

Sec. 50-94a. - Additional standards for medical marihuana facility uses.

All uses. Except as may be provided elsewhere in this section or chapter and except to the extent the standards would interfere with or conflict with statutory regulations for the licensing of marijuana facilities under the Medical Marijuana Facilities Licensing Act, each special use permit for a medical marijuana facility shall meet the standards of section 50-94(a).

- (1) They shall comply at all times and in all circumstances with the Michigan Medical Marijuana Facilities Licensing Act, the Michigan Medical Marijuana Act and the rules of the Michigan Department of Community Health and the department of licensing and regulatory affairs and provide copies of the application for a state operating license at the time of filing a site plan;
- (2) They must be located outside of 1,000 feet from the lot lines of any school, including any licensed facility with after school programs, child care centers, or daycare centers, to insure community compliance with federal "Drug-Free School Zones" requirements;
- (3) They may not be operated out of a residence or residential structure;
- (4) The consumption of alcohol or medical marijuana on the premises is prohibited;
- (5) The facility shall be operated and maintained at all times so that any by-products or waste of any kind shall be properly and lawfully kept and disposed of so as to preclude any risk of harm to the public health, safety or welfare;
- (6) All transfers and deliveries of medical marijuana, marijuana-infused products, marijuana seeds, and marijuana plants must be to a processor, a provisioning center, or safety compliance facility and only by means of a secure transporter and must occur within the structure out of public view except as allowed by the Medical Marijuana Facilities Licensing Act or rules or regulations promulgated thereunder;
- (7) They may not concurrently act as a primary caregiver or dispensary out of or in conjunction with a processor, a safety compliance facility, a secure transporter facility, or a growing facility;
- (8) Except when in the process of being transferred, being processed, or during the process of testing all marijuana and marijuana-infused products shall be contained within an enclosed, locked facility, inaccessible on all sides and equipped with locks that permit access only by the licensed growers or their employees, as reviewed and approved by the building official and the police department;
- (9) The establishment shall be designed, operated, and maintained at all times consistent with responsible business practices so that there shall be no excessive demands placed upon public safety services, nor any excessive risk of harm to the public health, safety, or sanitation, or environmental quality, interference with vehicular or pedestrian traffic or parking, or the continuance or maintenance of any conduct unlawful under state or local law, public nuisance, or disorderly conduct either within the establishment or on or about the adjacent businesses and public streets, alleys, parks, parking facilities, or other areas open to the public. The establishment shall make reasonable effort to report to authorities any conduct unlawful under state or local law that is observed from the premises. The requirements of this section shall be a written condition of each special use permit issued;
- (10) No marijuana shall be cultivated, grown, manufactured, or processed in any manner that would emit odors reasonably discernable to another person beyond the interior of the building from which the odor is generated. The odor must be prevented by the installation of an operable filtration to ventilation and exhaust equipment and odors must otherwise be effectively confined to the interior of the building from which the odor is generated; and
- (11) The licensee of the facility must pay an annual, nonrefundable fee of \$5,000.00 to the city.

(Ord. No. 1395, 12-5-2017)