12 MEDICAL MARIHUANA ESTABLISHMENT IS EXPECTED TO CREATE, THE
13 AMOUNT AND TYPE OF COMPENSATION EXPECTED TO BE PAID FOR SUCH
14 JOBS, AND THE PROJECTED ANNUAL BUDGET AND REVENUE OF THE
15 MEDICAL MARIHUANA ESTABLISHMENT; AND

16
17 (24) A SIGNED ACKNOWLEDGMENT THAT THE APPLICANT IS AWARE AND
18 UNDERSTANDS THAT ALL MATTERS RELATED TO MARIHUANA, GROWING,
19 CULTIVATION, POSSESSION, DISPENSING, TESTING, SAFETY COMPLIANCE,
20 TRANSPORTING, DISTRIBUTION, AND USE ARE CURRENTLY SUBJECT TO
21 STATE AND FEDERAL LAWS, RULES, AND REGULATIONS, AND THAT THE
22 APPROVAL OR GRANTING OF A LICENSE HEREUNDER DOES NOT EXONERATE
23 OR EXCULPATE THE APPLICANT FROM ABIDING BY THE PROVISIONS AND
24 REQUIRMENTS AND PENALTIES ASSOCIATED WITH THOSE LAWS, RULES AND
25 REGULATIONS OR EXPOSURE TO ANY PENALTIES ASSOCIATED THEREWITH;
26 AND FURTHER THE APPLICANT WAIVES AND FOREVER RELEASES ANY
27 CLAIM, DEMAND, ACTION, LEGAL REDRESS, OR RECOURSE AGAINST THE
28 CITY OF LANSING, ITS ELECTED AND APPOINTED OFFICIALS AND ITS
29 EMPLOYEES AND AGENTS FOR ANY CLAIMS, DAMAGES, LIABILITIES, CAUSES
30 OF ACTION, DAMAGES, AND ATTORNEY FEES THE APPLICANT MAY OCCUR AS
31 A RESULT OF THE VIOLATION BY APPLICANT, ITS OFFICIALS, MEMBERS,
32 PARTNERS, SHAREHOLDERS, EMPLOYEES AND AGENT OF THOSE LAWS,
33 RULES, AND REGULATIOS AND HEREBY WAIVER, AND ASSUMES THE RISK OF,
34 ANY SUCH CLAIMS AND DAMAGES, AND LACK OF RECOURSE AGAINST THE
35 CITY OF LANSING, ITS ELECTED AND APPOINTED OFFICIALS, EMPLOYEES,
36 ATTORNEYS, AND AGENTS.

37
38
39 (25) AS IT RELATES TO A MEDICAL MARIHUANA GROWER FACILITY, THE
40 FOLLOWING ADDITIONAL ITEMS SHALL BE REQUIRED:

41
42 (I) A CULTIVATION PLAN THAT INCLUDES AT A MINIMUM A
43 DESCRIPTION OF THE CULTIVATION METHODS TO BE USED, INCLUDING
44 PLANS FOR THE GROWING MEDIUMS, TREATMENTS, AND / OR ADDITIVES;
45

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

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

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

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

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

(27) (A) PROOF OF A SURETY BOND IN THE AMOUNT OF \$50,000 WITH THE CITY OF LANSING LISTED AS THE OBLIGEE TO GUARANTEE PERFORMANCE BY APPLICANT OF THE TERMS, CONDITIONS AND OBLIGATIONS OF THIS CHAPTER IN A MANNER AND SURETY APPROVED BY THE CITY ATTORNEY; OR, IN THE ALTERNATIVE,

(B) CREATION OF AN ESCROW ACCOUNT AS FOLLOWS;

(1) THE ACCOUNT MUST BE PROVIDED BY A STATE OR FEDERALLY REGULATED FINANCIAL INSTITUTION,

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

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

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

(C) ALL APPLICATIONS SHALL BE ACCOMPANIED BY A LICENSE APPLICATION FEE IN AN AMOUNT OF \$5,000. SHOULD THE APPLICANT NOT RECEIVE A LICENSE ESTABLISHED BY CITY COUNCIL RESOLUTION. ONE-HALF OF THE APPLICATION FEE SHALL BE RETURNED. IF AN APPLICATION IS APPROVED AND A LICENSE ISSUED, THE FIRST ANNUAL FEE SHALL BE IN AN AMOUNT ESTABLISHED BY CITY COUNCIL RESOLUTION. THE APPLICATION FEE AND THE ANNUAL FEE ARE ESTABLISHED TO DEFRAY THE COSTS OF ADMINISTRATION OF THIS CHAPTER.

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

(E) EXCEPT AS PROVIDED IN SECTION 1300.18 NO APPLICATIONS SHALL BE SUBMITTED TO THE MEDICAL MARIHUANA COMMISSION UNLESS :NO APPLICATION SHALL BE ACCEPTED BY THE CITY CLERK UNLESS:

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

(2) THE ZONING ADMINISTRATOR HAS CONFIRMED THAT THE PROPOSED LOCATION COMPLIES WITH THE ZONING CODE AND THIS CHAPTER , INCLUDING ANY VARIANCES GRANTED UNDER SECTION 1300.18;

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

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

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

1300.6-LICENSE APPLICATION EVALUATION.

(A) EXCEPT AS PROVIDED IN 1300.8(A), **THE COMMISSION WILL ASSESS ALL APPLICATIONS REFERRED TO IT BY THE CITY CLERK** ~~WILL ASSESS ALL APPLICATIONS PURSUANT TO SECTION 1300.5~~ ~~THE PROVISIONS, REQUIREMENTS, AND CRITERIA SET FORTH IN THIS CHAPTER AND SHALL CONSULT WITH THE POLICE DEPARTMENT, THE FIRE DEPARTMENT, THE BUILDING SAFETY OFFICE, THE ZONING ADMINISTRATOR, AND THE FINANCE DEPARTMENT. THE CITY CLERK MAY CONSULT WITH OUTSIDE PROFESSIONALS IN THE BUSINESS AND FINANCE DISCIPLINES.~~

(B) IN ITS APPLICATION **REVIEW AND DELIBERATIONS**, THE **COMMISSION** ~~CITY CLERK~~ ~~SHALL ASSESS, EVALUATE, AND SCORE EACH APPLICATION BASED UPON A SCORING PROCEDURE DEVELOPED BY THE COMMISSION,~~ IN EACH OF THE FOLLOWING CATEGORIES:

- ~~(1) THE CONTENT AND SUFFICIENCY OF THE INFORMATION CONTAINED IN 1300.5 (B) (3) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27),. AND (28); WHETHER THE REPORTS ISSUED BY THE FIRE, POLICE, BUILDING SAFETY, ZONING AND TREASURY DEPARTMENTS INDICATE THAT THE APPLICANT OR ITS STAKEHOLDERS OR EMPLOYEES HAVE SATISFIED THE REQUIREMENTS OF 1300.5 (E) (1-4) AND SUFFICIENTLY ADDRESSED THE CONSIDERATIONS OF 1300.5 (B) (1-25).~~
- (2) WHETHER THE PROPOSED ESTABLISHMENT WILL NEGATIVELY IMPACT THE CHARACTER AND AESTHETICS OF THE SURROUNDING NEIGHBORHOOD AND COMMUNITY, INCLUDING WHETHER THE APPLICANT OR ITS STAKEHOLDERS HAVE ENGAGED IN POSITIVE COMMUNITY 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 **POSED A THREAT TO THE** ~~ARE PERSONS OF GOOD CHARACTER, HONESTY, AND INTEGRITY WHO DO NOT DISCREDIT OR TEND TO DISCREDIT PUBLIC CONFIDENCE AND TRUST IN THE MEDICAL MARIHUANA INDUSTRY, OR POSE A THREAT TO THE PUBLIC HEALTH, SECURITY, SAFETY, MORALS, GOOD ORDER, OR GENERAL WELFARE; WHETHER~~

THE APPLICATION HAS PREVIOUSLY OPERATED OR CURRENTLY OPERATES AN ILLEGAL BUSINESS OF ANY KIND.

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

(C) THE MAXIMUM NUMBER OF LICENSES ISSUED FOR MEDICAL MARIHUANA PROVISIONS CENTERS SHALL BE CAPPED AT TWENTY-FIVE (25), AND IMPLEMENTED IN A TWO-PHASE PROCESS IN ORDER TO BALANCE SERVING PATIENTS' NEEDS AND SPREADING ECONOMIC DEVELOPMENT. (1) PHASE ONE: AT THE CONCLUSION OF A SIXTY (60) DAY ENROLLMENT PERIOD SET BY THE CITY CLERK, THE CITY WILL ISSUE UP TO TWENTY (20) LICENSES TO ALLOW FOR AN EFFICIENT AND MANAGABLE ADMINISTRATIVE REVIEW. THE COMMISSION MAY ADJUST DISTRIBUTION OF PHASE 2 LICENSES TO MEET PATIENTS' NEEDS. (2) PHASE TWO: AT THE CONCLUSION OF A SECOND THIRTY (30)DAY ENROLLMENT PERIOD SET BY THE CLERK, WHICH IS OPEN TO NEW APPLICANTS AND AMENDED APPLICANTS, THE COMMISSION MAY ISSUE UP TO FIVE (5) ADDITIONAL LICENSES. DURING THE TWO-PHASE PROCESS. AN APPLICATION SUBMITTED DURING PHASE ONE AND APPROVED BY THE CLERK, BUT NOT SELECTED FOR APPROVAL DURING PHASE ONE MAY BE CONSIDERED FOR APPROVAL DURING PHASE TWO. THE COMMISSION WILL INITIATE PHASE TWO WITHIN ONE YEAR OF THE START OF PHASE ONE.

(D) IN THE EVENT THAT THERE ARE MORE APPLICANTS WHO MEET THE CRITERIA SET FORTH IN 1300.6(B) THAN LICENSES AVAILABLE IN EITHER PHASE ONE OR TWO, THE TOP SCORING FIFTEEN (15) APPLICANTS IN PHASE ONE AND TOP SCORING TEN (10) APPLICANTS IN PHASE TWO SHALL BE ELIGIBLE TO RECEIVE LICENSES. IN THE EVENT OF A TIE DURING EITHER PHASE ONE OR PHASE TWO, WHICH CAUSES THERE TO BE MORE THAN 15 AND 10 TOP APPLICANTS RESPECTIVELY, THE TIED APPLICANTS WILL BE ENTERED INTO A RANDOM DRAW USING PROCEDURES SET BY THE COMMISSION. ALL LICENSE APPLICATIONS MUST BE SUBMITTED DURING THE OPEN ENROLLMENT PERIODS SET BY THE CLERK.

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

(E) NOTHING IN THIS SECTION IS INTENDED TO CONFER A PROPERTY OR OTHER RIGHT, DUTY, PRIVILEGE OR INTEREST IN A LICENSE OF ANY KIND OR NATURE WHATSOEVER INCLUDING BUT NOT LIMITED TO AN ENTITLEMENT. ~~ENTITLING AN APPLICANT TO AN ADMINISTRATIVE~~

1 ~~HEARING UPON DENIAL OF AN APPLICATION OR WITH REGARD TO ANY~~
2 ~~SCORING DECISION.~~
3
4
5

6 **1300.7 – LICENSE RENEWAL APPLICATION.**
7

8 (A) APPLICATION FOR A LICENSE RENEWAL REQUIRED BY THIS
9 CHAPTER SHALL BE MADE IN WRITING TO THE CITY CLERK AT LEAST THIRTY
10 (30) DAYS PRIOR TO THE EXPIRATION OF AN EXISTING LICENSE.
11

12 (B) AN APPLICATION FOR A LICENSE RENEWAL REQUIRED BY THIS
13 CHAPTER SHALL BE MADE UNDER OATH ON FORMS PROVIDED BY THE CITY,
14 AND SHALL CONTAIN ALL OF THE INFORMATION REQUIRED BY 1300.5(B).
15

16 (C) AN APPLICATION **FOR A LICENSE RENEWAL** SHALL BE
17 ACCOMPANIED BY A RENEWAL FEE IN AN AMOUNT **OF \$5,000.** ~~ESTABLISHED BY~~
18 ~~CITY COUNCIL RESOLUTION,~~ OF WHICH HALF WILL BE RETURNED SHOULD THE
19 LICENSE NOT BE RENEWED. THE RENEWAL FEE IS ESTABLISHED TO DEFRAY THE
20 COSTS OF THE ADMINISTRATION OF THIS CHAPTER.
21

22 (D) UPON RECEIPT OF A COMPLETED APPLICATION **FOR A LICENSE**
23 **RENEWAL** MEETING THE REQUIREMENTS OF THIS CHAPTER AND THE LICENSE
24 RENEWAL FEE, THE CITY CLERK SHALL REFER A COPY OF THE RENEWAL
25 APPLICATION TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE
26 DEPARTMENT, THE BUILDING SAFETY OFFICE, THE LANSING POLICE
27 DEPARTMENT, THE ZONING ADMINISTRATOR, ~~AND~~ THE CITY TREASURER, **AND**
28 **THE MEDICAL MARIHUANA COMMISSION.**
29

30 (E) NO **APPLICATION FOR A LICENSE** RENEWAL ~~APPLICATION~~ SHALL BE
31 APPROVED UNLESS:
32

33 (1) THE FIRE DEPARTMENT AND THE BUILDING SAFETY OFFICE HAVE
34 INSPECTED THE PROPOSED LOCATION FOR COMPLIANCE WITH ALL
35 LAWS FOR WHICH THEY ARE CHARGED WITH ENFORCEMENT WITHIN
36 THE PAST CALENDAR YEAR;
37

38 (2) THE ZONING ADMINISTRATOR HAS CONFIRMED THAT THE PROPOSED
39 LOCATION ~~CURRENTLY COMPLIES~~ WITH THE ZONING CODE AND THIS
40 CHAPTER, **AT THE TIME A LICENSE IS GRANTED, INCLUDING ANY**
41 **VARIANCES GRANTED UNDER SECTION 1300.18.**
42

43 (3) THE CITY TREASURER HAS CONFIRMED THAT THE APPLICANT AND
44 EACH STAKEHOLDER OF THE APPLICANT AND THE PROPOSED
45 LOCATION OF THE **ESTABLISHMENT** ~~FACILITY~~ ARE NOT CURRENTLY IN
46 DEFAULT TO THE CITY;

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

(5) THE **MEDICAL MARIHUANA COMMISSION** ~~CITY CLERK~~ HAS REVIEWED THE APPLICATION FOR COMPLIANCE WITH 1300.6 ~~(B)(1-3)~~.

(F) IF WRITTEN APPROVAL IS GIVEN BY EACH INDIVIDUAL OR DEPARTMENT IDENTIFIED IN SUBSECTION (E), THE CITY CLERK SHALL ISSUE A LICENSE RENEWAL TO THE APPLICANT. IF NO RENEWAL LICENSE IS ISSUED, HALF OF THE RENEWAL FEE SHALL BE RETURNED. THE RENEWAL SHALL BE DEEMED APPROVED IF THE CITY HAS NOT ISSUED FORMAL NOTICE OF APPROVAL OR DENIAL WITHIN 60 DAYS OF THE APPLICATION BEING ~~FILED~~. **FILING DATE OF THE APPLICATION, UNLESS THE APPLICANT IS ADVISED OF NON-COMPLIANCE UNDER 1300.7 (E)**

1300.8 – LICENSES GENERALLY.

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

(B) LICENSEES MAY TRANSFER A LICENSE ISSUED UNDER THIS CHAPTER TO A DIFFERENT LOCATION UPON RECEIVING WRITTEN APPROVAL FROM THE CITY CLERK. IN ORDER TO REQUEST APPROVAL TO TRANSFER A LICENSE LOCATION, THE LICENSEE MUST MAKE A WRITTEN REQUEST TO THE CITY CLERK, INDICATING THE CURRENT LICENSE LOCATION AND THE PROPOSED LICENSE LOCATION. UPON RECEIVING THE WRITTEN REQUEST, THE CITY CLERK SHALL REFER A COPY OF THE WRITTEN REQUEST TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT, THE BUILDING SAFETY OFFICE, THE POLICE DEPARTMENT, THE ZONING ADMINISTRATOR, ~~AND~~ THE CITY TREASURER, **AND THE MEDICAL MARIHUANA COMMISSION.** NO LICENSE TRANSFER SHALL BE APPROVED UNLESS EACH SUCH INDIVIDUAL OR DEPARTMENT GIVES WRITTEN APPROVAL THAT THE LICENSEE AND THE PROPOSED LICENSE LOCATION MEET THE STANDARDS IDENTIFIED **IN THIS CHAPTER, INCLUDING BUT NOT LIMITED TO SECTION 1300.5(E) AND THE MEDICAL MARIHUANA COMMISSION** ~~CITY CLERK~~ HAS DETERMINED THAT THE PROPOSED LOCATION MEETS THE REQUIREMENTS OF 1300.6 (B)(2).

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

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

(E) ANY LICENSE APPLICATIONS APPROVED PURSUANT TO THIS CHAPTER SHALL NOT BE EFFECTIVE AND NO MEDICAL MARIHUANA ESTABLISHMENT MAY OPERATE UNLESS THE MEDICAL MARIHUANA ESTABLISHMENT IS OPERATED PURSUANT TO A LICENSE ISSUED UNDER THE MMFLA.

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

EXCEPT AS PROVIDED BY THE RULES AND REGULATIONS ESTABLISHED BY THE MICHIGAN MEDICAL MARIHUANA LICENSING BOARD,

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

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

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

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

(E) UNLESS PERMITTED BY THE MMMA, PUBLIC OR COMMON AREAS OF THE MEDICAL MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM RESTRICTED OR NON-PUBLIC AREAS OF THE PROVISIONING CENTER BY A

1 PERMANENT BARRIER. UNLESS PERMITTED BY THE MMMA, NO MEDICAL
2 MARIHUANA IS PERMITTED TO BE STORED, DISPLAYED, OR TRANSFERRED IN AN
3 AREA ACCESSIBLE TO THE GENERAL PUBLIC;
4

5 (F) ALL MEDICAL MARIHUANA STORAGE AREAS WITHIN MEDICAL
6 MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM ANY
7 CUSTOMER/PATIENT AREAS BY A PERMANENT BARRIER. UNLESS PERMITTED BY
8 THE MMMA, NO MEDICAL MARIHUANA IS PERMITTED TO BE STORED IN AN
9 AREA ACCESSIBLE BY THE GENERAL PUBLIC OR REGISTERED
10 CUSTOMERS/PATIENTS. MEDICAL MARIHUANA MAY BE DISPLAYED IN A SALES
11 AREA ONLY IF PERMITTED BY THE MMFLA;
12

13 (G) ANY USABLE MEDICAL MARIHUANA REMAINING ON THE PREMISES OF A
14 MEDICAL MARIHUANA PROVISIONING CENTER WHILE THE MEDICAL
15 MARIHUANA PROVISIONING CENTER IS NOT IN OPERATION SHALL BE SECURED
16 IN A SAFE PERMANENTLY AFFIXED TO THE PREMISES;
17

18 (H) DRIVE-THRU WINDOWS ON THE PREMISES OF A MEDICAL MARIHUANA
19 PROVISIONING CENTER SHALL NOT BE PERMITTED;
20

21 (I) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPERATED IN
22 A MANNER CREATING NOISE, DUST, VIBRATION, GLARE, FUMES, OR ODORS
23 DETECTABLE TO NORMAL SENSES BEYOND THE BOUNDARIES OF THE PROPERTY
24 ON WHICH THE MEDICAL MARIHUANA PROVISIONING CENTER IS OPERATED; **OR**
25 **ANY OTHER NUISANCE THAT HINDERS THE PUBLIC HEALTH, SAFETY AND**
26 **WELFARE OF THE RESIDENTS OF THE CITY OF LANSING.**
27

28 (J) THE LICENSE REQUIRED BY THIS CHAPTER SHALL BE PROMINENTLY
29 DISPLAYED ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING
30 CENTER;
31

32 (K) DISPOSAL OF MEDICAL MARIHUANA SHALL BE ACCOMPLISHED IN A
33 MANNER THAT PREVENTS ITS ACQUISITION BY ANY PERSON WHO MAY NOT
34 LAWFULLY POSSESS IT AND OTHERWISE IN CONFORMANCE WITH STATE LAW;
35

36 (L) ALL MEDICAL MARIHUANA DELIVERED TO A PATIENT SHALL BE
37 PACKAGED AND LABELED AS PROVIDED BY STATE LAW AND THIS CHAPTER.
38 THE LABEL SHALL INCLUDE:
39

- 40 (1) A UNIQUE ALPHANUMERIC IDENTIFIER FOR THE PERSON TO WHOM IT
41 IS BEING DELIVERED;
- 42 (2) A UNIQUE ALPHA NUMERIC IDENTIFIER FOR THE CULTIVATION
43 SOURCE OF THE MARIHUANA;
- 44 (3) THAT THE PACKAGE CONTAINS MARIHUANA;

- 1 (4) THE DATE OF DELIVERY, WEIGHT, TYPE OF MARIHUANA AND DOLLAR
2 AMOUNT OR OTHER CONSIDERATION BEING EXCHANGED IN THE
3 TRANSACTION;
4 (5) A CERTIFICATION THAT ALL MARIHUANA IN ANY FORM CONTAINED IN
5 THE PACKAGE WAS CULTIVATED, MANUFACTURED, AND PACKAGED IN
6 THE STATE OF MICHIGAN;
7 (6) THE WARNING THAT; “THIS PRODUCT IS MANUFACTURED WITHOUT
8 ANY REGULATORY OVERSIGHT FOR HEALTH, SAFETY OR EFFICACY.
9 THERE MAY BE HEALTH RISKS ASSOCIATED WITH THE INGESTION OR
10 USE OF THIS PRODUCT. USING THIS PRODUCT MAY CAUSE
11 DROWSINESS. DO NOT DRIVE OR OPERATE HEAVY MACHINERY WHILE
12 USING THIS PRODUCT. KEEP THIS PRODUCT OUT OF REACH OF
13 CHILDREN. THIS PRODUCT MAY NOT BE USED IN ANY WAY THAT DOES
14 NOT COMPLY WITH STATE LAW OR BY PERSON WHO DOES NOT
15 POSSESS A VALID MEDICAL MARIHUANA PATIENT REGISTRY CARD.”
16 (7) THE NAME, ADDRESS, EMAIL ADDRESS, AND TELEPHONE NUMBER OF
17 AN AUTHORIZED REPRESENTATIVE OF THE DISPENSARY WHOM A
18 PATIENT CAN CONTACT WITH ANY QUESTIONS REGARDING THE
19 PRODUCT.
20

21 (M) A LICENSEE SHALL REQUIRE ALL REGISTERED PATIENTS PRESENT BOTH
22 THEIR MICHIGAN MEDICAL MARIHUANA PATIENT/CAREGIVER ID CARD AND
23 STATE IDENTIFICATION PRIOR TO ENTERING RESTRICTED/LIMITED AREAS OR
24 NON-PUBLIC AREAS OF THE MEDICAL MARIHUANA PROVISIONING CENTER, AND
25 IF NO RESTRICTED/LIMITED AREA IS REQUIRED, THEN PROMPTLY UPON
26 ENTERING THE MEDICAL MARIHUANA PROVISIONING CENTER.
27

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

32 (O) IT SHALL BE PROHIBITED TO DISPLAY ANY SIGNS THAT ARE
33 INCONSISTENT WITH LOCAL LAWS OR REGULATIONS OR STATE LAW.
34

35 (P) IT SHALL BE PROHIBITED TO USE ADVERTISING MATERIAL THAT IS FROM
36 ~~DISPLAYING OR DISTRIBUTING IN ANY MANNER, PHYSICALLY OR~~
37 ~~ELECTRONICALLY, ADVERTISING MATERIAL THAT IS MISLEADING, DECEPTIVE,~~
38 OR FALSE, OR THAT IS DESIGNED TO APPEAL TO MINORS.
39

40 (Q) NO LICENSED MEDICAL MARIHUANA PROVISIONING CENTER SHALL
41 PLACE OR MAINTAIN, OR CAUSE TO BE PLACED OR MAINTAINED, AN
42 ADVERTISEMENT OF MEDICAL MARIHUANA IN ANY FORM OR THROUGH ANY
43 MEDIUM WITHIN THE DISTANCE LIMITATIONS SET FORTH IN SECTION 1300.13 (A)
44

45 ~~(1) WITHIN ONE THOUSAND (1,000) FEET MEASURED PROPERTY LINE TO~~
46 ~~PROPERTY LINE OF THE REAL PROPERTY LINE COMPRISING AN OPERATIONAL~~

~~SCHOOL; A COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ; OR~~

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

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

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

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

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

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

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

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

1 (5) ANY MEDICAL MARIHUANA GROWER FACILITY SHALL COMPLY WITH
2 THE MTA AND SHALL MAINTAIN A LOG BOOK AND/OR DATABASE
3 IDENTIFYING BY DATE THE AMOUNT OF MEDICAL MARIHUANA AND THE
4 NUMBER OF MEDICAL MARIHUANA PLANTS ON THE PREMISES WHICH SHALL
5 NOT EXCEED THE AMOUNT PERMITTED UNDER THE GROWER LICENSE
6 ISSUED BY THE STATE OF MICHIGAN. THIS LOG SHALL BE AVAILABLE TO
7 LAW ENFORCEMENT PERSONNEL TO CONFIRM THAT THE MEDICAL
8 MARIHUANA GROWER DOES NOT HAVE MORE MEDICAL MARIHUANA THAN
9 AUTHORIZED AT THE LOCATION AND SHALL NOT BE USED TO DISCLOSE
10 MORE INFORMATION THAN IS REASONABLY NECESSARY TO VERIFY THE
11 LAWFUL AMOUNT OF MEDICAL MARIHUANA AT THE FACILITY;
12

13 (6) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
14 BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE
15 MMFLA, MTA, AND THE RULES AND REGUALTIONS OF THE MEDICAL
16 MARIHUANA LICENSING BOARD, AS AMENDED;
17

18 (7) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL
19 PERMITS SHALL BE OBTAINED FROM THE CITY OF LANSING OR OTHER
20 APPLICABLE GOVERNMENT AUTHORITY FOR ANY PORTION OF THE
21 STRUCTURE IN WHICH ELECTRICAL WIRING, LIGHTING AND/OR WATERING
22 DEVICES THAT SUPPORT THE CULTIVATION, GROWING OR HARVESTING OF
23 MARIHUANA ARE LOCATED;
24

25 (8) THAT PORTION OF THE STRUCTURE WHERE ANY CHEMICALS SUCH AS
26 HERBICIDES, PESTICIDES, AND FERTILIZERS ARE STORED SHALL BE SUBJECT
27 TO INSPECTION AND APPROVAL BY THE LANSING FIRE DEPARTMENT TO
28 INSURE COMPLIANCE WITH THE MICHIGAN FIRE CODES;
29

30 (9) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
31 MARIHUANA GROWER FACILITY SHALL BE PROHIBITED;
32

33 (10) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN
34 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH CULTIVATING,
35 PROCESSING, OR TESTING MEDICAL MARIHUANA. MULTI-TENANT
36 COMMERCIAL BUILDINGS MAY PERMIT ACCESSORY USES IN SUITES
37 SEGREGATED FROM MEDICAL MARIHUANA GROWER FACILITY;
38

39 (11) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
40 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY,
41 INCLUDING BUT NOT LIMITED TO:
42

43 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;
44

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

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

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

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

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

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

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

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

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

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

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

1 **1300.11 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
2 **SAFETY COMPLIANCE FACILITY.**

3
4 (A) THE FOLLOWING MINIMUM STANDARDS FOR SAFETY COMPLIANCE
5 FACILITIES SHALL APPLY:

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

13
14 (2) EXCEPT AS PROVIDED BY STATE LAW AND SECTION 8-501 OF THE
15 LANSING CITY CHARTER CONSUMPTION AND/OR USE OF MEDICAL
16 MARIHUANA SHALL BE PROHIBITED AT THE FACILITY;

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

21
22 (4) ANY SAFETY COMPLIANCE FACILITY SHALL MAINTAIN A LOG BOOK
23 AND/OR DATABASE IDENTIFYING BY DATE THE AMOUNT OF MEDICAL
24 MARIHUANA ON THE PREMISES AND FROM WHICH PARTICULAR SOURCE.
25 THE FACILITY SHALL MAINTAIN THE CONFIDENTIALITY OF QUALIFYING
26 PATIENTS IN COMPLIANCE WITH THE MICHIGAN MEDICAL MARIHUANA ACT
27 ~~MMMA, MMFLA, AND MTA~~, AS AMENDED;

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

33
34 (6) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN THE
35 SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH TESTING MEDICAL
36 MARIHUANA;

37
38 (7) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
39 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY;

40
41 (8) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
42 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
43 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
44 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
45

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

4
5 (10) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
6 MAINTAINED IN A SANITARY CONDITION;

7
8 (11) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
9 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
10 PREVENTS THE GROWTH OF THESE MICROORGANISMS;

11
12 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
13 MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE PROHIBITED.

14
15 **1300.12 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
16 **PROCESSOR FACILITY AND A MEDICAL MARIHUANA SECURE TRANSPORTER.**

17
18 (A) THE FOLLOWING MINIMUM STANDARDS FOR PROCESSOR AND A SECURE
19 TRANSPORTER SHALL APPLY:

20
21 (1) THE PROCESSOR AND SECURE TRANSPORTER SHALL COMPLY AT ALL
22 TIMES AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, MTA
23 AND THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD
24 ~~AND THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR THEIR~~
25 ~~SUCCESSORS, AS THE FOREGOING LAWS AND REGULATIONS~~ AS THEY MAY
26 BE AMENDED FROM TIME TO TIME;

27
28 (2) EXCEPT AS PROVIDED BY STATE LAW AND SECTION 8-501 OF THE
29 LANSING CITY CHARTER, CONSUMPTION AND/OR USE OF MEDICAL
30 MARIHUANA SHALL BE PROHIBITED AT THE PROCESSOR OR SECURE
31 TRANSPORTER FACILITY;

32
33 (3) ALL ACTIVITY RELATED TO THE PROCESSOR FACILITY SHALL BE
34 PERFORMED INDOORS IN A BUILDING;

35
36 (4) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
37 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT
38 ON THE PREMISES;

39
40 (5) ANY PROCESSOR AND/OR SECURE TRANSPORTER FACILITY SHALL
41 MAINTAIN A LOG BOOK AND/OR DATABASE IN ACCORDANCE WITH THE
42 MMFLA, THE MTA AND THE RULES AND REGULATIONS OF THE MEDICAL
43 MARIHUANA LICENSING BOARD IDENTIFYING BY DATE THE AMOUNT OF
44 MEDICAL MARIHUANA ON THE PREMISES WHICH SHALL NOT EXCEED THE
45 AMOUNT PERMITTED UNDER THE PROCESSOR LICENSE ISSUED BY THE STATE
46 OF MICHIGAN, TO THE EXTENT A STATE PERMIT PROCESS EXISTS. THIS LOG

1 SHALL BE AVAILABLE TO LAW ENFORCEMENT PERSONNEL TO CONFIRM
2 THAT THE PROCESSOR DOES NOT HAVE MORE MEDICAL MARIHUANA THAN
3 AUTHORIZED AT THE LOCATION AND SHALL NOT BE USED TO DISCLOSE
4 MORE INFORMATION THAN IS REASONABLY NECESSARY TO VERIFY THE
5 LAWFUL AMOUNT OF MEDICAL MARIHUANA AT THE FACILITY;

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

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

14
15 (8) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL
16 PERMITS SHALL BE OBTAINED FOR ANY PORTION OF THE STRUCTURE IN
17 WHICH ELECTRICAL WIRING FOR DEVICES THAT SUPPORT THE PROCESSING
18 ~~OR SECURE TRANSPORTING OF MEDICAL MARIHUANA ARE LOCATED;~~

19
20 (9) THAT PORTION OF THE STRUCTURE WHERE THE STORAGE OF ANY
21 CHEMICALS EXIST SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY
22 THE LANSING FIRE DEPARTMENT TO INSURE COMPLIANCE WITH THE
23 MICHIGAN FIRE PROTECTION CODE;

24
25 (10) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
26 MARIHUANA PROCESSOR OR SECURE TRANSPORTER FACILITY SHALL BE
27 PROHIBITED EXCEPT AS AUTHORIZED BY LANSING CITY CHARTER AND
28 STATE LAW;

29
30 (11) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN
31 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH THE
32 PROCESSING ~~MULTI-TENANT COMMERCIAL BUILDINGS MAY PERMIT~~
33 ~~ACCESSORY USES IN SUITES OR SECURE TRANSPORTING OF MEDICAL~~
34 ~~MARIHUANA. MULTI-TENANT COMMERCIAL BUILDINGS MAY PERMIT~~
35 ~~ACCESSORY USES IN SUITES~~ SEGREGATED FROM THE PROCESSOR FACILITY;

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

40
41 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) ONE THOUSAND (1000) FEET, ~~MEASURED FROM PROPERTY LINE TO PROPERTY LINE,~~ OF AN OPERATIONAL SCHOOL INCLUDING PRE-KINDERGARTEN THAT IS LOCATED WITHIN A SCHOOL; OR ; A COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ.;

(2) FIVE HUNDRED (500) FEET, OF THE FOLLOWING BUFFERED USES: PUBLIC PLAYGROUND EQUIPMENT LOCATED IN A PARK; A COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT 173 PA 116, MCL 722.11 ET. SEQ.~~MEASURED FROM PROPERTY LINE TO PROPERTY LINE, OF; A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED; A CHURCH A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES AND THOSE TERMS ARE DEFINED IN PART 61 OR PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED, OR ANOTHER MEDICAL MARIHUANA PROVISIONING CENTER. OR OTHER STRUCTURE IN WHICH RELIGIOUS SERVICES ARE CONDUCTED; PARKS; OR ANOTHER MEDICAL MARIHUANA ESTABLISHMENT.~~

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

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

(D) FOR THE PURPOSE OF CALCULATING THE BUFFERING AND DISPERSION REQUIREMENTS OF THIS SECTION 1300.13, THE DISTANCE SHALL BE MEASURED

1 ALONG THE CENTER LINE OF THE STREET OR STREETS OF ADDRESS BETWEEN
2 TWO FIXED POINTS ON THE CENTER LINE DETERMINED BY PROJECTING
3 STRAIGHT LINES, AT RIGHT ANGLES TO THE CENTER LINE, FROM THE PART OF
4 THE BUFFERED USE NEAREST TO THE CONTEMPLATED LOCATION OF THE
5 MEDICAL MARIHUANA ESTABLISHMENT AND FROM THE PART OF THE
6 CONTEMPLATED LOCATION NEAREST TO THE BUFFERED USE. THE DISTANCES
7 FROM THE MEDICAL MARIHUANA ESTABLISHMENT TO THE POINT ON THE
8 CENTERLINE AND FROM THE BUFFERED USE TO THE POINT ON THE CENTERLINE
9 SHALL BE INCLUDED IN THE CALCULATION.~~NO MEDICAL MARIHUANA~~
10 ~~ESTABLISHMENT SHALL BE LOCATED IN AN UNZONED AREA OR IN AN AREA~~
11 ~~SUBJECT TO AN AGREEMENT ENTERED INTO PURSUANT TO PUBLIC ACT 425 OF~~
12 ~~1984~~

13
14 (E) EXCEPT AS OTHERWISE PERMISSIBLE UNDER THE LANSING CITY
15 CHARTER AT SECTION 8-501, NO PERSON SHALL ALLOW THE CONSUMPTION OF
16 MARIHUANA OR MARIHUANA INFUSED PRODUCTS ON LICENSED PREMISES.

17
18 (F) NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE LOCATED IN AN
19 UNZONED AREA OR IN AN AREA SUBJECT TO AN AGREEMENT ENTERED INTO
20 PURSUANT TO PUBLIC ACT 425 OF 1984.

21
22 **1300.14 - LOCATION OF MEDICAL MARIHUANA GROWER FACILITIES,**
23 **MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL**
24 **MARIHUANA PROCESSOR FACILITIES, ~~MEDICAL MARIHUANA GROWER~~**
25 **~~FACILITIES,~~ AND MEDICAL MARIHUANA SECURE TRANSPORTERS.**

26
27 (A) ALL MEDICAL MARIHUANA GROWER FACILITIES SHALL BE SUBJECT TO
28 SUBSECTION 1300.13(E) AND LIMITED TO H-LIGHT INDUSTRIAL AND I-HEAVY
29 INDUSTRIAL ZONING DISTRICT AS IDENTIFIED IN THE LANSING CODIFIED
30 ORDINANCES.~~NO MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY,~~
31 ~~MEDICAL MARIHUANA PROCESSOR FACILITY, MEDICAL MARIHUANA GROWER~~
32 ~~FACILITY, OR MEDICAL MARIHUANA SECURE TRANSPORTER SHALL BE~~
33 ~~LOCATED WITHIN~~

34
35 (1) ~~ONE THOUSAND (1,000) FEET, MEASURED FROM THE PROPERTY LINE~~
36 ~~OF THE MEDICAL MARIHUANA ESTABLISHMENT TO THE PROPERTY LINE OF~~
37 ~~AN OPERATIONAL SCHOOL; A COMMERCIAL CHILD CARE ORGANIZATION~~
38 ~~(NON-HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR~~
39 ~~REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN~~
40 ~~SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE~~
41 ~~ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ.; OR~~

42
43 (2) ~~FIVE HUNDRED (500) FEET, MEASURED FROM THE PROPERTY LINE~~
44 ~~OF THE MEDICAL MARIHUANA ESTABLISHMENT TO THE PROPERTY LINE OF~~
45 ~~A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR~~
46 ~~SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE~~

1 ~~TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE~~
2 ~~OFFERED; OR A CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS~~
3 ~~SERVICES ARE CONDUCTED; PARKS; OR ANOTHER MEDICAL MARIHUANA~~
4 ~~ESTABLISHMENT.~~

5
6 (B) ALL MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL
7 MARIHUANA PROCESSOR FACILITIES, AND MEDICAL MARIHUANA SECURE
8 TRANSPORTER FACILITIES SHALL BE SUBJECT TO **SECTION 1300.13(E)**
9 ~~SUBSECTION (A)~~ AND SHALL BE LIMITED TO THE H-LIGHT INDUSTRIAL, I-HEAVY
10 INDUSTRIAL, OR G2-WHOLESALE ZONING DISTRICTS AS IDENTIFIED IN THE
11 LANSING CODIFIED ORDINANCES.

12
13 (C) **NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE LOCATED IN AN**
14 **UNZONED AREA OR IN AN AREA SUBJECT TO AN AGREEMENT ENTERED INTO**
15 **PURSUANT TO PUBLIC AT 425 OF 1984.**

16
17 (D) **EXCEPT AS OTHERWISE PERMISSIBLE UNDER THE LANSING CITY**
18 **CHARTER AT SECTION 8-501, NO PERSON SHALL ALLOW THE CONSUMPTION OF**
19 **MARIHUANA OR MARIHUNAN INFUSED PRODUCTS ON LICENSED PREMISES.**

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

25
26 **1300.15 - LICENSE REVOCATION; BASES FOR REVOCATION; APPEAL OF**
27 **LICENSE DENIAL.**

28
29 (A) **ANY** LICENSE ISSUED UNDER THIS CHAPTER MAY BE REVOKED AFTER AN
30 ADMINISTRATIVE HEARING **AT WHICH A HEARING OFFICER APPOINTED BY THE**
31 **CITY CLERK DETERMINES** ~~AND A DETERMINATION~~ THAT ANY GROUNDS FOR
32 REVOCATION **MUST BE GIVEN TO THE LICENSEE AT LEAST TEN (10) DAYS PRIOR**
33 **TO THE DATE OF THE HEARING BY FIRST CLASS MAIL TO THE ADDRESS GIVEN**
34 **ON THE LICENSE APPLICATION OR ANY ADDRESS PROVIDED TO THE CITY CLERK**
35 **IN WRITINIG SUBSEQUENT TO THE FILING OF AN APPLICATION.** ~~UNDER~~
36 ~~SUBSECTION (B) EXIST. NOTICE OF THE TIME AND PLACE OF THE HEARING AND~~
37 ~~THE GROUNDS FOR REVOCATION MUST BE GIVEN TO THE LICENSEE AT LEAST~~
38 ~~FIVE DAYS PRIOR TO THE DATE OF THE HEARING, BY FIRST CLASS MAIL TO THE~~
39 ~~ADDRESS GIVEN ON THE LICENSE APPLICATION OR ANY ADDRESS PROVIDED~~
40 ~~PURSUANT TO 1300.4(A)(1) OR (2);~~

41
42 (B) A LICENSE **APPLIED FOR OR** ISSUED UNDER THIS CHAPTER MAY BE
43 DENIED OR REVOKED ON ANY OF THE FOLLOWING BASES:
44

(1) A MATERIAL VIOLATION OF ANY PROVISION OF THIS CHAPTER, INCLUDING, BUT NOT LIMITED TO, THE FAILURE TO PROVIDE THE INFORMATION REQUIRED BY SUBSECTION 1300.16(5);

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

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

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

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

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

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

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

1300.16 – PENALTIES; TEMPORARY SUSPENSION OF A LICENSE

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

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

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

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

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

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

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

1 POSTED ON THE LICENSED PREMISES, OR IN THE CASE OF A GROWER
2 FACILITY SEVEN (7) DAYS, THEN THE SUSPENDED LICENSE SHALL BE
3 AUTOMATICALLY REINSTATED AND THE SUSPENSION VACATED.
4

5 (G) THE PENALTY PROVISIONS OF THIS CHAPTER ARE NOT INTENDED TO
6 FORECLOSE ANY OTHER REMEDY OR SANCTION THAT MIGHT BE AVAILABLE
7 TO, OR IMPOSED BY THE CITY, INCLUDING CRIMINAL PROSECUTION.
8

9 **1300.17 -NO VESTED RIGHTS**

10 A PROPERTY OWNER LESSOR, LICENSE APPLICANT, OR LICENSEE SHALL NOT
11 HAVE VESTED RIGHTS OR NONCONFORMING USE RIGHTS THAT WOULD SERVE
12 AS A BASIS FOR FAILING TO COMPLY WITH THIS CHAPTER OR ANY AMENDMENT
13 OF THIS CHAPTER.
14

15 **1300.18 –ZONING BOARD OF APPEALS**

16 ~~THE DISTANCE REQUIREMENTS UNDER THIS CHAPTER SHALL BE REVIEWABLE~~
17 ~~BY THE BOARD OF ZONING APPEALS FOLLOWING THE CRITERIA PROVIDED IN~~
18 ~~SECTION 1244.06(C).~~
19

20 (A) WHEN APPLYING FOR A LICENSE AS A PROVISIONING CENTER, AN
21 APPLICANT WHO DOES NOT MEET THE REQUIREMENTS OF SECTION
22 1300.13(A)(1) MAY SEEK A VARIANCE FROM THOSE REQUIREMENTS BY
23 SUBMITTING WITH THEIR APPLICATION A WRITTEN APPLICATION TO THE
24 BOARD OF ZONING APPEALS AND PAYING A FEE SET BY COUNCIL
25 RESOLUTION. UPON RECEIVING AN APPLICATION WITH AN
26 ACCOMPANYING APPLICATION FOR A VARIANCE, THE CITY CLERK SHALL
27 DETERMINE WHETHER THE APPLICANT HAS SUBMITTED A COMPLETE
28 APPLICATION MEETING THE REQUIREMENTS OF SECTION 1300.5, AN
29 APPROPRIATE NONREFUNDABLE LICENSE APPLICATION FEE, AND AN
30 APPROPRIATE VARIANCE APPLICATION FEE. IF THE APPLICANT HAS
31 SATISFIED THESE REQUIREMENTS AND THE APPLICANT HAS RECEIVED
32 WRITTEN APPROVALS UNDER SECTION 1300.5(E), THE CITY CLERK SHALL
33 IMMEDIATELY FORWARD THE APPLICATION TO THE BOARD OF ZONING
34 APPEALS.

35 (1) THE APPLICATION MUST IDENTIFY ALL OF THE REASONS THE
36 APPLICANT DOES NOT MEET THE REQUIREMENTS OF SECTION
37 1300.13(A)(2), INCLUDING, IF APPLICABLE, THE NAME AND ADDRESS
38 OF ANY SUBSTANCE ABUSE TREATMENT, PREVENTION, OR
39 REHABILITATION FACILITY; CHURCH OR OTHER STRUCTURE USED
40 FOR RELIGIOUS SERVICES; PUBLIC PARK CONTAINING PUBLIC
41 PLAYGROUND EQUIPMENT; OR PROVISIONING CENTER THAT IS
42 WITHIN 500 FEET OF THE APPLICANT'S LOCATION.
43

44 (2) UPON RECEIPT OF A APPLICATION MEETING THE REQUIREMENTS OF
45 SUBSECTION (A), THE BOARD SHALL GIVE NOTICE TO THE
46 OCCUPANTS OF ANY RESIDENTIAL OR COMMERCIAL BUILDINGS
47 WITHIN 500 FEET OF THE APPLICANT'S LOCATION. IF THE

OCCUPANT’S NAME IS NOT KNOWN, THE TERM “OCCUPANT” MAY BE USED. THE NOTICES SHALL BE DELIVERED PERSONALLY OR BY MAIL AT THE ADDRESS GIVEN IN THE LAST ASSESSMENT ROLL.

- 3) THE BOARD OF ZONING APPEALS SHALL EITHER GRANT OR DENY THE VARIANCE WITHIN A REASONABLE TIME. IN DETERMINING WHETHER TO GRANT OR DENY THE VARIANCE, THE BOARD OF ZONING APPEALS SHALL CONSIDER ALL OF THE FOLLOWING:
- (I) THE AMOUNT OF TIME, IF ANY, THAT THE APPLICANT HAS BEEN OPERATING AT THE PRESENT LOCATION;
 - (II) THE EXTENT TO WHICH THE APPLICANT HAS DEMONSTRATED A COMMITMENT TO THE BETTERMENT OF THE NEIGHBORHOOD;
 - (III) THE DISTANCE BETWEEN THE APPLICANT’S LOCATION AND ANY RELEVANT FACILITY THAT IS WITHIN 500 FEET OF THE APPLICANT’S LOCATION.
 - (IV) THE NEED FOR A PROVISIONING CENTER AT THE LOCATION IN ORDER TO PROVIDE THE SAFE AND EFFICIENT ACCESS TO MEDICAL MARIHUANA WITHIN THE CITY;
 - (IV) THE CHARACTER OF THE STRUCTURE AND ITS SURROUNDINGS; AND
 - (VI) THE IMPACT OF THE VARIANCE ON THE CHARACTER OF THE STRUCTURE’S SURROUNDINGS AND OWNERS OF OTHER PROPERTIES IN THE VICINITY.
- (4) IF THE BOARD OF ZONING APPEALS APPROVES THE VARIANCE, THE APPLICATION SHALL IMMEDIATELY BE SUBMITTED TO THE MEDICAL MARIHUANA COMMISSION.

1300.19-SUNSET

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

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

COW DRAFT #1 – CREATED JUNE 26, 2017

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

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

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances.

Z-8-2016; Rezoning 3001 S. Washington Avenue; “D-1” Professional Office and
“J” Parking Districts to “F” Commercial District

Is read a second time by its title. The Ordinance was reported from the Committee on Development & Planning and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
BROWN CLARKE	☐	☐
DUNBAR	☐	☐
HUSSAIN	☐	☐
HOUGHTON	☐	☐
SPITZLEY	☐	☐
WASHINGTON	☐	☐
WOOD	☐	☐
YORKO	☐	☐

☐ ADOPTED

☐ FAILED

DRAFT

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-8-2016

Parcel Number's: 33-01-01-28-304-002

Legal Descriptions: Lots 4 & 5 & the East 90 feet of Lot 6, Holmesdale Subdivision, City of Lansing, Ingham County, MI, from "D-1" Professional Office & "J" Parking Districts to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2016, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.



XV A.1.a

Chris Swope
Lansing City Clerk

July 24, 2017

Members of the Lansing City Council
10th Floor City Hall
Lansing, MI 48933

Dear Councilmembers:

The Minutes from the Meetings of the following Boards, Commissions, and Authorities of the City of Lansing were placed on file in the City Clerk's Office and are available for review in the City Clerk's Office and at the following website:
<http://lansingmi.gov/AgendaCenter>

BOARD NAME

DATE OF MEETING

Board of Police Commissioners

June 20, 2017

Employees' Retirement System

May 18, 2017
April 20, 2017

Police & Fire Retirement System

May 16, 2017
April 20, 2017

If my staff or I can provide further assistance or information relative to the filing of these minutes, please contact us at 483-4131.

Sincerely,

Chris Swope, CMC, CMMC
Lansing City Clerk

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 □ 517-377-0068 FAX

www.lansingmi.gov/clerk □ clerk@lansingmi.gov



Chris Swope
Lansing City Clerk

XVa1b

July 21, 2017

President and Council Members
10th Floor City Hall
Lansing, MI 48933

Dear President and Council Members:

My office has received for your consideration:

Tri-County Office on Aging Fiscal Year 2018 Annual Implementation Plan

This document is available for review at the office of the City Clerk or at <http://www.lansingmi.gov/clerk> under the heading of Documents Placed on File.

Sincerely,

Chris Swope, CMC
Lansing City Clerk

BY COMMITTEE _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Tri-County Aging Consortium, known as Tri-County Office on Aging, produced the Fiscal Year 2018 Annual Implementation Plan as required by the Older Americans Act and the Older Michiganians Act; and

WHEREAS, Lansing City Council has reviewed the Tri-County Office on Aging's Fiscal Year 2018 Annual Implementation Plan;

THEREFORE BE IT RESOLVED that the Lansing City Council approves said document as presented.

THIS ITEM NOT AVAILABLE AT TIME OF PRINT



OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

Virg Bernero, Mayor

TO: City Council President Patricia Spitzley and Councilmembers
FROM: Mayor Virg Bernero
DATE: 7-20-17
RE: New Public Sidewalk; Jolly Rd., from Wise Rd. to Pleasant Grove Rd.

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Chad A. Gamble, P.E., Director of Public Service

Subject: CITY COUNCIL AGENDA ITEM - New Public Sidewalk; Jolly Rd., from Wise Rd. to Pleasant Grove Rd.

Date: July 19, 2017

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

RESOLUTION #2017-707
BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT IV

WHEREAS, pursuant to the Public Improvement III resolution adopted by this council, a public hearing was held on July 24, 2017, for Assessment Roll # B-096 for sidewalk repairs as part of the Jolly Road Rehabilitation Project (MDOT JN 133093A); and

WHEREAS, the City Assessor has completed the assessment roll for sidewalk repairs, and furnished the following information:

PROPERTY BENEFITTED:

All lands fronting Jolly Road between Wise Road and Pleasant Grove Road, excepting all public streets and alleys and other land deemed not benefited

ESTIMATED COST OF IMPROVEMENTS:

Assessment Roll Number B-096	Federal And City Contribution	Assessable to Property Owner
Sidewalk and Drive Approaches	\$10,760.87	\$9,527.62
Other Costs	\$1,002,043.50	0.00
Total	\$1,012,804.37	\$9,527.62

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that special assessment roll B-096 as returned by the City Assessor, be ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City Treasurer to collect said tax within 90 days after the approval of the assessment roll.



Virg Bernero, Mayor

OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

TO: City Council President Patricia Spitzley and Councilmembers
FROM: Mayor Virg Bernero
DATE: 7-20-17
RE: Application for a P.A. 198—Cameron Tool

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Eric Pratt, LEAP

Subject: CITY COUNCIL AGENDA ITEM - Application for a P.A. 198—Cameron Tool

Date: 7-21-17

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-2408.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date received by Local Unit

STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Cameron Tool Corporation		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3544	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 1800 Bassett St. Lansing MI 48915		1d. City/Township/Village (indicate which) Lansing	1e. County Ingham
2. Type of Approval Requested ☒ New (Sec. 2(4)) ☐ Transfer (1 copy only) ☐ Speculative Building (Sec. 3(8)) ☐ Rehabilitation (Sec. 3(1)) ☐ Research and Development (Sec. 2(9))		3a. School District where facility is located Lansing	3b. School Code 33020
4. Amount of years requested for exemption (1-12 Years) 12 years after construction			

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

This project is a facilities expansion including new building addition construction to house a 1,500 ton press, three new cranes, and a new die build bay with die build equipment. The project is a new construction addition including structural modifications.

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	6c. Total Project Costs * Round Costs to Nearest Dollar
		\$2,500,000.00 Real Property Costs \$1,500,000.00 Personal Property Costs \$4,000,000.00 Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements	6/20/17	1/3/18	☒ Owned ☐ Leased
Personal Property Improvements	6/20/17	1/3/18	☒ Owned ☐ Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. ☐ Yes ☒ No

9. No. of existing jobs at this facility that will be retained as a result of this project. 83	10. No. of new jobs at this facility expected to create within 2 years of completion. 10-15
--	---

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

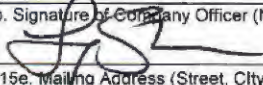
a. TV of Real Property (excluding land)	
b. TV of Personal Property (excluding inventory)	
c. Total TV	

12a. Check the type of District the facility is located in: ☒ Industrial Development District ☐ Plant Rehabilitation District	
12b. Date district was established by local government unit (contact local unit)	12c. Is this application for a speculative building (Sec. 3(8))? ☐ Yes ☒ No

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Carey Oberlin	13b. Telephone Number (517) 487-3671	13c. Fax Number (517) 487-0731	13d. E-mail Address carey.combs-oberlin@cameron
14a. Name of Contact Person Tracy Selden	14b. Telephone Number (517) 487-3671	14c. Fax Number (517) 487-0731	14d. E-mail Address seldent@camerontool.com
▶ 15a. Name of Company Officer (No Authorized Agents) Tracy Selden			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (517) 487-0731	15d. Date 6/14/2017
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 1800 Bassett St. Lansing MI 48915		15f. Telephone Number (517) 487-3671	15g. E-mail Address seldent@camerontool.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit ☐ Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion ☐ Yes ☐ No ☐ Denied (Include Resolution Denying)		16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable ☐ 1. Original Application plus attachments, and one complete copy ☐ 2. Resolution establishing district ☐ 3. Resolution approving/denying application. ☐ 4. Letter of Agreement (Signed by local unit and applicant) ☐ 5. Affidavit of Fees (Signed by local unit and applicant) ☐ 6. Building Permit for real improvements if project has already begun ☐ 7. Equipment List with dates of beginning of installation ☐ 8. Form 3222 (if applicable) ☐ 9. Speculative building resolution and affidavits (if applicable)	
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable ☐ 1. Notice to the public prior to hearing establishing a district. ☐ 2. Notice to taxing authorities of opportunity for a hearing. ☐ 3. List of taxing authorities notified for district and application action. ☐ 4. Lease Agreement showing applicants tax liability.			
16c. LUCI Code		16d. School Code	
17. Name of Local Government Body		▶ 18. Date of Resolution Approving/Denying this Application	

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing received and filed an application from Cameron Tool Corporation requesting an Industrial Facilities Exemption Certificate (IFT-1-17) pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, prior to acting upon this request, it is necessary to hold a public hearing on Cameron Tool Corporation's application for an Industrial Facilities Exemption Certificate (IFT-3-14), to allow for any resident or taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the _____ at 7:00 p.m., on the Cameron Tool Corporation application for an Industrial Facilities Exemption Certificate (IFT-1-17) located at 1800 Bassett, Lansing, MI within the boundary more particularly described as:

N 3 FT LOT 2 SHIRLEY PARK, ALSO LOTS 1 THRU 9 INCL, OUTLOTS A & B, ALL VAC SHIRANN ST SHIRANN SUB, ALSO PARTS LOTS 27 THRU 34 ASSESSORS PLAT NO 11 COM N LINE BASSETT ST 163 FT W OF E LINE LOT 30, TH N 231 FT TO N LINE LOT 31, W 1.5 FT, N 165 FT, W 167.76 FT, S 66 FT, W 169.65 FT, S 197.64 FT, E 85.66 FT TO POINT 90.34 FT W OF NE COR LOT 29, S 14.91 FT, E 80.99 FT, S 117.34 FT TO N LINE BASSETT ST, E 172.3 FT TO BEG; ASSESSORS PLAT NO 11 Tax ID 33-01-01-08-126-004, and

PARTS LOTS 31, 33 & 34 COM SW COR LOT 31, TH E 125 FT, N TO S LINE LOT 34, E 169.65 FT, N 66 FT, W 283.88 FT TO E LINE LMRR, S'LY 264.03 FT ALONG R/W TO BEG; ASSESSORS PLAT NO 11 Tax ID 33-01-01-08-126-093, and

LOTS 27, 28 & W 25.7 FT LOT 29, EXC COM 9.3 FT W OF NE COR LOT 29, TH S 14.66 FT, W 80.99 FT, N 14.91 FT, E 81.04 FT TO BEG, EXC PARTS ABOVE LOTS USED AS BASSETT ST R/W ASSESSORS PLAT NO 11, Tax ID 33-01-01-08-126-082,

and that the City Clerk cause the legislative body of each taxing unit levying ad valorem taxes on this property, as well as the owners of real property located within the stated boundary, be notified of this application and the scheduled public hearing.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council has previously created Lansing Industrial Development District (IDD-01-14) on October 27, 2014, on the property located at 1800 Bassett, Lansing MI; and

WHEREAS, the City of Lansing received and filed an application from Cameron Tool Corporation requesting an Industrial Facilities Exemption Certificate (IFT-01-17) for real property investments pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, a public hearing was held on _____, on the Industrial Facilities Exemption Certificate (IFT-01-17) filed by Cameron Tool Corporation, at which all owners of real and personal property within IDD-01-14 and, other City residents and taxpayers, the assessor and the representatives of the legislative body of each taxing unit that levies ad valorem taxes for the IDD-01-14 had the opportunity to appear and be heard; and

WHEREAS, Cameron Tool Corporation has substantially met all of the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council;

WHEREAS, the SEV of real property exempt from ad valorem taxes within the City of Lansing, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of real property thus exempted, and

WHEREAS, the Industrial Facilities Exemption Certificate, when issued, shall be and remain in force for a period of twelve (12) years after completion of the facility.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds and determines that the granting of this Industrial Facilities Exemption Certificate for real property under Public Act 198, shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of any taxing unit which levies ad valorem taxes in the City of Lansing.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the application of Cameron Tool Corporation for an Industrial Facilities Exemption Certificate (IFT-01-17), for real property investments in the areas of IDD-01-14 legally described as:

N 3 FT LOT 2 SHIRLEY PARK, ALSO LOTS 1 THRU 9 INCL, OUTLOTS A & B, ALL VAC SHIRANN ST SHIRANN SUB, ALSO PARTS LOTS 27 THRU 34 ASSESSORS PLAT NO 11 COM N LINE BASSETT ST 163 FT W OF E LINE LOT 30, TH N 231 FT TO N LINE LOT 31, W 1.5 FT, N 165 FT, W 167.76 FT, S 66 FT, W 169.65 FT, S 197.64 FT, E 85.66 FT TO POINT 90.34 FT W OF NE COR LOT 29, S 14.91 FT, E 80.99 FT, S 117.34 FT TO N LINE BASSETT ST, E 172.3 FT TO BEG; ASSESSORS PLAT NO 11 Tax ID 33-01-01-08-126-004, and

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for a period of 12 years, after project completion, provided that this resolution shall be effective upon the execution of a written Industrial Facilities Exemption Certificate Agreement between Cameron Tool Corporation and the City of Lansing, in the form as filed with the City Clerk.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City, is authorized to execute the afore stated agreement, subject to prior approval thereof as to form by the City Attorney.



Virg Bernero, Mayor

OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

TO: City Council President Patricia Spitzley and Councilmembers
FROM: Mayor Virg Bernero
DATE: 7-20-17
RE: Application for an OPRA Certificate for Super Fancy Too

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Eric Pratt, LEAP

Subject: CITY COUNCIL AGENDA ITEM - Application for an OPRA Certificate for Super Fancy Too

Date: 7-20-17

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

“Equal Opportunity Employer”

Application for Obsolete Property Rehabilitation Exemption Certificate

This form is issued as provided by Public Act 146 of 2000, as amended. This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the original and two copies of this form and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) Please see State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

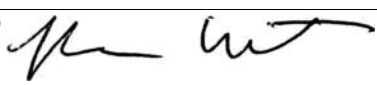
Applicant (Company) Name (applicant must be the OWNER of the facility)								
Company Mailing address (No. and street, P.O. Box, City, State, ZIP Code)								
Location of obsolete facility (No. and street, City, State, ZIP Code)								
City, Township, Village (indicate which)		County						
Date of Commencement of Rehabilitation (mm/dd/yyyy)	Planned date of Completion of Rehabilitation (mm/dd/yyyy)	School District where facility is located (include school code)						
Estimated Cost of Rehabilitation	Number of years exemption requested	Attach Legal description of Obsolete Property on separate sheet						
Expected project likelihood (check all that apply): <table border="0"><tr><td>☐ Increase Commercial activity</td><td>☐ Retain employment</td><td>☐ Revitalize urban areas</td></tr><tr><td>☐ Create employment</td><td>☐ Prevent a loss of employment</td><td>☐ Increase number of residents in the community in which the facility is situated</td></tr></table> Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment _____			☐ Increase Commercial activity	☐ Retain employment	☐ Revitalize urban areas	☐ Create employment	☐ Prevent a loss of employment	☐ Increase number of residents in the community in which the facility is situated
☐ Increase Commercial activity	☐ Retain employment	☐ Revitalize urban areas						
☐ Create employment	☐ Prevent a loss of employment	☐ Increase number of residents in the community in which the facility is situated						
Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the following box if you wish to be considered for this exclusion. ☐								

APPLICANT'S CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (no authorized agents)	Telephone Number	Fax Number
Mailing Address		Email Address
Signature of Company Officer (no authorized agents) 		Title

LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on Page 2. Part 3 is to be completed by the Assessor.

Signature	Date application received
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FOR STATE TAX COMMISSION USE

Application Number	Date Received	LUCI Code
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LOCAL GOVERNMENT ACTION

This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and Instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.

PART 1: ACTION TAKEN

Action Date: _____		
☐ Exemption Approved for _____ Years, ending December 30, _____ (not to exceed 12 years)		
☐ Denied		
Date District Established	LUCI Code	School Code

PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)

A statement that the local unit is a Qualified Local Governmental Unit. A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000. A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit. A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years. A statement that a public hearing was held on the application as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing. A statement that the applicant is not delinquent in any taxes related to the facility. If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit. A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.	A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000. A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District. A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district. A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in. A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000. A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.
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PART 3: ASSESSOR RECOMMENDATIONS

Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31st of the year approved by the STC).

Taxable Value		State Equalized Value (SEV)	
Building(s)			
Name of Governmental Unit		Date of Action on application	Date of Statement of Obsolescence

PART 4: CLERK CERTIFICATION

The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

Name of Clerk	Clerk Signature		Date	
Clerk's Mailing Address	City	State	ZIP Code	
	Telephone Number	Fax Number	Email Address	

Mail completed application and attachments to: Michigan Department of Treasury
State Tax Commission
P.O. Box 30471
Lansing, Michigan 48909-7971

If you have any questions, call (517) 373-2408.

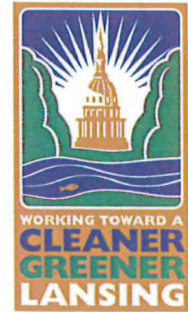
For guaranteed receipt by the State Tax Commission, it is recommended that applications and attachments are sent by certified mail.



Virg Bernero, Mayor

CITY ASSESSORS OFFICE
Sharon L Frischman, Assessor

3rd Floor City Hall
124 West Michigan Avenue
Lansing, Michigan 48933
(517) 483-4020
FAX: (517) 483-4101
www.lansingmi.gov/pubserv



Address: 1101 and 1103 S Washington Ave.

Parcel No.: 33-01-01-21-257-002

RE: Statement of Obsolescence

This property has been reviewed and inspected by the City of Lansing Assessing Department. The building at this location is a two story building that was originally built as two separate buildings. There is an opening on the first floor only.

The heating and electrical systems are out of date and need modernization. An old fuel oil tank is in the basement and may be difficult to remove.

There are some single pane windows that have been painted and concealed under paneling or drywall.

The second level of 1101 is a former dentist office with very small office areas and a waiting room area. The air /gas/electrical lines for the dentistry equipment are still there under the floor. There is no elevator to access the second floor. The bathrooms are not handicap assessable.

The roof of 1103 has a large leak. Part of the ceiling is improvised plastic which is filled with debris from the leak. The second level was formally used as a living area, which is not habitable at this time.

I have determined that this (these) buildings suffer from more than 50% functional obsolescence both together and separately.

Sharon L Frischman, MMAO (4), MCPPE, MCGA

Date: 1/30/17

July 6, 2017

Lansing City Clerk
City Hall
124 West Michigan Ave.
Lansing, MI 48933

**Re: Obsolete Property Rehabilitation Act District Application 1101 S Washington Avenue,
Lansing, MI 48910**

General Project Description

The undersigned applicant, with the written permission of the owner of the above property, hereby requests the establishment of an OPRA District covering those properties. The property has been inspected by the City of Lansing assessor who determined that it suffers from obsolescence. The applicant intends to rehabilitate the building into a mixed use commercial building. The first floor will be the future home of Sleepwalker Spirits and Ale, a local craft beer brewery and restaurant previously located in the Allen Market Place kitchen incubator. The second floor (previously a dentist's office) will remain office space but will undergo significant cosmetic renovation.

District Establishment Purpose

In an effort to maximize the utility value of the functionally obsolete building, the applicant is committed to doing complete rehabilitation of the building. In that context, and as more fully detailed below, the developer will incur considerable renovation costs. The establishment of the OPRA District, with its multi-year property tax deferment benefit is vital to making the economics of this project work.

Community Benefits

Redevelopment of the property would provide numerous benefits to the City. While the specific facility would undergo considerable renovation, the entire area would benefit from the transformation of a vacant building into a thriving and alive property.

Basis of Eligibility

The property must be an "Obsolete property" which means commercial property or commercial housing property that is 1 or more of the following:

(i) A "Facility" as that term is defined under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101. This can be determined by an environmental firm.

(ii) Functionally Obsolete. If the project is on property that is functionally obsolete, the applicant shall include, with the application, an affidavit signed by a level 3 or level 4 assessor, that states that it is the assessor's expert opinion that the property is functionally obsolete and the underlying basis for that opinion.

Project Costs and Phasing

The OPRA tax abatement is a significant component of this project. The petitioner has estimated the renovation costs at approximately \$100,000. Renovations are scheduled to be completed by September 1st, 2017. The renovation estimate includes:

Demolition: \$5,000
HVAC: \$25,000
Roof: \$15,000
Electrical: \$10,000
Plumbing: \$10,000
Architectural Fees: \$10,000
General Contractor: \$15,000
Cosmetic Improvements: \$10,000

Property Taxable Value and Legal Description

The property is 1101 S Washington Avenue, Lansing, MI 48910, Parcel #33-01-01-21-257-002. Specifics on this property are as follows:

Owner's Name: Super Fancy Too, LLC
Sq Feet of Building: Approximately 3,300
Tax ID Number:
Tax Value Land: \$12,800 (2016)
Tax Value Building: \$79,200 (2016)
SEV Value Total: \$92,000 (2016)
Legal Description: See Attached

Thank you in advance for your assistance and consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ryan Wert', with a stylized flourish at the end.

Ryan Wert

Super Fancy Too, LLC
222 E Elm St
Lansing, MI 48910
ryan@lansingrecording.com

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolution to Set a Public Hearing Regarding the Granting of an
Obsolete Property Rehabilitation Act Certificate
At 1101 South Washington Avenue

WHEREAS, Super Fancy Too, LLC, owner of the property located at 1101 South Washington Avenue in the City of Lansing, Michigan (the "Property") has applied to the City of Lansing for the City to approve the issuance of an Obsolete Property Rehabilitation Exemption Certificate (the "OPRA Certificate"), pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the "Act"); and

WHEREAS, the Property in question of the Certificate is legally described as:

W 80 FT LOT 40 SPARROWS SUB OF BLOCK 200, Ingham County, Michigan -- Parcel Number: 33-01-01-21-257-002, and

WHEREAS, the Act requires that before granting a Certificate the Lansing City Council hold a public hearing in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on Monday, _____ at 7:00 p.m. for the purpose of receiving public comment on the approval of an OPRA Certificate under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolution to Approve an Obsolete Property Rehabilitation Act Certificate
At 1101 South Washington Avenue

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), Super Fancy Too, LLC has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 1101 South Washington Avenue, Lansing, Michigan (Obsolete Property); and

WHEREAS, Super Fancy Too, LLC (the Developer) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted April 10, 2017, after a public hearing was held on March 27, 2017, as provided by section 3 of PA 146 of 2000; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Lansing; and

WHEREAS, a public hearing was held on _____ in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate; and

WHEREAS, Super Fancy Too, LLC has been certified in writing by the City of Lansing Treasurer to be not delinquent in any taxes related to the facility; and

WHEREAS, the application is for 10 years and under no circumstances or criteria will an extension of the exemption be considered; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000; and

WHEREAS, the applicant Super Fancy Too, LLC has provided answers to all required questions under the application instructions to the City of Lansing; and

WHEREAS, the City of Lansing requires that rehabilitation of the facility shall be completed by December 31, 2018; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Lansing eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, revitalize an urban area, and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby grants an Obsolete Property Rehabilitation Exemption for the real property, excluding land, located in an Obsolete Property Rehabilitation District at 1101 South Washington Avenue legally described as W 80 FT LOT 40 SPARROWS SUB OF BLOCK 200, Ingham County, Michigan -- Parcel Number: 33-01-01-21-257-002.

BE IT FINALLY RESOLVED that the City Clerk shall cause the Application for Obsolete Property Rehabilitation Certificate to be completed, including the "Clerk Certification" and shall file the completed application, together with a certified copy of this resolution with the State Tax Commission.



Virg Bernero, Mayor

OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

TO: City Council President Patricia Spitzley and Councilmembers
FROM: Mayor Virg Bernero
DATE: 7-20-17
RE: OPRA Certificate for REO Life, LLC

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Eric Pratt, LEAP

Subject: CITY COUNCIL AGENDA ITEM - OPRA Certificate for REO Life, LLC

Date: 7-21-17

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments



Virg Bernero, Mayor

CITY ASSESSORS OFFICE
Sharon L Frischman, Assessor

3rd Floor City Hall
124 West Michigan Avenue
Lansing, Michigan 48933
(517) 483-4020
FAX: (517) 483-4101
www.lansingmi.gov/pubserv



Address: 1101 and 1103 S Washington Ave.

Parcel No.: 33-01-01-21-257-002

RE: Statement of Obsolescence

This property has been reviewed and inspected by the City of Lansing Assessing Department. The building at this location is a two story building that was originally built as two separate buildings. There is an opening on the first floor only.

The heating and electrical systems are out of date and need modernization. An old fuel oil tank is in the basement and may be difficult to remove.

There are some single pane windows that have been painted and concealed under paneling or drywall.

The second level of 1101 is a former dentist office with very small office areas and a waiting room area. The air /gas/electrical lines for the dentistry equipment are still there under the floor. There is no elevator to access the second floor. The bathrooms are not handicap assessable.

The roof of 1103 has a large leak. Part of the ceiling is improvised plastic which is filled with debris from the leak. The second level was formally used as a living area, which is not habitable at this time.

I have determined that this (these) buildings suffer from more than 50% functional obsolescence both together and separately.

Sharon L Frischman, MMAO (4), MCPPE, MCGA

Date: 1/30/17

Application for Obsolete Property Rehabilitation Exemption Certificate

This form is issued as provided by Public Act 146 of 2000, as amended. This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the original and two copies of this form and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) Please see State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

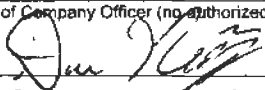
Applicant (Company) Name (applicant must be the OWNER of the facility) REO Life, LLC								
Company Mailing address (No. and street, P.O. Box, City, State, ZIP Code) 1858 Cahill Drive, East Lansing, MI 48823								
Location of obsolete facility (No. and street, City, State, ZIP Code) 1103 S. Washington Ave., Lansing, MI 48823								
City, Township, Village (indicate which) City of Lansing		County Ingham						
Date of Commencement of Rehabilitation (mm/dd/yyyy) 05/01/2017	Planned date of Completion of Rehabilitation (mm/dd/yyyy) 11/30/2018	School District where facility is located (include school code) Lansing 33020						
Estimated Cost of Rehabilitation \$250,000.00	Number of years exemption requested 10	Attach Legal description of Obsolete Property on separate sheet						
Expected project likelihood (check all that apply): <table border="0"><tr><td>☒ Increase Commercial activity</td><td>☐ Retain employment</td><td>☒ Revitalize urban areas</td></tr><tr><td>☒ Create employment</td><td>☐ Prevent a loss of employment</td><td>☒ Increase number of residents in the community in which the facility is situated</td></tr></table>			☒ Increase Commercial activity	☐ Retain employment	☒ Revitalize urban areas	☒ Create employment	☐ Prevent a loss of employment	☒ Increase number of residents in the community in which the facility is situated
☒ Increase Commercial activity	☐ Retain employment	☒ Revitalize urban areas						
☒ Create employment	☐ Prevent a loss of employment	☒ Increase number of residents in the community in which the facility is situated						
Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment 12								
Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the following box if you wish to be considered for this exclusion. ☐								

APPLICANT'S CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (no authorized agents) Daniel Nunez	Telephone Number (517) 712-9013	Fax Number
Mailing Address 1858 Cahill Drive, East Lansing, MI 48823		Email Address nunezdan@gmail.com
Signature of Company Officer (no authorized agents) 		Title Proprietor

LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on Page 2. Part 3 is to be completed by the Assessor.

Signature	Date application received
-----------	---------------------------

FOR STATE TAX COMMISSION USE		
Application Number	Date Received	LUGI Code

July 6, 2017

Lansing City Clerk
City Hall
124 West Michigan Ave.
Lansing, MI 48933

**Re: Obsolete Property Rehabilitation Act District Application for Property
1103 S Washington Avenue, Lansing, MI 48910 (after Parcel split from 33-01-01-21-257-002)**

General Project Description

The undersigned applicant, with the written permission of the owner of the above property, hereby requests the establishment of an OPRA District covering those properties. The property has been inspected by the City of Lansing assessor who determined that it suffers from obsolescence. The applicant intends to rehabilitate the building into a mixed use commercial building. The first floor will be the future home of Wheel House pottery studio, an instructional art studio run by local artist and teacher Daniel Nunez. After significant structural and cosmetic renovation, the second floor will become two apartments. One of these apartments will be occupied by Daniel Nunez.

District Establishment Purpose

In an effort to maximize the utility value of the functionally obsolete building, the applicant is committed to doing a complete rehabilitation of the building. In that context, and as more fully detailed below, the developer will incur considerable renovation costs. The establishment of the OPRA District, with its multi-year property tax deferment benefit is vital to making the economics of this project work.

Community Benefits

For years this property has sat vacant, incurring water damage from a leaky roof and depreciating in value. Redevelopment of the property would provide numerous benefits to the City, creating part time jobs during the renovation, new housing and a new business in REO town. The entire area will benefit from the transformation of a vacant building into a thriving and alive property. Furthermore, ceramic vessels created at Wheel House will be used to begin mug clubs at the brewery next door, the REO Town Pub up the street, and Blue Owl Coffee. This studio will also thrive alongside the Robin Theatre, as they will collaborate to put on monthly community events.

Basis of Eligibility

The property must be an "Obsolete property" which means commercial property or commercial housing property that is 1 or more of the following:

- (i) A "Facility" as that term is defined under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101. This can be determined by an environmental firm.
- (ii) Functionally Obsolete. If the project is on property that is functionally obsolete, the applicant shall include, with the application, an affidavit signed by a level 3 or level 4 assessor, that states that it is the assessor's expert opinion that the property is functionally obsolete and the underlying basis for that opinion.

Project Costs and Phasing

The OPRA tax abatement is a significant component of this project. The petitioner has estimated the renovation costs at approximately \$372,000.00. Projected costs are listed below. Renovations are scheduled to be completed by March 31st, 2018.

Actual and projected costs for the renovation of 1103 S. Washington Ave. After Parcel #33-01-01-21-257-002 is split separating 1103 from 1101 S. Washington.

Purchase Price (56% of total purchase)	\$ 145,600.00
Closing costs	\$ 3,000.00
Insurance 3 mths.	\$ 1,527.80
Attorney	\$ 2,673.00
Rental License for 1103 ½	\$ 400.00
Rental Inspection 1103 1/2	\$ 215.00
Separation Costs	\$ 1,500.00
OPRA	\$ 3,000.00
Architect	\$ 9,000.00
Contractor	\$ 30,000.00
Dumpster rental	\$ 2,000.00
Mold Remediation	\$ 15,000.00
Roof with 4 skylights	\$ 26,000.00
HVAC	\$ 35,000.00
Electrical	\$ 17,000.00
Plumbing	\$ 15,000.00
2 Water Meters BWL	\$ 940.00
1 Gas Meter	\$ 500.00
1 Electric Meter	\$ 500.00
Flooring	\$ 15,000.00
Roof Access ladder Installed Ladder	\$ 2,000.00
External Doors & Windows	\$ 10,000.00
Cosmetics	\$ 15,000.00
Telecommunication/website	\$ 4,000.00

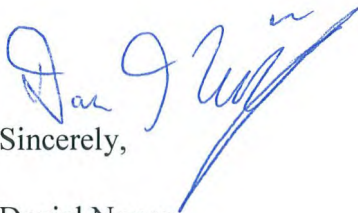
Ceramics Equipment	\$ 18,000.00
2 Kilns, 10 Wheels, slab table, extruder, tools	
Developer's Projected Investment	\$ 372,855.80

Property Taxable Value and Legal Description

The property is 1103 S Washington Avenue, Lansing, MI 48910, Parcel # to be determined after Parcel split from 33-01-01-21-257-002. Current specifics on this property are as follows:

Owner's Name: REO Life, LLC
Sq Feet of Building: Approximately 3,300
Tax ID Number:
Tax Value Land: \$12,800 (2016)
Tax Value Building: \$79,200 (2016)
SEV Value Total: \$92,000 (2016)
Legal Description: See Attached

Thank you in advance for your assistance and consideration in this matter.


Sincerely,

Daniel Nunez
REO Life LLC
1858 Cahill Dr.
E. Lansing, MI 48823
nunezdan@gmail.com

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolution to Set a Public Hearing Regarding the Granting of an
Obsolete Property Rehabilitation Act Certificate
At 1103 South Washington Avenue

WHEREAS, REO Life, LLC, owner of the property located at 1103 South Washington Avenue in the City of Lansing, Michigan (the "Property") has applied to the City of Lansing for the City to approve the issuance of an Obsolete Property Rehabilitation Exemption Certificate (the "OPRA Certificate"), pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the "Act"); and

WHEREAS, the Property in question of the Certificate is legally described as:

LOT 1 CAPITOL COMMONS URBAN RENEWAL PLAT NO 1, Ingham County, Michigan --
Parcel Number: 33-01-01-16-360-002, and

WHEREAS, the Act requires that before granting a Certificate the Lansing City Council hold a public hearing in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on Monday, _____ at 7:00 p.m. for the purpose of receiving public comment on the approval of an OPRA Certificate under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolution to Approve an Obsolete Property Rehabilitation Act Certificate
At 1103 South Washington Avenue

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), REO Life, LLC has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 1103 South Washington Avenue, Lansing, Michigan (Obsolete Property); and

WHEREAS, REO Life, LLC (the Developer) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted April 10, 2017, after a public hearing was held on March 27, 2017, as provided by section 3 of PA 146 of 2000; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Lansing; and

WHEREAS, a public hearing was held on **(INSERT DATE)** in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate; and

WHEREAS, REO Life, LLC has been certified in writing by the City of Lansing Treasurer to be not delinquent in any taxes related to the facility; and

WHEREAS, the application is for 10 years and under no circumstances or criteria will an extension of the exemption be considered; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000; and

WHEREAS, the applicant REO Life, LLC has provided answers to all required questions under the application instructions to the City of Lansing; and

WHEREAS, the City of Lansing requires that rehabilitation of the facility shall be completed by December 31, 2018; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

[32503:2:20170721:123545]

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Lansing eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, revitalize an urban area, and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby grants an Obsolete Property Rehabilitation Exemption for the real property, excluding land, located in an Obsolete Property Rehabilitation District at 1101 South Washington Avenue legally described as W 80 FT LOT 40 SPARROWS SUB OF BLOCK 200, Ingham County, Michigan -- Parcel Number: 33-01-01-21-257-002.

BE IT FINALLY RESOLVED that the City Clerk shall cause the Application for Obsolete Property Rehabilitation Certificate to be completed, including the "Clerk Certification" and shall file the completed application, together with a certified copy of this resolution with the State Tax Commission.

THIS ITEM NOT AVAILABLE AT TIME OF PRINT

THIS ITEM NOT AVAILABLE AT TIME OF PRINT

THIS ITEM NOT AVAILABLE AT TIME OF PRINT



OFFICE OF THE CITY ATTORNEY



MEMORANDUM

RECEIVED

JUL 10 2017

LANSING CITY COUNCIL

To: NICK SOUCY, Mayor's Office

From: VENUS KUMAR, Paralegal

Subject: SPECIAL ASSESSMENTS CLAIM; Kent Bowden
Date of Incident: Spring 2016

Date: July 10, 2017

Attached is a Claim Form received by this office from Kent Bowden for \$2819.50 due to trash violation and \$94.50 due to recycling fees at 508 W. Grand River.

This claim is being referred to the Mayor's Office for consideration on the City Council's agenda because this claim exceeds \$2,500.00.

Thank you for your assistance.

/vmk
Attachments

RECEIVED JUN 23 2017

DATE: 6/16/2017

PPN: 33-01-01-09-302-081
DATE SUBMITTED: 5/17/2017
ADDRESS OF VIOLATION: 508 W. Grand River Avenue
LISTED TAXPAYER OF RECORD: Bowden, Kent
OTHER TAXPAYER OF RECORD: Lounds, Dana (unrecorded land contract)
CLAIMANT: Bowden, Kent
CLAIMANT'S ADDRESS: 4241 Lake Harbor Road
Norton Shores, MI 49441

1422

TYPE OF ACTIONS CONTESTED: Trash Removal
VIOLATION DATE: 4/08/2016
NOTIFICATION DATE: 4/08/2016
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT: \$2,819.50
CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 16-1017 4/29/2016
AMOUNT OF CLAIM: \$2,819.50

ADDITIONAL ACTIONS CONTESTED: Recycle Fee (Assessor's Office)
VIOLATION DATE:
NOTIFICATION DATE:
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT: \$94.50
CONTRACTOR NAME - INVOICE NO. - DATE:
AMOUNT OF CLAIM:
MEMO DATE - INVOICE NO.:

HISTORY:	Trash Violation 4/08/2016	Failure to Register Rental 6/03/2016	Grass Violation 6/17/2016
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CITATIONS IN PREVIOUS YEAR:

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: This property was cited for a trash violation on 4/08/2016. The claimant called and asked for an extension on the violation and the extension was given. The Premise Officer rechecked the property on 4/25/2017 the violations were still present and it was submitted to the contractor. The contractor arrived on 4/29/2017 and a cleanup was performed. When the contractor arrived the person who resided in the home delayed the cleanup, the Supervisor Scott Sanford and the Premise Officer were called to the property to assist the contractor. The occupant was a trash hauler who was bringing trash to the house instead of the landfill and recycle centers. The claimant only had 30 days from the time the assessment was added to the taxes to file a claim and he missed that deadline. The claimant was aware of the assessment per our conversation on 6/03/2016 and could have filed a claim at that time. Please also note this claim form is dated 1/27/2017 but the claimant choose not to send this claim in until 5/17/2017 well past the time allowed therefore this office recommends denial of the claim. The claimant needs to get with the City Assessors Office regarding the recycle fee that is assessed to all residential properties in the City of Lansing.





City of Lansing
OFFICE OF THE CITY ATTORNEY

RECEIVED MAY 17 2017

Claim Form – Special Assessments

1422

Please provide the following information so we can contact you regarding your claim.

NAME: Rev Kent T. Bowden DATE: 1/27/17
MAILING ADDRESS: 4241 Lake Harbor Rd
CITY: Norton Shores STATE: MI ZIP CODE: 49441
TELEPHONE: Home 517 862-8987 Work 616 822-5962

Please provide the following information on the incident(s) for which you are filing a claim. IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW, WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM.

ADDRESS: 508 W. Grand River Ave PARCEL NO. 33-01-01-09-302-081
DATE OF INCIDENT: Not sure - Spring 2016 AMOUNT YOU WERE BILLED: \$3,258.44
TOTAL AMOUNT YOU ARE CONTESTING: \$2,914.00
TYPE OF ASSESSMENT: Trash Removal - \$2,819.50 ; Rummaging - \$94.50

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

Please see accompanying letter with 10 Bullets
Basically, when I discovered the code compliance warning, I asked
for an extension b/c it was just a couple days away, and I was
given one. Since I was not in Lansing, I hired 2 guys to
do the work with which I agreed. They took 1 pick-up load
to Pritchard's Bicycle and took another load to another property
but one got injured and went to the hospital on Sunday.
On Monday the Officer determined the job he warned about was
not completed so he called in some "Professionals." When the

A description of the claims review process is available on our website at:

other guy I hired told them he and Dana were doing it, and indicated
was putting down. They called the police over two protests and
Fifth Floor City Hall • Lansing, Michigan 48933 • (517) 483-6200 • Fax (517) 483-4061 • civility@lansingmi.gov

The other crew came in and took stuff... including stuff that I
would not have accepted as trash... such as the screen and
wooden panels that enclosed the back room of my house,
and things in that back room, including two "Fridges."

Please see attached letter w/ 10 bullets.

Also, please note: We are on a mission trip to the Philippines to
help prepare a Safe House for girls rescued from Sexual Slavery. We
will not be back in MI before late April 2017. Thank you.

January 26, 2017

Office of the City Attorney, City of Lansing; 5th Floor City Hall, Lansing, MI 48933

R: 508 West Grand River Ave., Lansing, MI 48906-4722; Property #33-01-01-09-302-081

To Whom It May Concern:

I respectfully request that you rebate to me the \$2,819.50 Trash Removal and the \$94.50 Recycling Fee Special Assessments charged to me in the Winter 2016 tax bill that I paid January 27, 2017 in order to avoid additional interest. (Please see a copy of check #3507 accompanying this letter.)

The points relevant to my request are as follows:

- 1) When my wife and I returned from a missions trip we learned that Lansing Code Compliance had issued a letter with a deadline to clean up what they considered trash in my back yard surrounded by a privacy fence and in the back room of my house. I did not see this letter, but when my Nephew Dana Lounds, who was living at 508 West Grand River Ave. saw the letter and recognized it as being from the City of Lansing, then he opened it with my permission. Since the deadline for the Code Compliance warning letter was impending, I called the Officer (I tentatively recall that it was Officer Zachary Driver.) and asked for an extension so that we could assess and address the situation. He granted us the extension, So then I hired Dana and his friend Dougie Miller to take care of what needed to be done.
- 2) Over the next week, Dana and Dougie put together one load of recyclable materials that they took to Friedlands in my orange GMC Pickup that I keep in Lansing. Unfortunately, it broke down there after emptying its load (an apparent fuel pump issue) and they had to tow it back down the street to 508.
- 3) Later that weekend, Dana and Dougie took another pickup load from 508 out to another property for storage. Unfortunately, after that job was done, Dana got injured and was taken to Ingham Medical Hospital on Greenlawn... Sunday.
- 4) Apparently, Mr. Driver or another Code Compliance Officer, came by 508 and decided that the work was not completed and contracted someone else to do the job.
- 5) When those other people showed up as directed by the Code Compliance Officer, Dougie tried to explain that he and Dana were hired by me to do the job and indeed were partway through it, so the new company should back off. However, the police were called in, apparently by the Code Compliance Officer, and Dougie and Dana were compelled to let the company commissioned by Code Compliance have access to my property and do what they perceived as to be done, regardless of our ownership or opinion.
- 6) This brings up additional issues regarding what was taken by the new company and what should or should not have been taken. For example, I would agree that one dog house was a wreck. However, the other was well built... shingled roofed insulated dog house with a side hallway down the right side that turned into a nice warm room and a back flap for removing straw

bedding. I did not want this thrown out and it should not have been taken from my back yard enclosed by a privacy fence. I could have sold it for over \$100.

- 7) Beyond that, my back room was an enclosable room. A look at the side walls will show it to have a wall that connected to the garage on the West and another East wall with a nice window with screens. The North wall had been a wall with movable screen panels for the summer and wooden panels for the winter. We did some sound recording in that room in years past. Until my house was broken into when I was gone, there was a sliding glass door and a long panel of aluminum framed class windows with crank handles that turned up collectively as cranked and internal screens. These were special and had been at my Grandmother's summer cottage until they did an upgrade and I installed them at 508. The thieves actually broke the glass from the windows and removed the aluminum from the sliding glass doors and stole the aluminum for recycling. Anyway, this new company actually took the screen frames and the wooden frames that fit into this wall when they took items. They should not have been taken. They were part of my house!
- 8) Beyond that, because the back room was enclosable, I contend that the Code Compliance Officers had no jurisdiction to order taken from me the two fridges and wooden handrails and the 4 X 8 sheets of wood that I was using for garage repair. Most of that stuff was neatly laid up under the roof and against the South wall of the room on the East side.
- 9) Furthermore, if I were to have chosen to get rid of the fridges, which I was doing with the empty small one that I had recently moved up from my basement, there would have been no recycling fees. J & J and Dennis Distributing Companies which are licensed to deal with the coolant in fridges are my In-Laws and I would have taken them to family to be dealt with at no expense to me. There should have been no \$94.50 recycling fee.
- 10) Beyond that, as I said earlier, a significant part of what I would agree should be cleaned up, was already done by Dana and Dougie, so \$2,819.50 to do anything there was absurd and needlessly punitive. We were in the process of cooperating but interrupted by Dana's injury, and, if the Code Compliance Officer would have spoken with me before contracting this second team to come onto my property and remove things, I would have demonstrated to him that items he took as trash were actually treasures to me... valuable parts of the wall that made this back room an enclosure that he should not have overruled as a place for Lansing City to clean up. I am actually aghast that they saw fit to enter my back yard with an enclosed privacy fence that allowed no offence to the neighbors or neighborhood.

Thank you for allowing me to present my concerns and facts that I believe support my valid request that the Trash Removal and Recycling Fees (which I paid in January in order to stop further interest charges) be rebated to me as soon as possible. At this point I depend on Social Security for my income, and things such as this are huge hardships to people like me who have been loyal and cooperative citizens of Lansing for over 35 years.

Sincerely, and Appreciatively,

Eric's Refuse LLC

P.O. Box 16035
Lansing, MI 48901

Invoice

Date	Invoice #
5/2/2016	4863

Bill To
City of Lansing Office of Code Compliance 316 North Capital Lansing, MI 48933-1238

property address
508 W Grand River Ave 33-01-01-09-302-081

Terms

work complete
5/2/2016

Quantity	Item Code	Description	Price Each	Amount
1	1hr 3cy	first hour and 3 yards of debris	175.00	175.00
9	add hr	additional hour after 1	150.00	1,350.00
2	add cy	addition yards after 3	22.00	44.00
35	class 2	construction material after 3	26.00	910.00
2	appl	any appliance needing freon removal	35.00	70.00
1	tire	tire removal	5.50	5.50
		work complete 4/29/16		
		total yards 40		
		submitted by Zachary Driver		
All work is completed			Total	\$2,554.50

CITY OF LANSING
316 N. CAPITOL SUITE C2
Lansing, MI 48933
Ph: (517) 483-4361
Fax: (517) 377-0100

Invoice No.: 00073765

Date: 05/04/2016

Record: E16-03653

BOWDEN KENT T
508 W GRAND RIVER AVE
LANSING, MI 48906-4722

TOTAL AMOUNT DUE

\$2,819.50

<u>Item Category</u>	<u>Item Description</u>	<u>Amount Due</u>
Code Compliance	Trash - Admin Fee	\$265.00
Code Compliance	Trash - Contractor Charge	\$2,554.50
Total Amount Due		\$2,819.50



**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**
316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

BOWDEN KENT T or Current Occupant
508 W GRAND RIVER AVE
LANSING, MI 48906-4722

Violation Date: 04/08/2016
Violation Location: 508 W GRAND RIVER AVE
Parcel No: 33-01-01-09-302-081
Compliance Due Date: April 15, 2016

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

AREA: ENTIRE YARD including porches
Violation: Paper/Glass/Plastic/Metal/Cardboard debris

Violation: Trash found in bags

Violation: Junk tire debris

Violation: Deteriorated building materials

Violation: Concrete debris

Violation: Deteriorated Lumber

Violation: Broken Glass debris

Violation: Deteriorated metal product

INSPECTOR COMMENTS: *including but not limited to: deteriorated trailer.*

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice. The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year. If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such



Mayor Virg Bernero

**LANSING FIRE DEPARTMENT
FIRE MARSHAL'S OFFICE
Code Enforcement Section**

316 N. Capitol Avenue Ste. C-2

Lansing, MI 48933

Phone: 517-483-4361

Fax: 517-377-0100

ZD 4-15-16: Kent and his family were away for a few months and his truck died as he was using it to move some of the debris. CDD of 4-15-16 moved to 4-24-16.

16-T017

6/03/2016-kent called was upset about the bill felt we should have contacted him again he called (see above note) and got an extension but did not send someone down until 4/25/16 the person he sent injured themselves while cleaning the property and failed to let the owner know he didn't clean the property the owner states he took 1 load, the owner stated he showed up a week later and the property had been cleaned he feels it was our responsibility to contact him/ I stated he knew to call and get an extension because he got the 1st one our notices clearly state if not done by the compliance due date we will send a contractor to clean the property/he was also upset because the appliances he stated he could have scrapped and got money for as well as other debris he felt had value/i stated refrigerators are not made for the outdoors they are a violation/he kept repeating he had to come down to the property this owner Rev Bowden is claiming a 100% homestead here the property is occupied high consumption on utilities per bwl but his driver's license states he has lived in Norton Shores, MI since 2013/per Scott Sanford lead housing inspector he was at this address with the premise officer the tenant is a trash hauler who was bringing all the debris he hauled home this property is also an unregistered rental/imp











508 W Grand River Ave (2)























508 W Grand River Ave (13)







508 W Grand River Ave (16)



508 W Grand River Ave (17)



508 W Grand River Ave (18)













508 W Grand River Ave (24)





508 W Grand River Ave (26)



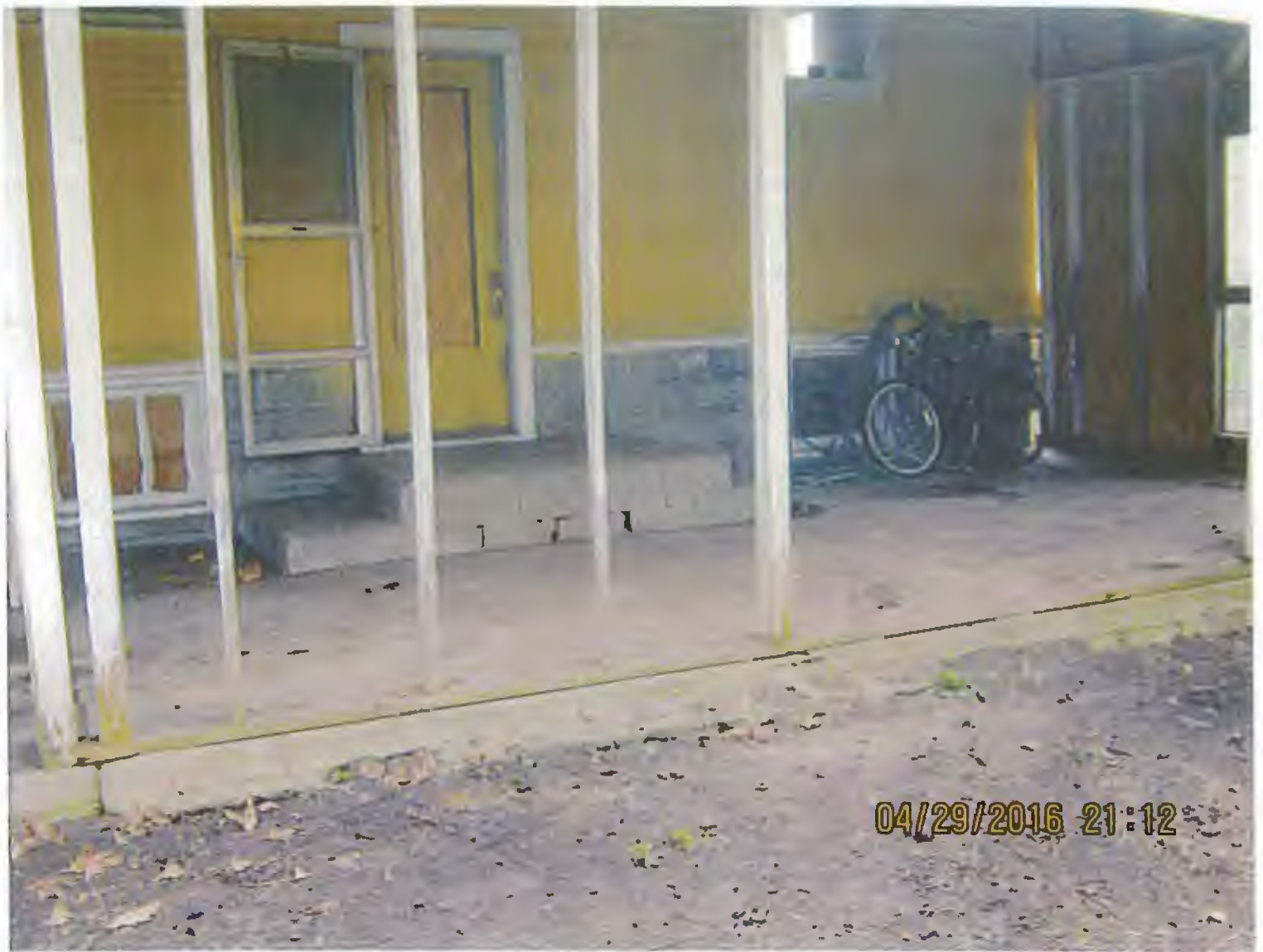
















**Request to adopt resolution of CAPITOL
PROPERTIES L.L.C. to extend NEZ
CERTIFICATE No. 2007-0092**

CAPITOL PROPERTIES LLC

222 SOUTH WASHINGTON SQ.

LANSING, MICHIGAN

MICHAEL BROGAN 517-528-4203

RESOLUTION _____

Resolution to Approve an Amendment for Neighborhood Enterprise Zone Certificate No. N2007-0092, PA 147 of 1992, as amended

WHEREAS, the residential property owner **CAPITAL PROPERTIES GROUP LLC**, was granted a Neighborhood Enterprise Zone Exemption Certificate for property located at **222 S. Washington Sq. Unit 3 City of Lansing**, on August 15, 2007; and

WHEREAS, this Neighborhood Enterprise Zone Exemption Certificate is effective December 31, 2006, and ending December 30, 2018; and

WHEREAS, PA 147 of 1992 was amended effective January 3, 2006, allowing for an extension of Neighborhood Enterprise Zones for a duration of 15 years from the effective date, for all certificates granted after December 31, 2005; and

WHEREAS, the Lansing City Council established a Neighborhood Enterprise Zone for this property on August 15, 2007 as required under PA 147 of 1992 after a public hearing held on _____; and

WHEREAS, in 2016 the property owner **CAPITAL PROPERTIES GROUP LCC** paid property taxes for property located at **222 S. Washington Sq. Unit 3 City of Lansing** in the amount of 5/8 mills, as described in 207.779 Sec. 9(6) of PA 147 of 1992; and

WHEREAS, in years **2017, 2018 and 2019** the assessed valuation for property located at **222 S. Washington Sq. Unit 3 City of Lansing** shall be and **remain frozen** as that established in the original **CERTIFICATE**; and

WHEREAS, property owner **CAPITAL PROPERTIES GROUP LLC** will resume tax assessments as described in 207.779 Sec. 9(7) and (8) of PA 147 of 1992 beginning in 2020; and

WHEREAS, the applicant **CAPITAL PROPERTIES GROUP LLC** is not delinquent on any taxes related to the facility, and

NOW, THEREFORE, BE IT RESOLVED by the Lansing City Council hereby approves amending the Neighborhood Enterprise Zone Exemption Certificate No. _____ granted to **CAPITAL PROPERTIES GROUP LCC** for the residential property located at **222 S. Washington Sq. Unit 3 City of Lansing**, from a period of 12 years to a period of 15 years from effective date, beginning December 31, 2006, and ending December 31, 2021, pursuant to the provisions of PA 147 of 1992, as amended.

**Request to adopt resolution of CAPITOL
PROPERTIES L.L.C. to extend NEZ
CERTIFICATE No. 2007-0093**

CAPITOL PROPERTIES LLC

222 SOUTH WASHINGTON SQ.

LANSING, MICHIGAN

MICHAEL BROGAN 517-528-4203

RESOLUTION _____

**Resolution to Approve an Amendment for Neighborhood Enterprise Zone
Certificate No. ~~12007-0093~~, PA 147 of 1992, as amended**

WHEREAS, the residential property owner **CAPITAL PROPERTIES GROUP LLC**, was granted a Neighborhood Enterprise Zone Exemption Certificate for property located at **222 S. Washington Sq. Unit 4 City of Lansing**, on August 15, 2007; and

WHEREAS, this Neighborhood Enterprise Zone Exemption Certificate is effective December 31, 2006, and ending December 30, 2018; and

WHEREAS, PA 147 of 1992 was amended effective January 3, 2006, allowing for an extension of Neighborhood Enterprise Zones for a duration of 15 years from the effective date, for all certificates granted after December 31, 2005; and

WHEREAS, the Lansing City Council established a Neighborhood Enterprise Zone for this property on August 15, 2007 as required under PA 147 of 1992 after a public hearing held on _____; and

WHEREAS, in 2016 the property owner **CAPITAL PROPERTIES GROUP LCC** paid property taxes for property located at **222 S. Washington Sq. Unit 4 City of Lansing** in the amount of 5/8 mills, as described in 207.779 Sec. 9(6) of PA 147 of 1992; and

WHEREAS, in years **2017, 2018 and 2019** the assessed valuation for property located at **222 S. Washington Sq. Unit 4 City of Lansing** shall be and **remain frozen** as that established in the original **CERTIFICATE**; and

WHEREAS, property owner **CAPITAL PROPERTIES GROUP LLC** will resume tax assessments as described in 207.779 Sec. 9(7) and (8) of PA 147 of 1992 beginning in 2020; and

WHEREAS, the applicant **CAPITAL PROPERTIES GROUP LLC** is not delinquent on any taxes related to the facility, and

NOW, THEREFORE, BE IT RESOLVED by the Lansing City Council hereby approves amending the Neighborhood Enterprise Zone Exemption Certificate No. _____ granted to **CAPITAL PROPERTIES GROUP LCC** for the residential property located at **222 S. Washington Sq. Unit 4 City of Lansing**, from a period of 12 years to a period of 15 years from effective date, beginning December 31, 2006, and ending December 31, 2021, pursuant to the provisions of PA 147 of 1992, as amended.

**Request to adopt resolution of CAPITOL
PROPERTIES L.L.C. to extend NEZ
CERTIFICATE No. 2007 - 0094**

CAPITOL PROPERTIES LLC

222 SOUTH WASHINGTON SQ.

LANSING, MICHIGAN

MICHAEL BROGAN 517-528-4203

RESOLUTION _____

**Resolution to Approve an Amendment for Neighborhood Enterprise Zone
Certificate No. ~~N 2007-0094~~, PA 147 of 1992, as amended**

WHEREAS, the residential property owner **CAPITAL PROPERTIES GROUP LLC**, was granted a Neighborhood Enterprise Zone Exemption Certificate for property located at **222 S. Washington Sq. Unit 5 City of Lansing**, on August 15, 2007; and

WHEREAS, this Neighborhood Enterprise Zone Exemption Certificate is effective December 31, 2006, and ending December 30, 2018; and

WHEREAS, PA 147 of 1992 was amended effective January 3, 2006, allowing for an extension of Neighborhood Enterprise Zones for a duration of 15 years from the effective date, for all certificates granted after December 31, 2005; and

WHEREAS, the Lansing City Council established a Neighborhood Enterprise Zone for this property on August 15, 2007 as required under PA 147 of 1992 after a public hearing held on _____; and

WHEREAS, in 2016 the property owner **CAPITAL PROPERTIES GROUP LCC** paid property taxes for property located at **222 S. Washington Sq. Unit 5 City of Lansing** in the amount of 5/8 mills, as described in 207.779 Sec. 9(6) of PA 147 of 1992; and

WHEREAS, in years **2017, 2018 and 2019** the assessed valuation for property located at **222 S. Washington Sq. Unit 5 City of Lansing** shall be and **remain frozen** as that established in the original **CERTIFICATE**; and

WHEREAS, property owner **CAPITAL PROPERTIES GROUP LLC** will resume tax assessments as described in 207.779 Sec. 9(7) and (8) of PA 147 of 1992 beginning in 2020; and

WHEREAS, the applicant **CAPITAL PROPERTIES GROUP LLC** is not delinquent on any taxes related to the facility, and

NOW, THEREFORE, BE IT RESOLVED by the Lansing City Council hereby approves amending the Neighborhood Enterprise Zone Exemption Certificate No. _____ granted to **CAPITAL PROPERTIES GROUP LCC** for the residential property located at **222 S. Washington Sq. Unit 5 City of Lansing**, from a period of 12 years to a period of 15 years from effective date, beginning December 31, 2006, and ending December 31, 2021, pursuant to the provisions of PA 147 of 1992, as amended.

**Request to adopt resolution of CAPITOL
PROPERTIES L.L.C. to extend NEZ
CERTIFICATE No. 2007-0095 .**

CAPITOL PROPERTIES LLC

222 SOUTH WASHINGTON SQ.

LANSING, MICHIGAN

MICHAEL BROGAN 517-528-4203

RESOLUTION _____

**Resolution to Approve an Amendment for Neighborhood Enterprise Zone
Certificate No. N/2007-0095, PA 147 of 1992, as amended**

WHEREAS, the residential property owner **CAPITAL PROPERTIES GROUP LLC**, was granted a Neighborhood Enterprise Zone Exemption Certificate for property located at **222 S. Washington Sq. Unit 6 City of Lansing**, on August 15, 2007; and

WHEREAS, this Neighborhood Enterprise Zone Exemption Certificate is effective December 31, 2006, and ending December 30, 2018; and

WHEREAS, PA 147 of 1992 was amended effective January 3, 2006, allowing for an extension of Neighborhood Enterprise Zones for a duration of 15 years from the effective date, for all certificates granted after December 31, 2005; and

WHEREAS, the Lansing City Council established a Neighborhood Enterprise Zone for this property on August 15, 2007 as required under PA 147 of 1992 after a public hearing held on _____; and

WHEREAS, in 2016 the property owner **CAPITAL PROPERTIES GROUP LCC** paid property taxes for property located at **222 S. Washington Sq. Unit 6 City of Lansing** in the amount of 5/8 mills, as described in 207.779 Sec. 9(6) of PA 147 of 1992; and

WHEREAS, in years **2017, 2018 and 2019** the assessed valuation for property located at **222 S. Washington Sq. Unit 6 City of Lansing** shall be and **remain frozen** as that established in the original **CERTIFICATE**; and

WHEREAS, property owner **CAPITAL PROPERTIES GROUP LLC** will resume tax assessments as described in 207.779 Sec. 9(7) and (8) of PA 147 of 1992 beginning in 2020; and

WHEREAS, the applicant **CAPITAL PROPERTIES GROUP LLC** is not delinquent on any taxes related to the facility, and

NOW, THEREFORE, BE IT RESOLVED by the Lansing City Council hereby approves amending the Neighborhood Enterprise Zone Exemption Certificate No. _____ granted to **CAPITAL PROPERTIES GROUP LCC** for the residential property located at **222 S. Washington Sq. Unit 6 City of Lansing**, from a period of 12 years to a period of 15 years from effective date, beginning December 31, 2006, and ending December 31, 2021, pursuant to the provisions of PA 147 of 1992, as amended.



INGHAM COUNTY/CITY OF LANSING COMMUNITY CORRECTIONS ADVISORY BOARD

MARY E. SABAJ
CCAB Manager

JAMES WEBSTER
CCAB Staff Consultant

HON. CLINTON CANADY
30th Judicial Circuit
Criminal Division
CHAIRPERSON

MAJOR SAM DAVIS
Ingham Co. Sheriff's Office
VICE CHAIRPERSON

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FINANCIAL OFFICER
Ingham County
Board of Commissioners

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Ingham Co. Prosecutor's Office

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30th Judicial Court
Family Division

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54-A District Court

PATRICIA SPITZLEY
Lansing City Council

VACANT
Adult Probation Supervisor

MICK S. GREWAL
Criminal Defense Attorney

LT. TRACI RUIZ
Lansing Police Department

VACANT
Business Community

TIM BARRON
Communications
Media

MONICA JAHNER
Community Alternative Program

VACANT
Workforce Development

July 13, 2017

Chris Swope
City Clerk
9th Floor
124 W. Michigan Ave.
Lansing, MI 48933

Dear Mr. Swope,

On behalf of the Ingham County/City of Lansing Community Corrections Advisory Board (CCAB), I respectfully request that the Lansing City Council consider and approve the 2017-2018 State of Michigan - Office of Community Corrections Funding Application. This application provides State funding for administration, community treatment and services programming and community residential facility treatment services for the local offender population.

The Application was approved by the Ingham County Board of Commissioners on May 23, 2017. I have included a copy of Resolution #17-217 for your reference.

Thank you.

Mary Sabaj, J.D.
CCAB Manager

Introduced by the Law & Courts and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND
ENTERING INTO A CONTRACT WITH THE MICHIGAN DEPARTMENT OF
CORRECTIONS FOR INGHAM COUNTY/CITY OF LANSING COMMUNITY
CORRECTIONS AND ENTERING INTO PROGRAM SUBCONTRACTS FOR FY 2017-
2018**

RESOLUTION # 17 – 217

WHEREAS, the State Community Corrections Advisory Board, the Ingham County Board of Commissioners, and the City of Lansing approved the original Ingham County/City of Lansing Community Corrections Comprehensive Plan in 1991; and

WHEREAS, the State Community Corrections Advisory Board approved the Funding Application and Plan for FY 2017-2018; and

WHEREAS, the FY 2017-2018 Application provides for the following CCAB Plans and Services programming: Relapse Prevention and Recovery (\$67,898) to be provided by C-E-I CMH; Gatekeeper services (\$4,069) to be provided by the CCAB Staff Consultant; Men's MRT Cognitive Change Groups (\$18,000) to be provided by Wellness, Inx and Women's MRT Cognitive Change Groups (\$8,082) to be provided by Prevention and Training Services; Domestic Violence Intervention Groups (\$12,000) to be provided by Prevention and Training Services; Opioid Specific Program services (\$55,000) to be provided by Tri County Community Adjudication Program; Day Reporting services (\$40,274) to be provided by Northwest Initiative – ARRO; and, Electronic Monitoring Services for Pretrial defendants (\$10,134) to be provided by Sentinel, Inc. for a subcontract program total of \$215,457; and

WHEREAS, the FY 2017-2018 Application also provides funding for a special part-time Pretrial Services Investigator (\$25,683) to enhance the community supervision capacity of 30th Circuit Court Pretrial Services and for CCAB Administration in the amount of \$50,422 for a Plans and Services total of \$291,562 for the time period of October 1, 2017 through September 30, 2018; and

WHEREAS, the FY 2017-2018 grant award provides Ingham County use of a projected average daily population of 30 residential beds with M.D.O.C. contracting directly with residential providers rather than with local jurisdictions for a projected value of \$531,075 and another 1.23 beds per day funded with Drunk Driver Jail Reduction – Community Treatment Program (DDJR-CTP) grant funds in the amount of \$21,169; and

WHEREAS, pursuant to the FY 2017-2018 grant award, the County may enter into subcontracts for the purpose of implementing Plans and Services programs and services identified in the Community Corrections Plan and Application; and

WHEREAS, the Subcontractors for Plans and Services programming are willing and able to provide the services that the County requires.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes entering into an Agreement with the Michigan Department of Corrections for Ingham County/City of Lansing Community Corrections FY 2017-2018 in the amount of \$291,562 in CCAB Plans and Services and Administration funds, and \$21,169 in Drunk Driving Jail Reduction and Community Treatment Program funds for a total of \$312,731 and for the use of an estimated 30 residential beds per day for a value amounting to \$531,075 for the time period of October 1, 2017 through September 30, 2018.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners authorizes entering into subcontracts for CCAB Plans and Services programming from October 1, 2017 through September 30, 2018 with Wellness, Inc. for the actual cost of Men's MRT Cognitive Change groups not to exceed \$18,000; with Prevention and Training Services for the cost of Women's MRT Change Groups for a cost not to exceed \$8,082; with Prevention and Training Services for the cost of Domestic Violence Intervention Groups for a cost not to exceed \$12,000; with Tri County Community Adjudication Program for the cost of Opioid Specific Program services not to exceed \$55,000; with CEI Community Mental Health for the actual cost of Relapse Prevention and Recovery services not to exceed \$67,898; with Northwest Initiative - ARRO for the actual cost of Day Reporting services not to exceed \$40,274; and with Sentinel, Inc. for the actual cost of electronic monitoring services for Pretrial defendants not to exceed \$10,134.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners authorizes the continued funding of a special part-time (19 hours per week) Pretrial Services Investigator position at the ICEA PRO06 salary grade not to exceed \$25,683.

BE IT FURTHER RESOLVED, that entering into the subcontracts and maintaining the Pretrial Services Investigator position are contingent upon entering into the Agreement with the State.

BE IT FURTHER RESOLVED, that the subcontracts and Pretrial Services Investigator position are contingent throughout the subcontract period on the availability of grant funds from the State of Michigan for these purposes.

BE IT FURTHER RESOLVED, that the Board Chairperson is authorized to sign any necessary contracts/subcontracts consistent with this resolution subject to approval as to form by the County Attorney.

LAW & COURTS: Yeas: Hope, Banas, Celentino, Crenshaw, Schafer, Maiville

Nays: None Absent: Koenig Approved 5/11/2017

FINANCE: Yeas: Grebner, McGrain, Tennis, Anthony, Schafer, Case Naeyaert
Nays: None **Absent:** Hope **Approved 5/17/2017**