

CITY OF LANSING, MICHIGAN
ORDINANCE NO. 1217

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 THE MAXIMUM NUMBER OF PROVISIONING CENTERS AND TO ESTABLISH PROCEDURES FOR THE GRANTING OF LICENSES; TO ESTABLISH OPERATIONAL, LAND USE, AND ZONING REQUIREMENTS, AND STANDARDS ATTENDANT THERETO; TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITY OF LANSING AND ITS NEIGHBORHOODS; TO ESTABLISH ECONOMIC DEVELOPMENT, JOB TRAINING, AND JOB CREATION PURPOSES RELATED TO MEDICAL MARIHUANA ESTABLISHMENTS; TO ESTABLISH A MEDICAL MARIHUANA COMMISSION; TO PROVIDE AN APPEAL PROCESS FOR LICENSE DENIAL OR REVOCATION; TO SET LICENSING FEES FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH THE IMPLEMENTATION AND ENFORCEMENT OF THE PROVISIONS OF THIS CHAPTER; TO DECLARE CERTAIN ACTIVITIES IN THIS CHAPTER AS PUBLIC NUISANCES; TO DECLARE THIS CHAPTER TO BE FOR A PUBLIC PURPOSE; AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS 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 and a 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.

- 1 1300.16 Penalties; Temporary Suspension of License
- 2 1300.17 No Vested Rights.
- 3 1300.18 Zoning Board of Appeals.
- 4 1300.19 Sunset.

5

6 **1300.1 – LEGISLATIVE INTENT.**

7

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

17

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

25

26 THE CITY FURTHER FINDS AND DECLARES THAT ECONOMIC DEVELOPMENT,
27 INCLUDING JOB CREATION AND TRAINING, AND THE PROTECTION OF THE
28 PUBLIC HEALTH, SAFETY, AND WELFARE OF CITY NEIGHBORHOODS AND
29 RESIDENTS ARE PUBLIC PURPOSES.

30

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

36

37 **1300.2 – DEFINITIONS, INTERPRETATION AND CONFLICTS.**

38

39 FOR THE PURPOSES OF THIS CHAPTER:

40

41 (A) ANY TERM DEFINED BY THE MICHIGAN MEDICAL MARIHUANA ACT, MCL
42 333.26421 ET SEQ., AS AMENDED (“MMMA”), THE MEDICAL MARIHUANA
43 FACILITIES LICENSING ACT, MCL 333.2701, ET SEQ. (MMFLA) SHALL HAVE
44 THE DEFINITION GIVEN IN THOSE ACTS, AS AMENDED, AND THE
45 MARIHUANA TRACKING ACT (“MTA”), MCL333.27901, ET SEQ. IF THE
46 DEFINITION OF A WORD OR PHRASE SET FORTH IN THIS CHAPTER

1 CONFLICTS WITH THE DEFINITION IN THE MMMA, MMFLA OR MTA, OR IF A
2 TERM IS NOT DEFINED BUT IS DEFINED IN THE MMMA, MMFLA OR MTA,
3 THEN THE DEFINITION IN THE MMMA, MMFLA, OR MTA SHALL APPLY.
4

5 (B) ANY TERM DEFINED BY 21 USC 860(E) REFERENCED IN THIS CHAPTER
6 SHALL HAVE THE DEFINITION GIVEN BY 21 USC 860(E).
7

8 (C) THIS ORDINANCE SHALL NOT LIMIT AN INDIVIDUAL OR ENTITY'S RIGHTS
9 UNDER THE MMMA, MMFLA OR MTA AND THESE ACTS SUPERSEDE THIS
10 ORDINANCE WHERE THERE IS A CONFLICT BETWEEN THEM AND THE
11 IMMUNITIES AND PROTECTIONS ESTABLISHED IN THE MMMA UNLESS
12 SUPERSEDED OR PREEMPTED BY THE MMFLA.
13

14 (D) ALL ACTIVITIES RELATED TO MEDICAL MARIHUANA, INCLUDING THOSE
15 RELATED TO A MEDICAL MARIHUANA PROVISIONING CENTER, A MEDICAL
16 MARIHUANA GROWER FACILITY, A MEDICAL MARIHUANA SECURE
17 TRANSPORTER, A MEDICAL MARIHUANA PROCESSOR OR A MEDICAL
18 MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE IN COMPLIANCE
19 WITH THE RULES OF THE MEDICAL MARIHUANA LICENSING BOARD, THE
20 RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY
21 AFFAIRS, OR ANY SUCCESSOR AGENCY, THE RULES AND REGULATIONS OF
22 THE CITY OF LANSING, THE MMMA, MMFLA AND THE MTA.
23

24 (E) ANY USE WHICH PURPORTS TO HAVE ENGAGED IN THE CULTIVATION OR
25 PROCESSING OF MEDICAL MARIHUANA INTO A USABLE FORM, OR THE
26 DISTRIBUTION OF MEDICAL MARIHUANA, OR THE TESTING OF MEDICAL
27 MARIHUANA EITHER PRIOR TO OR AFTER ENACTMENT OF THIS CHAPTER
28 WITHOUT OBTAINING THE REQUIRED LICENSING SET FORTH IN THIS
29 CHAPTER SHALL BE DEEMED TO BE AN ILLEGALLY ESTABLISHED USE
30 AND THEREFORE NOT ENTITLED TO LEGAL NONCONFORMING STATUS
31 UNDER THE PROVISIONS OF THIS CHAPTER, AND/OR STATE LAW. THE CITY
32 FINDS AND DETERMINES THAT IT HAS NOT HERETOFORE AUTHORIZED OR
33 LICENSED THE EXISTENCE OF ANY MEDICAL MARIHUANA
34 ESTABLISHMENT, AS DEFINED HEREIN, IN THE CITY IN AND UNDER ANY
35 FORM WHATSOEVER. ANY LICENSE GRANTED PURSUANT TO THIS
36 CHAPTER SHALL BE EXCLUSIVE TO THE LICENSEE, IS A REVOCABLE
37 PRIVILEGE, AND IS NOT INTENDED TO, NOR SHALL IT, CREATE A
38 PROPERTY RIGHT. GRANTING A LICENSE DOES NOT CREATE OR VEST ANY
39 RIGHT, TITLE, FRANCHISE, OR OTHER PROPERTY RIGHT.
40

41 (F) THE FOLLOWING TERMS SHALL HAVE THE DEFINITIONS GIVEN:
42

43 "APPLICATION" MEANS AN APPLICATION FOR A LICENSE PURSUANT TO THE
44 TERMS AND CONDITIONS SET FORTH IN SECTIONS 1300.5 AND 1300.6.
45

1 “APPLICATION FOR A LICENSE RENEWAL” MEANS AN APPLICATION FOR A
2 LICENSE RENEWAL PURSUANT TO THE TERMS AND CONDITIONS OF SECTION
3 1300.7.

4
5 “BUFFERED USE” MEANS A USE SUBJECT TO THE BUFFERING AND
6 DISPERSION REQUIREMENTS OF SECTIONS 1300.13 (A) AND 1300.13 (D).

7
8 “BUILDING” MEANS AN INDEPENDENT, ENCLOSED STRUCTURE HAVING A
9 ROOF SUPPORTED BY COLUMNS OR WALLS, INTENDED AND/OR USED FOR
10 SHELTER OR ENCLOSURE OF PERSONS OR CHATTELS. WHEN ANY PORTION OF A
11 STRUCTURE IS COMPLETELY SEPARATED FROM EVERY OTHER PART BY
12 DIVIDING WALLS FROM THE GROUND UP, AND WITHOUT OPENINGS, EACH
13 PORTION OF SUCH STRUCTURE SHALL BE DEEMED A SEPARATE STRUCTURE,
14 REGARDLESS OF WHETHER THE PORTIONS OF SUCH STRUCTURE SHARE
15 COMMON PIPES, DUCTS, BOILERS, TANKS, FURNACES, OR OTHER SUCH SYSTEMS.
16 THIS DEFINITION REFERS ONLY TO PERMANENT STRUCTURES, AND DOES NOT
17 INCLUDE TENTS, SHEDS, GREENHOUSES AND PRIVATE GARAGES ON
18 RESIDENTIAL PROPERTY, STABLES, OR OTHER ACCESSORY STRUCTURES NOT IN
19 COMPLIANCE WITH MMMA. A BUILDING DOES NOT INCLUDE SUCH STRUCTURES
20 WITH INTERIOR AREAS NOT NORMALLY ACCESSIBLE FOR HUMAN USE, SUCH AS
21 GAS HOLDERS, TANKS, SMOKE STACKS, GRAIN ELEVATORS, COAL BUNKERS, OIL
22 CRACKING TOWERS OR SIMILAR STRUCTURES.

23
24 “CHAPTER” MEANS THIS CHAPTER 1300.

25
26 “CHURCH” MEANS AN ENTIRE BUILDING SET APART PRIMARILY FOR
27 PURPOSES OF PUBLIC WORSHIP, AND WHICH IS TAX EXEMPT UNDER THE LAWS
28 OF THIS STATE, AND IN WHICH RELIGIOUS SERVICES ARE HELD, AND THE
29 ENTIRE BUILDING STRUCTURE OF WHICH IS KEPT FOR THAT USE AND NOT PUT
30 TO ANY OTHER USE INCONSISTENT WITH THAT USE.

31
32 “CITY” MEANS THE CITY OF LANSING, MICHIGAN.

33
34 “COUNCIL OR CITY COUNCIL,” MEANS THE CITY COUNCIL OF LANSING,
35 MICHIGAN.

36
37 “CLERK” SHALL MEAN THE CITY CLERK OF LANSING, MICHIGAN.

38
39 “CULTIVATION” OR “CULTIVATE” AS USED IN THIS CHAPTER MEANS: (1) ALL
40 PHASES OF GROWTH OF MARIHUANA FROM SEED TO HARVEST, AND DRYING
41 TRIMMING, AND CURING ; (2) PREPARING, PACKAGING OR REPACKAGING,
42 LABELING, OR RELABELING OF ANY FORM OF MARIHUANA.

43
44 “DISQUALIFYING FELONY” MEANS A FELONY THAT MAKES AN INDIVIDUAL
45 INELIGIBLE TO SERVE AS A REGISTERED PRIMARY CAREGIVER UNDER THE
46 MMMA, MMFLA OR MTA.

1
2 “EMPLOYEE” MEANS ANY INDIVIDUAL WHO IS EMPLOYED BY AN EMPLOYER
3 IN RETURN FOR THE PAYMENT OF DIRECT OR INDIRECT MONETARY WAGES OR
4 PROFIT, UNDER CONTRACT, AND ANY INDIVIDUAL WHO VOLUNTEERS HIS OR
5 HER SERVICES TO AN EMPLOYER FOR NO MONETARY COMPENSATION, OR ANY
6 INDIVIDUAL WHO PERFORMS WORK OR RENDERS SERVICES, FOR ANY PERIOD
7 OF TIME, AT THE DIRECTION OF AN OWNER, LESSEE, OF OTHER PERSON IN
8 CHARGE OF A PLACE.

9
10 “LICENSE” OR “MEDICAL MARIHUANA BUSINESS LICENSE” MEANS A LICENSE
11 ISSUED FOR THE OPERATION OF A MEDICAL MARIHUANA ESTABLISHMENT
12 PURSUANT TO THE TERMS AND CONDITIONS OF THIS CHAPTER AND INCLUDES A
13 LICENSE WHICH HAS BEEN RENEWED PURSUANT TO SECTION 1300.7.

14
15 “LICENSE APPLICATION” MEANS AN APPLICATION SUBMITTED FOR A
16 LICENSE PURSUANT TO THE REQUIREMENTS AND PROCEDURES SET FORTH IN
17 SECTIONS 1300.5 AND 1300.6.

18
19 “LICENSEE” MEANS A PERSON ISSUED A LICENSE FOR AN ESTABLISHMENT
20 PURSUANT TO THIS CHAPTER.

21
22 “MARIHUANA” MEANS ALL PARTS OF THE PLANT CANNABIS SATIVA L.,
23 GROWING OR NOT; THE SEEDS OF THE PLANT; THE RESIN EXTRACTED FROM
24 ANY PART OF THE PLANT; AND EVERY COMPOUND, MANUFACTURE, SALT,
25 DERIVATIVE, MIXTURE, OR PREPARATIONS OF THE PLANT OR ITS SEEDS OR
26 RESIN.

27 MARIHUANA DOES NOT INCLUDE:

- 28 1. THE MATURE STALKS OF THE PLANT;
- 29 2. FIBER PRODUCED FROM THE STALKS, OIL OR CAKE MADE FROM
30 THE SEEDS OF THE PLANT;
- 31 3. ANY OTHER COMPOUND, MANUFACTURE, SALT, DERIVATIVE,
32 MIXTURE, OR PREPARATION OF THE MATURE STALKS, (EXCEPT THE
33 RESIN EXTRACTED FROM THOSE STALKS, FIBER, OIL OR CAKE); OR
- 34 4. ANY STERILIZED SEED OF THE PLANT THAT IS INCAPABLE OF
35 GERMINATION; OR
- 36 5. INDUSTRIAL HEMP GROWN OR CULTIVATED OR BOTH FOR
37 RESEARCH, PURPOSES UNDER THE INDUSTRIAL HEMP RESEARCH
38 ACT.

39
40 “MARIHUANA-INFUSED PRODUCT” MEANS A TOPICAL FORMULATION,
41 TINCTURE, BEVERAGE, EDIBLE SUBSTANCE, OR SIMILAR PRODUCT
42 CONTAINING ANY USABLE MARIHUANA THAT IS INTENDED FOR HUMAN
43 CONSUMPTION IN A MANNER OTHER THAN SMOKE INHALATION.
44 MARIHUANA-INFUSED PRODUCT SHALL NOT BE CONSIDERED A FOOD FOR
45 PURPOSE OF THE FOOD LAW, 2000 PA 92, MCL 289.1101 TO 289.8111.

46
47 “MARIHUANA TRACKING ACT” OR “MTA” MEANS PUBLIC ACT 282 OF 2016
48 .M.C.L. 333.27901, ET. SEQ.

1
2 “MEDICAL MARIHUANA” MEANS ANY MARIHUANA INTENDED FOR MEDICAL
3 USE THAT MEETS ALL DESCRIPTIONS AND REQUIREMENTS FOR MEDICAL
4 MARIHUANA CONTAINED IN THE MMMA, MMFLA AND THE MTA AND ANY
5 OTHER APPLICABLE LAW.

6
7 “MEDICAL MARIHUANA COMMISSION” OR “COMMISSION” MEANS THE
8 MEDICAL MARIHUANA COMMISSION ESTABLISHED UNDER SECTION 1300.3
9 OF THIS CHAPTER.

10
11 “MEDICAL MARIHUANA FACILITIES LICENSING ACT” OR “MMFLA” MEANS
12 PUBLIC ACT 281 OF 2016, MCL 333.27101, ET. SEQ.

13
14 “MEDICAL MARIHUANA ESTABLISHMENT(S), OR, “ESTABLISHMENT,” MEANS
15 ANY FACILITY, ESTABLISHMENT AND/OR CENTER THAT IS REQUIRED TO BE
16 LICENSED UNDER THIS CHAPTER AND POSSESSES A LICENSE OR APPROVAL TO
17 OPERATE UNDER THE MMFLA, INCLUDING: A MEDICAL MARIHUANA
18 PROVISIONING CENTER, A MEDICAL MARIHUANA GROWER FACILITY; A
19 MEDICAL MARIHUANA PROCESSOR FACILITY; A MEDICAL MARIHUANA SECURE
20 TRANSPORTER; AND A MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY.

21
22 “MEDICAL MARIHUANA GROWER FACILITY,” MEANS A COMMERCIAL OR
23 BUSINESS ENTITY LOCATED IN THE CITY THAT IS LICENSED OR APPROVED TO
24 OPERATE BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE
25 CITY PURSUANT TO TERMS AND CONDITIONS OF THIS CHAPTER THAT
26 CULTIVATES, DRIES, TRIMS OR CURES AND PACKAGES MARIHUANA IN
27 ACCORDANCE WITH STATE LAW.

28
29 “MEDICAL MARIHUANA LICENSING BOARD” MEANS THE STATE BOARD
30 ESTABLISHED PURSUANT TO THE MMFLA.

31
32 “MEDICAL MARIHUANA PROVISIONING CENTER,” MEANS A COMMERCIAL OR
33 BUSINESS ENTITY LOCATED IN THE CITY THAT IS LICENSED OR APPROVED TO
34 OPERATE BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE
35 CITY PURSUANT TO THE TERMS AND CONDITIONS OF THIS CHAPTER, THAT
36 SELLS, SUPPLIES, OR PROVIDES MARIHUANA TO REGISTERED QUALIFYING
37 PATIENTS ONLY AS PERMITTED BY STATE LAW. MEDICAL MARIHUANA
38 PROVISIONING CENTER, AS DEFINED IN THE MMMA, MMFLA AND MTA,
39 INCLUDES ANY COMMERCIAL PROPERTY OR BUSINESS WHERE MARIHUANA IS
40 SOLD IN CONFORMANCE WITH STATE LAW AND REGULATION. A
41 NONCOMMERCIAL OR NONBUSINESS LOCATION USED BY A PRIMARY
42 CAREGIVER TO ASSIST A QUALIFYING PATIENT, AS DEFINED IN THE MMMA,
43 MMFLA OR MTA CONNECTED TO THE CAREGIVER THROUGH THE STATE’S
44 MARIHUANA REGISTRATION PROCESS IN ACCORDANCE WITH THE MMMA,
45 MMFLA OR MTA IS NOT A MEDICAL MARIHUANA PROVISIONING CENTER FOR
46 PURPOSES OF THIS CHAPTER.

1
2 “MMFLA” MEANS THE MEDICAL MARIHUANA FACILITIES LICENSING ACT,
3 MCL 333.2701, ET. SEQ. AS AMENDED FROM TIME TO TIME.

4
5 “MMMA” MEANS THE MICHIGAN MEDICAL MARIHUANA ACT, MCL 333.26421
6 ET. SEQ AS AMENDED FROM TIME TO TIME.

7
8 “MTA” MEANS THE MARIHUANA TRACKING ACT, MCL 333.27901, ET. SEQ. AS
9 AMENDED FROM TIME TO TIME.

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

12
13 “PARK” MEANS AN AREA OF LAND DESIGNATED BY THE CITY AS A PARK ON
14 ITS MASTER PLAN OR ON A COUNCIL-APPROVED LIST OF CITY PARKS.

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

19
20 “PROCESSOR” OR “MEDICAL MARIHUANA PROCESSOR FACILITY” MEANS A
21 COMMERCIAL ENTITY LOCATED IN THIS CITY THAT IS LICENSED OR APPROVED
22 TO OPERATE BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE
23 CITY PURSUANT TO THE TERMS AND CONDITIONS OF THIS CHAPTER, THAT
24 EXTRACTS RESIN FROM THE MARIHUANA OR CREATES A MARIHUANA-INFUSED
25 PRODUCT, TO THE EXTENT PERMITTED BY STATE LAW.”

26
27 “PUBLIC PLAYGROUND EQUIPMENT” MEANS AN OUTDOOR FACILITY,
28 GROUPING, OR CONCENTRATION OPEN TO THE PUBLIC AND ON PUBLIC
29 PROPERTY AND CONTAINING THREE OR MORE APPARATUS, INCLUDING, BUT
30 NOT LIMITED TO, SLIDES, CLIMBERS, SEESAWS, AND SWINGS, DESIGNED
31 FOR THE RECREATIONAL USE OF CHILDREN AND OWNED AND OPERATED BY
32 A LOCAL UNIT OF GOVERNMENT, SCHOOL DISTRICT, OR OTHER UNIT OR
33 AGENCY OF GOVERNMENT.

34
35 “RESTRICTED/LIMITED ACCESS AREA” MEANS A BUILDING, ROOM OR OTHER
36 AREA UNDER THE CONTROL OF THE LICENSEE WITH ACCESS GOVERNED BY THE
37 MMMA, THE MMFLA, THE MTA OR OTHER APPLICABLE STATE LAW.

38
39 “SAFETY COMPLIANCE FACILITY” OR “MEDICAL MARIHUANA SAFETY
40 COMPLIANCE FACILITY” MEANS A COMMERCIAL OR BUSINESS ENTITY LOCATED
41 IN THE CITY THAT IS LICENSED OR APPROVED TO OPERATE BY THE STATE
42 PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO THE
43 TERMS AND CONDITIONS OF THIS CHAPTER, THAT RECEIVES MARIHUANA FROM
44 A MEDICAL MARIHUANA ESTABLISHMENT OR A REGISTERED QUALIFYING
45 PATIENT OR A REGISTERED PRIMARY CAREGIVER, TESTS IT FOR
46 CONTAMINANTS AND FOR TETRAHYDROCANNABINOL AND OTHER
47 CANNABINOIDS IN ACCORDANCE WITH STATE LAW.

1
2 “SCHOOL” MEANS AND INCLUDES BUILDINGS USED FOR SCHOOL PURPOSES
3 TO PROVIDE INSTRUCTION TO CHILDREN AND YOUTH IN GRADES PRE-
4 KINDERGARTEN THROUGH 12, AND HEADSTART WHEN THAT INSTRUCTION IS
5 PROVIDED BY A PUBLIC, PRIVATE, DENOMINATIONAL, OR PAROCHIAL SCHOOL.
6

7 “SECURE TRANSPORTER” OR “MEDICAL MARIHUANA SECURE TRANSPORTER”
8 MEANS A COMMERCIAL OR BUSINESS ENTITY THAT IS LICENSED OR APPROVED
9 TO OPERATE BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED TO
10 OPERATE BY THE CITY PURSUANT TO THE TERMS AND CONDITIONS OF THIS
11 CHAPTER, THAT STORES MARIHUANA AND TRANSPORTS MARIHUANA BETWEEN
12 MEDICAL MARIHUANA FACILITIES FOR A FEE AND IN ACCORDANCE WITH STATE
13 LAW.
14

15 “STAKEHOLDER” MEANS, WITH RESPECT TO A TRUST, THE TRUSTEE AND
16 BENEFICIARIES; WITH RESPECT TO A LIMITED LIABILITY COMPANY, THE
17 MANAGERS AND MEMBERS; WITH RESPECT TO A CORPORATION, WHETHER
18 PROFIT OR NON-PROFIT, THE OFFICERS, DIRECTORS, OR SHAREHOLDERS; AND
19 WITH RESPECT TO A PARTNERSHIP OR LIMITED LIABILITY PARTNERSHIP, THE
20 PARTNERS, BOTH GENERAL AND LIMITED.
21

22 “STATE” MEANS THE STATE OF MICHIGAN.
23

24 (G) ANY TERM DEFINED BY THE MMMA, THE MMFLA, OR THE MTA AND NOT
25 DEFINED IN THIS CHAPTER SHALL HAVE THE DEFINITION GIVEN IN THE MMMA,
26 MMFLA, OR MTA, AS APPLICABLE.

27 **1300.3 – ESTABLISHMENT OF THE MEDICAL MARIHUANA COMMISSION;
28 MEMBERSHIP; CHAIRPERSON; MEETINGS**
29

30 (A) THE MEDICAL MARIHUANA COMMISSION IS HEREBY ESTABLISHED. THE
31 COMMISSION SHALL CONSIST OF FIVE (5) MEMBERS, WHO SHALL BE
32 APPOINTED BY THE MAYOR WITH THE CONSENT OF CITY COUNCIL.
33 MEMBERS SHALL SERVE FOR TERMS OF OFFICE OF THREE (3) YEARS. FOR
34 THE INITIAL APPOINTMENTS TO THE COMMISSION, ONE MEMBER SHALL
35 SERVE FOR A TERM OF ONE (1) YEAR, TWO MEMBERS SHALL SERVE FOR A
36 TERM OF TWO (2) YEARS, AND TWO MEMBERS SHALL SERVE FOR A TERM
37 OF THREE YEARS.
38

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

- 41 (1) FOUR (4) MEMBERS, ONE FROM EACH WARD OF THE CITY;
42 MEMBER RECOMMENDATIONS MAY BE MADE TO THE
43 MAYOR BY THE COUNCIL PERSON IN EACH WARD;
44

1 (2) ONE (1) AT LARGE MEMBER WHO IS A RESIDENT OF THE CITY.
2 MEMBER RECOMMENDATIONS MAY BE MADE TO THE MAYOR BY
3 THE AT- LARGE COUNCIL PERSONS.
4

5 (3) EACH MEMBER SHALL BE A RESIDENT OF THE CITY.
6

7 (C) THE CHAIRPERSON OF THE COMMISSION SHALL BE ELECTED ANNUALLY
8 BY A MAJORITY VOTE OF THE MEMBERS OF THE COMMISSION. THE
9 COMMISSION MAY MEET AT SUCH TIMES AS THE COMMISSION MAY
10 DETERMINE OR AS OTHERWISE REQUIRED IN THIS CHAPTER. THE
11 COMMISSION SHALL ADOPT AND FILE ITS OWN RULES OF PROCEDURE IN
12 ACCORDANCE WITH THE PROCEDURES SET FORTH IN SECTION 5-105 OF
13 THE LANSING CITY CHARTER. THE COMMISSION SHALL MAINTAIN A
14 WRITTEN RECORD OF ITS PROCEEDINGS AND ACTIONS WHICH SHALL BE
15 AVAILABLE FOR PUBLIC INSPECTION, SHOWING THE ACTION OF THE
16 COMMISSION AND THE VOTE OF EACH MEMBER UPON EACH QUESTION
17 CONSIDERED. ALL MEETINGS OF THE COMMISSION SHALL BE HELD IN
18 CONFORMANCE WITH THE MICHIGAN OPEN MEETINGS ACT, 1976 PA 267,
19 MCL 15.261 ET SEQ. THE PHYSICAL PRESENCE OF THREE (3) MEMBERS
20 SHALL CONSTITUTE A QUORUM FOR COMMISSION MEETINGS. A
21 MAJORITY VOTE OF MEMBERS PHYSICALLY PRESENT AT A DULY
22 CONVENED MEETING OF THE COMMISSION, A QUORUM BEING PRESENT,
23 SHALL BE NECESSARY FOR ANY ACTION. ELECTRONIC OR TELEPHONIC
24 PRESENCE SHALL NOT CONSTITUTE PHYSICAL PRESENCE; NOR SHALL
25 ANY SUCH MEANS BE UTILIZED FOR VOTING OR DECISION MAKING
26 PURPOSES.
27

28 (D) NO VOTING MEMBER OF THE COMMISSION SHALL HOLD ANY OTHER
29 PUBLIC OFFICE OR PUBLIC EMPLOYMENT IN ANY LOCAL UNIT OF
30 GOVERNMENT SUPPORTED BY LANSING PROPERTY TAXES IN WHOLE
31 OR IN PART. NO MEMBER OF THE COMMISSION SHALL HAVE ANY
32 DIRECT FINANCIAL INTEREST IN A MEDICAL MARIHUANA
33 ESTABLISHMENT.
34

35 (E) THE COMMISSION SHALL REVIEW AND DECIDE ALL APPEALS THAT ARE
36 FORWARDED TO IT BY THE CITY CLERK UNDER THIS CHAPTER. THE
37 COMMISSION'S REVIEW OF AN APPEAL SHALL NOT BE DE NOVO. THE
38 COMMISSION SHALL ONLY OVERTURN, OR MODIFY, A DECISION OR
39 FINDING OF THE CLERK IF IT FINDS SUCH DECISION OR FINDING TO BE
40 ARBITRARY OR CAPRICIOUS AND NOT SUPPORTED BY MATERIAL,
41 SUBSTANTIAL, AND COMPETENT FACTS ON THE WHOLE RECORD
42 CONSIDERED BY THE CLERK IN ARRIVING AT SUCH DECISION OR
43 FINDING.
44

1 (F) THE COMMISSION MAY PROPOSE CHANGES TO THIS CHAPTER TO THE
2 CITY COUNCIL AND MAY RECOMMEND RULES AND REGULATIONS
3 RELATED TO THIS CHAPTER FOR COUNCIL APPROVAL.
4

5 (G) THE CHIEF OF POLICE (OR A DESIGNEE), THE CHIEF OF THE FIRE
6 DEPARTMENT (OR A DESIGNEE) AND THE DIRECTOR OF PLANNING AND
7 NEIGHBORHOOD DEVELOPMENT (OR A DESIGNEE) SHALL SERVE AND
8 ADVISE THE COMMISSION IN AN EX OFFICIO NON-VOTING CAPACITY.
9

10 **1300.4 – OPERATION WITHOUT LICENSE PROHIBITED.**
11

12 (A) EVERY MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY OF LANSING
13 SHALL BE LICENSED PURSUANT TO THE TERMS AND PROVISIONS SET FORTH
14 IN THIS CHAPTER. NO PERSON SHALL OPERATE A MEDICAL MARIHUANA
15 ESTABLISHMENT IN THE CITY WITHOUT FIRST OBTAINING A LICENSE FOR
16 THE MEDICAL MARIHUANA ESTABLISHMENT FROM THE CITY CLERK. A
17 MEDICAL MARIHUANA ESTABLISHMENT OPERATING WITHOUT A LICENSE
18 UNDER THE PROVISIONS OF THIS CHAPTER OR WITHOUT A STATE LICENSE OR
19 APPROVAL PURSUANT TO THE MMFLA, AS AMENDED FROM TIME TO TIME, IS
20 HEREBY DECLARED TO BE A PUBLIC NUSIANCE.
21

22 (B) THE TERM OF EACH LICENSE FOR A PROPOSED LOCATION SHALL BE ONE
23 YEAR. A LICENSE ISSUED UNDER THIS CHAPTER FOR A PROPOSED LOCATION
24 MAY BE CONDITIONED ON THE APPROVAL OF THE OPERATOR BY THE STATE
25 PURSUANT TO THE MMFLA AT THE LOCATION LICENSED UNDER THIS
26 CHAPTER.
27

28
29 **1300.5 – LICENSE APPLICATION SUBMISSION.**
30

31 (A) EACH MEDICAL MARIHUANA ESTABLISHMENT MUST BE LICENSED BY THE
32 CITY. APPLICATIONS FOR A LICENSE SHALL BE MADE IN WRITING TO THE CITY
33 CLERK. ALL APPLICATIONS SUBMITTED TO THE CITY CLERK IN ACCORDANCE
34 WITH THE PROVISIONS OF THIS CHAPTER SHALL BE CONSIDERED FOR THE
35 ISSUANCE OF A LICENSE. AN APPLICANT MAY APPLY FOR MULTIPLE MEDICAL
36 MARIHUANA ESTABLISHMENT LICENSES UNDER THIS CHAPTER OF THE SAME OR
37 DIFFERENT NATURES SIMULTANEOUSLY
38

39 (B) A COMPLETE APPLICATION FOR A LICENSE OR LICENSES REQUIRED BY THIS
40 CHAPTER SHALL BE MADE UNDER OATH ON FORMS PROVIDED BY THE CITY
41 CLERK, AND SHALL CONTAIN ALL OF THE FOLLOWING:
42

43 (1) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICANT'S NAME,
44 DATE OF BIRTH, PHYSICAL ADDRESS, EMAIL ADDRESS, ONE OR MORE PHONE
45 NUMBERS, INCLUDING EMERGENCY CONTACT INFORMATION, AND A COPY

1 OF A GOVERNMENT-ISSUED PHOTO IDENTIFICATION CARD OF THE
2 APPLICANT
3

4 (2) IF THE APPLICANT IS NOT AN INDIVIDUAL, THE NAMES, DATES OF
5 BIRTH, PHYSICAL ADDRESSES, EMAIL ADDRESSES, AND ONE OR MORE PHONE
6 NUMBERS OF EACH STAKEHOLDER OF THE APPLICANT, INCLUDING
7 DESIGNATION OF A STAKEHOLDER AS AN EMERGENCY CONTACT PERSON
8 AND CONTACT INFORMATION FOR THE EMERGENCY CONTACT PERSON,
9 ARTICLES OF INCORPORATION OR ORGANIZATION, INTERNAL REVENUE
10 SERVICE SS-4 EIN CONFIRMATION LETTER, AND THE OPERATING AGREEMENT
11 OR BYLAWS OF THE APPLICANT, IF A LIMITED LIABILITY COMPANY
12

13 (3) THE NAME AND ADDRESS OF THE PROPOSED MEDICAL MARIHUANA
14 ESTABLISHMENT AND ANY ADDITIONAL CONTACT INFORMATION DEEMED
15 NECESSARY BY THE CITY CLERK;
16

17 (4) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS,
18 FOR THE APPLICANT AND FOR EACH STAKEHOLDER AND EMPLOYEE OF THE
19 APPLICANT, AFFIRMATION THAT EACH IS AT LEAST 18 YEARS OF AGE AND
20 HAS NOT BEEN CONVICTED OF OR PLED GUILTY OR NO CONTEST TO A
21 DISQUALIFYING FELONY. WITH RESPECT TO ALL OTHER MEDICAL
22 MARIHUANA ESTABLISHMENTS, FOR THE APPLICANT AND FOR EACH
23 STAKEHOLDER AND EMPLOYEE OF THE APPLICANT, AN AFFIRMATION THAT
24 EACH AND EVERY PERSON IS AT LEAST 18 YEARS OF AGE AND HAS NOT BEEN
25 CONVICTED OF OR PLED GUILTY OR NO CONTEST TO A DISQUALIFYING
26 FELONY;
27

28 (5) A SIGNED RELEASE AUTHORIZING THE CITY OF LANSING POLICE
29 DEPARTMENT TO PERFORM A CRIMINAL BACKGROUND CHECK TO
30 ASCERTAIN WHETHER THE APPLICANT, EACH STAKEHOLDER OF THE
31 APPLICANT, EACH OPERATOR AND EMPLOYEE OF THE APPLICANT MEET THE
32 CRITERIA SET FORTH IN THIS CHAPTER;
33

34 (6) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS,
35 THE NAME, DATE OF BIRTH, PHYSICAL ADDRESS, COPY OF PHOTO
36 IDENTIFICATION, AND EMAIL ADDRESS FOR ANY OPERATOR OR EMPLOYEE IF
37 OTHER THAN THE APPLICANT;
38

39 (7) AN AFFIRMATION UNDER OATH AS TO WHETHER THE APPLICANT
40 OR OPERATOR HAS HAD A BUSINESS LICENSE REVOKED OR SUSPENDED, AND
41 IF REVOKED OR SUSPENDED, THEN THE REASON FOR SUCH REVOCATION OR
42 SUSPENSION;
43

44 (8) FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE
45 APPLICANT, A RESUME THAT INCLUDES WHETHER THE INDIVIDUAL HAS ANY

1 RELEVANT EXPERIENCE WITH MEDICAL MARIHUANA OR A RELATED
2 INDUSTRY;

3
4 (9) A PATIENT EDUCATION PLAN TO DETAIL TO PATIENTS THE
5 BENEFITS OR DRAWBACKS OF CERTAIN MARIHUANA STRAINS OR PRODUCTS
6 IN CONNECTION WITH THE DEBILITATING MEDICAL CONDITIONS SET FORTH
7 IN THE MICHIGAN MEDICAL MARIHUANA ACT;

8
9 (10) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS,
10 A DESCRIPTION OF DRUG AND ALCOHOL AWARENESS PROGRAMS THAT
11 SHALL BE PROVIDED OR ARRANGED FOR BY THE APPLICANT AND MADE
12 AVAILABLE FOR THE PUBLIC.

13
14 (11) A WRITTEN DESCRIPTION OF THE TRAINING AND EDUCATION THAT
15 THE APPLICANT WILL PROVIDE TO ALL EMPLOYEES;

16
17 (12) A COPY OF THE PROPOSED BUSINESS PLAN FOR THE
18 ESTABLISHMENT, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

19
20 (I) THE PROPOSED OWNERSHIP STRUCTURE OF THE
21 ESTABLISHMENT, INCLUDING PERCENTAGE OWNERSHIP OF
22 EACH PERSON OR ENTITY; AND

23
24 (II) A CURRENT ORGANIZATION CHART THAT INCLUDES
25 POSITION DESCRIPTIONS AND THE NAMES OF EACH PERSON
26 HOLDING EACH POSITION; AND

27
28 (III) A PROPOSED MARKETING, ADVERTISING, AND BUSINESS
29 PROMOTION PLAN, INCLUDING PLANS TO MINIMIZE THE
30 ESPOSURE OF MARKETING OR PROMOTING MARIHUANA
31 PRODUCTS TO MINORS; AND

32
33 (IV) PLANNED TANGIBLE CAPITAL INVESTMENT IN THE CITY,
34 INCLUDING DETAIL RELATED TO THE NUMBER AND NATURE
35 OF APPLICANT'S PROPOSED MEDICAL MARIHUANA
36 ESTABLISHMENTS IN THE CITY AND WHETHER THE
37 LOCATIONS OF SUCH ESTABLISHMENTS WILL BE OWNED OR
38 LEASED; FURTHER, IF MULTIPLE LICENSES ARE PROPOSED, AN
39 EXPLANATION OF THE ECONOMIC BENEFITS TO THE CITY
40 AND JOB CREATION, IF ANY, TO BE ACHIEVED THROUGH THE
41 AWARD OF SUCH MULTIPLE LICENSES. SUPPORTING FACTUAL
42 DATA SHALL BE INCLUDED WITH THE RESPONSE TO THIS
43 SUBSECTION; AND

44
45 (V) EXPECTED JOB CREATION FROM THE PROPOSED MEDICAL
46 MARIHUAN ESTABLISHMENT(S); AND

- 1
2 (VI) PLANNED WORKER TRAINING PROGRAMS; AND
3
4 (VII) FINANCIAL STRUCTURE AND FINANCING OF THE PROPOSED
5 MEDICAL MARIHUANA ESTABLISHMENT(S); AND
6
7 (VIII) SHORT TERM AND LONG TERM GOALS AND OBJECTIVES
8 CONSISTENT WITH THIS CHAPTER; AND
9
10 (IX) IF A MEDICAL MARIHUANA GROWER FACILITY (IES) ARE
11 PROPOSED, PLANS TO INTEGRATE SUCH FACILITY (IES) WITH
12 OTHER PROPOSED MEDICAL MARIHUANA ESTABLISHMENTS
13 AND A STATEMENT WHETHER THE MEDICAL MARIHUANA
14 GROWER FACILITY WILL GROW 1000 PLANTS OR MORE AND
15 THE SQUARE FOOTAGE OF THE BUILDING(S) HOUSING SUCH
16 GROWER FACILITY, AND IF SO, WILL THE FACILITY CONTAIN
17 MORE THAN 10,000 SQUARE FEET OF SPACE.
18 (X) COMMUNITY OUTREACH/EDUCATION PLANS AND
19 STRATEGIES
20 (XI) CHARITABLE PLANS AND STRATEGIES, WHETHER FISCALLY
21 OR THROUGH VOLUNTEER WORK.
22

23 (13) ONE OF THE FOLLOWING: (A) PROOF OF OWNERSHIP OF THE ENTIRE
24 PREMISES WHEREIN THE MEDICAL MARIHUANA ESTABLISHMENT IS TO BE
25 OPERATED; OR (B) WRITTEN CONSENT FROM THE PROPERTY OWNER FOR USE
26 OF THE PREMISES IN A MANNER REQUIRING LICENSURE UNDER THIS
27 CHAPTER ALONG WITH A COPY OF ANY LEASE FOR THE PREMISES;
28

29 (14) A DESCRIPTION OF THE SECURITY PLAN FOR THE MEDICAL
30 MARIHUANA ESTABLISHMENT, INCLUDING, BUT NOT LIMITED TO, ANY
31 LIGHTING, ALARMS, BARRIERS, RECORDING/MONITORING DEVICES, AND/OR
32 SECURITY GUARD ARRANGEMENTS PROPOSED FOR THE ESTABLISHMENT
33 AND PREMISES. THE SECURITY PLAN MUST CONTAIN THE SPECIFICATION
34 DETAILS OF EACH PIECE OF SECURITY EQUIPMENT. EACH MEDICAL
35 MARIHUANA ESTABLISHMENT MUST HAVE A SECURITY GUARD PRESENT
36 DURING BUSINESS HOURS OR ALTERNATIVE SECURITY PROCEDURES SHALL
37 BE PROPOSED IN THE BUSINESS PLAN;
38

39 (15) A FLOOR PLAN OF THE MEDICAL MARIHUANA ESTABLISHMENT, AS
40 WELL AS A SCALE DIAGRAM ILLUSTRATING THE PROPERTY UPON WHICH
41 THE MEDICAL MARIHUANA ESTABLISHMENT IS TO BE OPERATED, INCLUDING
42 ALL AVAILABLE PARKING SPACES, AND SPECIFYING WHICH PARKING
43 SPACES, IF ANY, ARE HANDICAPPED-ACCESSIBLE;
44

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

1
2 (17) A LOCATION AREA MAP, AS MEASURED PURSUANT TO SECTION
3 1300.13(D) OF THE MEDICAL MARIHUANA ESTABLISHMENT AND
4 SURROUNDING AREA THAT IDENTIFIES THE RELATIVE LOCATIONS AND THE
5 DISTANCES, AS MEASURED PURSUANT TO SECTION 1300.13(D), TO THE
6 BUFFERED USES SET FORTH IN SECTION 1300.13 (A)

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

13
14 (19) A PROPOSED PATIENT RECORDKEEPING PLAN THAT WILL TRACK
15 QUANTITIES SOLD TO INDIVIDUAL PATIENTS AND CAREGIVERS, AND WILL
16 MONITOR INVENTORY;

17
18 (20) A DESCRIPTION OF PROCEDURES FOR TESTING OF CONTAMINANTS,
19 INCLUDING MOLD AND PESTICIDES;

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

26
27 (22) VERIFICATION, INCLUDING COPIES OF ACTUAL BANK STATEMENTS,
28 SHOWING THAT THE APPLICANT HAS MINIMUM NET WORTH OF ONE
29 HUNDRED THOUSAND DOLLARS (\$100,000) IN THE APPLICANT'S NAME.

30
31 (23) AN ESTIMATE OF THE NUMBER AND TYPE OF JOBS THAT THE
32 MEDICAL MARIHUANA ESTABLISHMENT IS EXPECTED TO CREATE, THE
33 AMOUNT AND TYPE OF COMPENSATION EXPECTED TO BE PAID FOR SUCH
34 JOBS, AND THE PROJECTED ANNUAL BUDGET AND REVENUE OF THE
35 MEDICAL MARIHUANA ESTABLISHMENT; AND

36
37 (24) A SIGNED ACKNOWLEDGMENT THAT THE APPLICANT IS AWARE AND
38 UNDERSTANDS THAT ALL MATTERS RELATED TO MARIHUANA, GROWING,
39 CULTIVATION, POSSESSION, DISPENSING, TESTING, SAFETY COMPLIANCE,
40 TRANSPORTING, DISTRIBUTION, AND USE ARE CURRENTLY SUBJECT TO
41 STATE AND FEDERAL LAWS, RULES, AND REGULATIONS, AND THAT THE
42 APPROVAL OR GRANTING OF A LICENSE HEREUNDER DOES NOT EXONERATE
43 OR EXCULPATE THE APPLICANT FROM ABIDING BY THE PROVISIONS AND
44 REQUIRMENTS AND PENALTIES ASSOCIATED WITH THOSE LAWS, RULES AND
45 REGULATIONS OR EXPOSURE TO ANY PENALTIES ASSOCIATED THEREWITH;
46 AND FURTHER THE APPLICANT WAIVES AND FOREVER RELEASES ANY

1 CLAIM, DEMAND, ACTION, LEGAL REDRESS, OR RECOURSE AGAINST THE
2 CITY OF LANSING, ITS ELECTED AND APPOINTED OFFICIALS AND ITS
3 EMPLOYEES AND AGENTS FOR ANY CLAIMS, DAMAGES, LIABILITIES, CAUSES
4 OF ACTION, DAMAGES, AND ATTORNEY FEES THE APPLICANT MAY OCCUR AS
5 A RESULT OF THE VIOLATION BY APPLICANT, ITS OFFICIALS, MEMBERS,
6 PARTNERS, SHAREHOLDERS, EMPLOYEES AND AGENT OF THOSE LAWS,
7 RULES, AND REGULATIONS AND HEREBY WAIVES, AND ASSUMES THE RISK
8 OF, ANY SUCH CLAIMS AND DAMAGES, AND LACK OF RECOURSE AGAINST
9 THE CITY OF LANSING, ITS ELECTED AND APPOINTED OFFICIALS,
10 EMPLOYEES, ATTORNEYS, AND AGENTS.

11
12
13 (25) AS IT RELATES TO A MEDICAL MARIHUANA GROWER FACILITY, THE
14 FOLLOWING ADDITIONAL ITEMS SHALL BE REQUIRED:

15
16 (I) A CULTIVATION PLAN THAT INCLUDES, AT A MINIMUM, A
17 DESCRIPTION OF THE CULTIVATION METHODS TO BE USED, INCLUDING
18 PLANS FOR THE GROWING MEDIUMS, TREATMENTS, AND / OR ADDITIVES;

19
20 (II) A PRODUCTION TESTING PLAN THAT INCLUDES, AT A MINIMUM, A
21 DESCRIPTION OF HOW AND WHEN SAMPLES FOR LABORATORY TESTING
22 BY AN INTERNATIONAL ORGANIZATION FOR STANDARDIZATION
23 ACCREDITED TESTING FACILITY WILL BE SELECTED, WHAT TYPE OF
24 TESTING WILL BE REQUESTED, AND HOW THE TEST RESULTS WILL BE
25 USED;

26
27 (III) AN AFFIDAVIT THAT ALL OPERATIONS WILL BE CONDUCTED IN
28 CONFORMANCE WITH THE MMMA, THE MMFLA, MTA AND OTHER
29 APPLICABLE STATE LAW;

30
31 (IV) A CHEMICAL AND PESTICIDE STORAGE PLAN THAT STATES THE
32 NAMES OF THE PESTICIDES TO BE USED IN CULTIVATION AND WHERE AND
33 HOW PESTICIDES AND CHEMICALS WILL BE STORED IN THE
34 ESTABLISHMENT, ALONG WITH A PLAN FOR THE DISPOSAL OF UNUSED
35 PESTICIDES;

36
37 (V) ALL CULTIVATION MUST BE PERFORMED IN A BUILDING. THE
38 APPLICANT SHALL SPECIFICALLY ACKNOWLEDGE THIS PROVISION.

39
40 (26) PROOF OF AN INSURANCE POLICY COVERING THE ESTABLISHMENT
41 AND NAMING THE CITY, ITS ELECTED AND APPOINTED OFFICIALS,
42 EMPLOYEES, AND AGENTS, AS ADDITIONAL INSURED PARTIES,
43 AVAILABLE FOR THE PAYMENT OF ANY DAMAGES ARISING OUT OF AN
44 ACT OR OMISSION OF THE APPLICANT OR ITS STAKEHOLDERS, AGENTS,
45 EMPLOYEES, OR SUBCONTRACTORS, IN THE AMOUNT OF (A) AT LEAST
46 ONE MILLION DOLLARS FOR PROPERTY DAMAGE; (B) AT LEAST ONE

1 MILLION DOLLARS FOR INJURY TO ONE PERSON; AND (C) AT LEAST TWO
2 MILLION DOLLARS FOR INJURY TO TWO OR MORE PERSON RESULTING
3 FROM THE SAME OCCURRENCE. THE INSURANCE POLICY UNDERWRITER
4 MUST HAVE A MINIMUM A.M. BEST COMPANY INSURANCE RANKING OF
5 B+, CONSISTENT WITH STATE LAW. THE POLICY SHALL PROVIDE THAT
6 THE CITY SHALL BE NOTIFIED BY THE INSURANCE CARRIER THIRTY (30)
7 DAYS IN ADVANCE OF ANY CANCELLATION.

8
9 (27) (A) PROOF OF A SURETY BOND IN THE AMOUNT OF \$50,000 WITH THE
10 CITY OF LANSING LISTED AS THE OBLIGEE TO GUARANTEE
11 PERFORMANCE BY APPLICANT OF THE TERMS, CONDITIONS AND
12 OBLIGATIONS OF THIS CHAPTER IN A MANNER AND SURETY APPROVED
13 BY THE CITY ATTORNEY; OR, IN THE ALTERNATIVE,

14
15 (B) CREATION OF AN ESCROW ACCOUNT AS FOLLOWS;

16 (1) THE ACCOUNT MUST BE PROVIDED BY A STATE OR FEDERALLY
17 REGULATED FINANCIAL INSTITUTION OR OTHER FINANCIAL
18 INSTITUTION APPROVED BY THE CITY ATTORNEY BASED UPON AN
19 OBJECTIVE ASSESSMENT OF THE INSTITUTION'S FINANCIAL
20 STABILITY; AND

21
22 (2) THE ACCOUNT MUST BE FOR THE BENEFIT OF THE CITY TO
23 GUARANTEE PERFORMANCE BY LICENSEE IN COMPLIANCE WITH
24 THIS CHAPTER AND APPLICABLE LAW; AND

25
26 (3) THE ACCOUNT MUST BE IN THE AMOUNT OF TWENTY THOUSAND
27 (\$20,000) DOLLARS AND IN A FORM PRESCRIBED BY THE CITY
28 ATTORNEY.

29
30 (28) ANY OTHER INFORMATION WHICH MAY BE REQUIRED BY
31 COMMISSION RULE OR CITY COUNCIL ORDINANCE FROM TIME TO TIME.

32
33 (C) ALL APPLICATIONS SHALL BE ACCOMPANIED BY A LICENSE APPLICATION
34 FEE IN AN AMOUNT OF \$5,000. SHOULD THE APPLICANT NOT RECEIVE A LICENSE,
35 ONE-HALF OF THE APPLICATION FEE SHALL BE RETURNED-

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

43
44 (E) EXCEPT AS PROVIDED IN SECTION 1300.18 NO APPLICATION SHALL BE
45 APPROVED UNLESS:

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

5
6 (2) THE ZONING ADMINISTRATOR HAS CONFIRMED THAT THE PROPOSED
7 LOCATION COMPLIES WITH THE ZONING CODE AND THIS CHAPTER,
8 INCLUDING ANY VARIANCES GRANTED UNDER SECTION 1300.18;

9
10 (3) THE CITY TREASURER HAS CONFIRMED THAT THE APPLICANT AND
11 EACH STAKEHOLDER OF THE APPLICANT AND THE PROPOSED LOCATION
12 OF THE ESTABLISHMENT ARE NOT IN DEFAULT TO THE CITY;

13
14 (4) THE POLICE DEPARTMENT HAS DETERMINED THAT THE APPLICANT
15 HAS MET THE REQUIREMENTS OF THIS CHAPTER WITH RESPECT TO THE
16 BACKGROUND CHECK AND SECURITY PLAN.

17
18 **1300.6 – LICENSE APPLICATION EVALUATION.**

19
20 (A) THE CITY CLERK SHALL ASSESS, EVALUATE, SCORE AND RANK ALL
21 APPLICATIONS SUBMITTED ACCORDING TO THE PROVISIONS OF THIS
22 CHAPTER. NO APPLICATION SHALL BE ACCEPTED FOR ASSESSMENT,
23 EVALUATION, SCORING, AND RANKING UNLESS SUCH APPLICATION
24 CONTAINS THE APPROVALS REQUIRED BY SECTION 1300.5.

25
26 (B) IN ITS APPLICATION ASSESSMENT, EVALUATION, SCORING, AND RANKING,
27 DELIBERATIONS, THE CLERK SHALL ASSESS, EVALUATE, SCORE, AND RANK
28 EACH APPLICATION BASED UPON A SCORING AND RANKING PROCEDURE
29 DEVELOPED BY THE CLERK CONSISTENT WITH THE REQUIREMENTS,
30 CONDITIONS, AND PROVISIONS OF THIS CHAPTER IN EACH OF THE
31 CATEGORIES SET FORTH BELOW IN THIS SUBSECTION. OVERALL SCORING
32 AND RANKING SHALL BE CONDUCTED AND APPLIED BY THE CLERK ON THE
33 BASIS OF ASSIGNED POINTS FROM ZERO (0) POINTS TO ONE HUNDRED
34 POINTS(100) POINTS WITH THE LOWEST OVERALL TOTAL SCORE AS ZERO (0)
35 POINTS AND THE HIGHEST POSSIBLE TOTAL SCORE BEING ONE HUNDRED
36 (100) POINTS

37
38 (1) THE CONTENT AND SUFFICIENCY OF THE INFORMATION
39 CONTAINED IN 1300.5 (B) (12) AND (23); THE MAXIMUM NUMBER OF
40 SCORING POINTS IN THIS CATEGORY SHALL BE FIFTY (50) POINTS;

41
42 (2) WHETHER THE PROPOSED ESTABLISHMENT WILL BE CONSISTENT
43 WITH LAND USE FOR THE SURROUNDING NEIGHBORHOOD AND NOT
44 HAVE A DETRIMENTAL EFFECT ON TRAFFIC PATTERNS AND
45 RESIDENT SAFETY. THE MAXIMUM NUMBER OF SCORING POINTS IN
46 THIS CATEGORY SHALL BE TWENTY (20) POINTS;

1
2 (3) PLANNED OUTREACH ON BEHALF OF THE PROPOSED
3 ESTABLISHMENT, AND WHETHER THE APPLICANT OR ITS
4 STAKEHOLDERS HAVE MADE, OR PLAN TO MAKE, SIGNIFICANT
5 PHYSICAL IMPROVEMENTS TO THE BUILDING HOUSING THE
6 MEDICAL MARIHUANA ESTABLISHMENT, INCLUDING PLANS TO
7 ELIMINATE OR MINIMIZE TRAFFIC, NOISE, AND ODOR EFFECTS ON
8 THE SURROUNDING NEIGHBORHOOD. THE MAXIMUM NUMBER OF
9 SCORING POINTS IN THIS CATEGORY SHALL BE TEN (10) POINTS;

10
11 (4) WHETHER THE APPLICANT OR ANY OF ITS STAKEHOLDERS HAVE A
12 RECORD OF ACTS DETRIMENTAL TO THE PUBLIC HEALTH,
13 SECURITY, SAFETY, MORALS, GOOD ORDER, OR GENERAL WELFARE
14 PRIOR TO THE DATE OF THE APPLICATION; WHETHER THE
15 APPLICANT OR ANY OF ITS STAKEHOLDERS HAVE PREVIOUSLY
16 OPERATED AN ILLEGAL BUSINESS OF ANY KIND, INCLUDING ANY
17 VIOLATION OF LANSING MEDICAL MARIHUANA MORATORIUMS.
18 THE MAXIMUM NUMBER OF SCORING POINTS IN THIS CATEGORY
19 SHALL BE TEN (10) POINTS;

20
21 (5) WHETHER THE APPLICANT HAS REASONABLY AND TANGIBLY
22 DEMONSTRATED IT POSSESSES SUFFICIENT FINANCIAL RESOURCES
23 TO FUND, AND THE REQUISITE BUSINESS EXPERIENCE TO EXECUTE,
24 THE SUBMITTED BUSINESS PLAN AND OTHER PLANS REQUIRED BY
25 SECTION 1300.5. THE MAXIMUM NUMBER OF SCORING POINTS IN
26 THIS CATEGORY SHALL BE TEN (10) POINTS.

27
28 (C) BASED UPON TESTIMONY, WRITTEN AND ORAL COMMENTS FROM
29 THE PUBLIC, PLANNING BOARD REVIEW, MAPS, HISTORICAL DATA,
30 COUNCIL COMMITTEE DELIBERATIONS, AND PUBLIC HEARINGS, THE
31 CITY COUNCIL FINDS AND DETERMINES THAT IT IS IN THE PUBLIC
32 INTEREST AND SERVES A PUBLIC PURPOSE THAT THE MAXIMUM
33 NUMBER OF LICENSES ISSUED FOR MEDICAL MARIHUANA
34 PROVISIONING CENTERS SHALL BE CAPPED AT TWENTY-FIVE (25), AND
35 IMPLEMENTED IN A TWO-PHASE PROCESS IN ORDER TO BALANCE
36 SERVING PATIENTS' NEEDS AND SPREADING ECONOMIC DEVELOPMENT.

37 (1) PHASE ONE: AT THE CONCLUSION OF A THIRTY (30) DAY
38 ENROLLMENT PERIOD SET BY THE CITY CLERK, THE CITY CLERK SHALL
39 BEGIN PROCESSING OF APPLICATIONS FOR AUTHORIZATION OF A
40 MAXIMUM OF TWENTY (20) PROVISIONING CENTER LICENSES TO
41 ALLOW FOR AN EFFICIENT AND MANAGABLE ADMINISTRATIVE
42 REVIEW. THE CITY CLERK MAY ADJUST DISTRIBUTION OF PHASE TWO
43 LICENSES TO MEET PATIENTS' NEEDS. (2) PHASE TWO: AT THE
44 CONCLUSION OF A SECOND THIRTY (30) DAY ENROLLMENT PERIOD SET
45 BY THE CLERK, WHICH IS OPEN TO NEW APPLICATIONS AND AMENDED
46 APPLICATIONS, THE CLERK MAY AUTHORIZE A MAXIMUM OF FIVE (5)

1 ADDITIONAL PROVISIONING CENTER LICENSES DURING THE TWO-
2 PHASE PROCESS. AN APPLICATION SUBMITTED DURING PHASE ONE TO
3 THE CLERK, BUT NOT SELECTED FOR APPROVAL DURING PHASE ONE,
4 MAY BE CONSIDERED FOR APPROVAL DURING PHASE TWO. THE CLERK
5 WILL INITIATE PHASE TWO WITHIN ONE YEAR OF THE START OF PHASE
6 ONE.

7
8 (D) IN THE EVENT THAT THERE ARE MORE APPLICANTS FOR
9 PROVISIONING CENTER LICENSES WHO MEET THE MINIMUM
10 REQUIREMENTS SET FORTH IN 1300.6(B) THAN THERE ARE LICENSES
11 AVAILABLE IN EITHER PHASE ONE OR TWO, THE TOP SCORING
12 TWENTY (20) APPLICANTS IN PHASE ONE AND TOP SCORING FIVE (5)
13 APPLICANTS IN PHASE TWO, SHALL BE ELIGIBLE TO RECEIVE
14 PROVISIONING CENTER LICENSES IN ACCORDANCE WITH THE
15 ASSESSMENT, EVALUATION, SCORING, AND RANKING PROCEDURES
16 ESTABLISHED IN THIS CHAPTER.. IN THE EVENT OF AN
17 EVALUATION SCORING TIE DURING EITHER PHASE ONE OR
18 PHASE TWO, WHICH CAUSES THERE TO BE MORE THAN 20 AND 5
19 HIGHEST SCORING APPLICANTS RESPECTIVELY, THE SCORING -
20 TIED APPLICANTS WILL BE ENTERED INTO A RANDOM DRAW USING
21 PROCEDURES SET BY THE CITY CLERK CONSISTENT WITH SUBSECTIONS
22 1300.6 (C) AND (D). THOSE APPLICATIONS RANDOMLY SELECTED SHALL
23 BE ELIGIBLE TO RECEIVE A PROVISIONING CENTER LICENSE; HOWEVER,
24 IN NO EVENT SHALL THE MAXIMUM NUMBER OF PROVISIONING
25 CENTER LICENSES EVER EXCEED 25. ALL LICENSE APPLICATIONS
26 MUST BE SUBMITTED DURING THE OPEN ENROLLMENT PERIODS SET
27 BY THE CLERK.
28

29 (E) NOTHING IN THIS SECTION IS INTENDED TO CONFER A PROPERTY OR
30 OTHER RIGHT, DUTY, PRIVILEGE OR INTEREST IN A LICENSE OF ANY
31 KIND OR NATURE WHATSOEVER INCLUDING, BUT NOT LIMITED TO, ANY
32 CLAIM OF ENTITLEMENT.
33

34 (F) THE CLERK MAY ENGAGE PROFESSIONAL EXPERT ASSISTANCE IN
35 PERFORMING THE CLERKS DUTIES AND RESPONSIBILITIES UNDER THE
36 CHAPTER.
37

38 **1300.7 – LICENSE RENEWAL APPLICATION.**

39
40 (A) APPLICATION FOR A LICENSE RENEWAL REQUIRED BY THIS CHAPTER
41 SHALL BE MADE IN WRITING TO THE CITY CLERK AT LEAST THIRTY (30) DAYS
42 PRIOR TO THE EXPIRATION OF AN EXISTING LICENSE.
43

44 (B) AN APPLICATION FOR A LICENSE RENEWAL REQUIRED BY THIS CHAPTER
45 SHALL BE MADE UNDER OATH ON FORMS PROVIDED BY THE CITY, AND SHALL
46 CONTAIN ALL OF THE INFORMATION REQUIRED BY 1300.5(B).
47

1 (C) AN APPLICATION FOR A LICENSE RENEWAL SHALL BE ACCOMPANIED BY
2 A RENEWAL FEE IN AN AMOUNT OF \$5,000 WHICH HALF WILL BE RETURNED
3 SHOULD THE LICENSE NOT BE RENEWED. THE RENEWAL FEE IS ESTABLISHED TO
4 DEFRAID THE COSTS OF THE ADMINISTRATION OF THIS CHAPTER.

5
6 (D) UPON RECEIPT OF A COMPLETED APPLICATION FOR A LICENSE RENEWAL
7 MEETING THE REQUIREMENTS OF THIS CHAPTER AND THE LICENSE RENEWAL
8 FEE, THE CITY CLERK SHALL REFER A COPY OF THE RENEWAL APPLICATION TO
9 EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT, THE
10 BUILDING SAFETY OFFICE, THE LANSING POLICE DEPARTMENT, THE ZONING
11 ADMINISTRATOR, AND THE CITY TREASURER,

12
13 (E) NO APPLICATION FOR A LICENSE RENEWAL SHALL BE APPROVED
14 UNLESS:

- 15
16 (1) THE FIRE DEPARTMENT AND THE BUILDING SAFETY OFFICE HAVE
17 INSPECTED THE PROPOSED LOCATION FOR COMPLIANCE WITH ALL
18 LAWS FOR WHICH THEY ARE CHARGED WITH ENFORCEMENT
19 WITHIN THE PAST CALENDAR YEAR; AND
20
- 21 (2) THE ZONING ADMINISTRATOR HAS CONFIRMED THAT THE
22 LOCATION COMPLIES WITH THE ZONING CODE AND THIS CHAPTER,
23 AT THE TIME A LICENSE IS GRANTED, INCLUDING ANY VARIANCES
24 GRANTED UNDER SECTION 1300.18; AND
25
- 26 (3) THE CITY TREASURER HAS CONFIRMED THAT THE APPLICANT AND
27 EACH STAKEHOLDER OF THE APPLICANT AND THE LOCATION OF
28 THE MEDICAL MARIHUANA ESTABLISHMENT ARE NOT CURRENTLY
29 IN DEFAULT TO THE CITY; AND
30
- 31 (4) THE POLICE DEPARTMENT HAS REVIEWED THE APPLICATION AND
32 DETERMINED THAT THE APPLICANT HAS SATISFIED THE
33 REQUIREMENTS OF THIS CHAPTER WITH RESPECT TO THE
34 BACKGROUND CHECK AND SECURITY PLAN; AND
35
- 36 (5) THE APPLICANT POSSESSES THE NECESSARY STATE LICENSES OR
37 APPROVALS, INCLUDING THOSE ISSUED PURSUANT TO THE MMFLA;
38 AND
39
- 40 (6) THE APPLICANT HAS OPERATED THE MEDICAL MARIHUANA
41 ESTABLISHMENT IN ACCORDANCE WITH THE CONDITIONS AND
42 REQUIREMENTS OF THIS CHAPTER; AND
43
- 44 (7) THE MEDICAL MARIHUANA ESTABLISHMENT HAS NOT BEEN
45 DECLARED A PUBLIC NUISANCE; AND
46

1 (8) THE APPLICANT IS OPERATING THE MEDICAL MARIHUANA
2 ESTABLISHMENT IN ACCORDANCE WITH FEDERAL, STATE, AND
3 LOCAL LAWS AND REGULATIONS.
4

5 (F) IF WRITTEN APPROVAL IS GIVEN BY EACH INDIVIDUAL, DEPARTMENT, OR
6 ENTITY IDENTIFIED IN SUBSECTION (E), THE CITY CLERK SHALL ISSUE A
7 LICENSE RENEWAL TO THE APPLICANT. IF NO RENEWAL LICENSE IS ISSUED,
8 HALF OF THE RENEWAL FEE SHALL BE RETURNED. THE RENEWAL SHALL BE
9 DEEMED APPROVED IF THE CITY HAS NOT ISSUED FORMAL NOTICE OF DENIAL
10 WITHIN 60 DAYS OF THE FILING DATE OF THE APPLICATION, UNLESS THE
11 APPLICANT IS ADVISED OF NON-COMPLIANCE UNDER 1300.7 (E) DURING SUCH
12 PERIOD.
13

14 **1300.8 – LICENSES GENERALLY.**
15

16 (A) TO THE EXTENT PERMISSIBLE UNDER LAW, ALL INFORMATION
17 SUBMITTED IN CONJUNCTION WITH AN APPLICATION FOR A LICENSE OR
18 LICENSE RENEWAL REQUIRED BY THIS CHAPTER IS CONFIDENTIAL AND EXEMPT
19 FROM DISCLOSURE UNDER THE MICHIGAN FREEDOM OF INFORMATION ACT,
20 1976 PA 442, MCL 15.231 ET SEQ., INCLUDING THE TRADE SECRETS OR
21 COMMERCIAL OR FINANCIAL INFORMATION EXEMPTIONS AVAILABLE UNDER
22 SECTION 13 (F) OF THE MICHIGAN FREEDOM OF INFORMATION ACT.
23 FURTHERMORE, NO PERSONAL OR MEDICAL INFORMATION CONCERNING THE
24 APPLICANT SHALL BE SUBMITTED TO THE MEDICAL MARIHUANA COMMISSION.
25

26 (B) LICENSEES MAY TRANSFER A LICENSE ISSUED UNDER THIS CHAPTER TO A
27 DIFFERENT LOCATION UPON RECEIVING WRITTEN APPROVAL FROM THE CITY
28 CLERK. IN ORDER TO REQUEST APPROVAL TO TRANSFER A LICENSE LOCATION,
29 THE LICENSEE MUST MAKE A WRITTEN REQUEST TO THE CITY CLERK,
30 INDICATING THE CURRENT LICENSE LOCATION AND THE PROPOSED LICENSE
31 LOCATION. UPON RECEIVING THE WRITTEN REQUEST, THE CITY CLERK SHALL
32 REFER A COPY OF THE WRITTEN REQUEST TO EACH OF THE FOLLOWING FOR
33 THEIR APPROVAL: THE FIRE DEPARTMENT, THE BUILDING SAFETY OFFICE, THE
34 POLICE DEPARTMENT, THE ZONING ADMINISTRATOR, AND THE CITY
35 TREASURER. NO LICENSE TRANSFER SHALL BE APPROVED UNLESS EACH SUCH
36 INDIVIDUAL DEPARTMENT, OR ENTITY GIVES WRITTEN APPROVAL THAT THE
37 LICENSEE AND THE PROPOSED LICENSE LOCATION MEET THE STANDARDS
38 IDENTIFIED IN THIS CHAPTER, INCLUDING BUT NOT LIMITED TO SECTION
39 1300.5(E), AND THE CITY CLERK HAS DETERMINED THAT THE PROPOSED
40 LOCATION MEETS THE REQUIREMENTS OF 1300.6 (B)(2) AND (3).
41

42 (C) LICENSEES MAY TRANSFER A LICENSE ISSUED UNDER THIS CHAPTER TO A
43 DIFFERENT INDIVIDUAL OR ENTITY UPON RECEIVING WRITTEN APPROVAL BY
44 THE CITY CLERK. IN ORDER TO REQUEST APPROVAL TO TRANSFER A LICENSE TO
45 A DIFFERENT INDIVIDUAL OR ENTITY, THE LICENSEE MUST MAKE A WRITTEN
46 REQUEST TO THE CITY CLERK, INDICATING THE CURRENT LICENSEE AND THE

1 PROPOSED LICENSEE. UPON RECEIVING THE WRITTEN REQUEST, THE CITY
2 CLERK SHALL CONSIDER THE REQUEST AS A NEW APPLICATION FOR A LICENSE
3 AND THE PROCEDURES SET FORTH IN 1300.5 AND 1300.6 SHALL BE FOLLOWED
4 INCLUDING SUBMISSION OF THE LICENSE APPLICATION FEE. APPLICATION FEES
5 ARE NON-TRANSFERABLE.
6

7 (D) LICENSEES SHALL REPORT ANY OTHER CHANGE IN THE INFORMATION
8 REQUIRED BY THIS CHAPTER TO THE CITY CLERK WITHIN TEN (10) BUSINESS
9 DAYS OF THE CHANGE. FAILURE TO DO SO MAY RESULT IN SUSPENSION OR
10 REVOCATION OF THE LICENSE.
11

12 (E) ANY LICENSE APPLICATION APPROVED PURSUANT TO THIS CHAPTER
13 SHALL NOT BE EFFECTIVE, AND NO MEDICAL MARIHUANA ESTABLISHMENT
14 MAY OPERATE, UNLESS THE MEDICAL MARIHUANA ESTABLISHMENT IS
15 OPERATED PURSUANT TO A LICENSE OR APPROVAL ISSUED UNDER THE
16 MMFLA.
17

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

21 EXCEPT AS MAY BE PREEMPTED BY STATE LAW OR REGULATION,
22

23 (A) EVERY MEDICAL MARIHUANA PROVISIONING CENTER MUST BE LOCATED
24 IN A BUILDING, AS DEFINED UNDER SECTION 1300.2.
25

26 (B) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPEN
27 BETWEEN THE HOURS OF 10 P.M. AND 9 A.M.;
28

29 (C) CONSUMPTION OF MARIHUANA SHALL BE PROHIBITED ON THE PREMISES
30 OF A MEDICAL MARIHUANA PROVISIONING CENTER EXCEPT AS PERMITTED BY
31 LANSING CITY CHARTER SECTION 8-501 AND STATE LAW;
32

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

39 (E) UNLESS PERMITTED BY THE MMMA, PUBLIC OR COMMON AREAS OF THE
40 MEDICAL MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM
41 RESTRICTED OR NON-PUBLIC AREAS OF THE PROVISIONING CENTER BY A
42 PERMANENT BARRIER. UNLESS PERMITTED BY THE MMMA, NO MEDICAL
43 MARIHUANA IS PERMITTED TO BE STORED, DISPLAYED, OR TRANSFERRED IN AN
44 AREA ACCESSIBLE TO THE GENERAL PUBLIC;
45

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

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

13
14 ~~(H) DRIVE THRU WINDOWS ON THE PREMISES OF A MEDICAL MARIHUANA~~
15 ~~PROVISIONING CENTER SHALL NOT BE PERMITTED;~~

16
17 (I) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPERATED IN
18 A MANNER CREATING NOISE, DUST, VIBRATION, GLARE, FUMES, OR ODORS
19 DETECTABLE TO NORMAL SENSES BEYOND THE BOUNDARIES OF THE PROPERTY
20 ON WHICH THE MEDICAL MARIHUANA PROVISIONING CENTER IS OPERATED; OR
21 ANY OTHER NUISANCE THAT HINDERS THE PUBLIC HEALTH, SAFETY AND
22 WELFARE OF THE RESIDENTS OF THE CITY OF LANSING.

23
24 (J) THE LICENSE REQUIRED BY THIS CHAPTER SHALL BE PROMINENTLY
25 DISPLAYED ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING
26 CENTER;

27
28 (K) DISPOSAL OF MEDICAL MARIHUANA SHALL BE ACCOMPLISHED IN A
29 MANNER THAT PREVENTS ITS ACQUISITION BY ANY PERSON WHO MAY NOT
30 LAWFULLY POSSESS IT AND OTHERWISE IN CONFORMANCE WITH STATE LAW;

31
32 (L) ALL MEDICAL MARIHUANA DELIVERED TO A PATIENT SHALL BE
33 PACKAGED AND LABELED AS PROVIDED BY STATE LAW AND THIS CHAPTER.
34 THE LABEL SHALL INCLUDE:

- 35
36 (1) A UNIQUE ALPHANUMERIC IDENTIFIER FOR THE PERSON TO WHOM IT
37 IS BEING DELIVERED;
38 (2) A UNIQUE ALPHANUMERIC IDENTIFIER FOR THE CULTIVATION SOURCE
39 OF THE MARIHUANA;
40 (3) THAT THE PACKAGE CONTAINS MARIHUANA;
41 (4) THE DATE OF DELIVERY, WEIGHT, TYPE OF MARIHUANA AND DOLLAR
42 AMOUNT OR OTHER CONSIDERATION BEING EXCHANGED IN THE
43 TRANSACTION;
44 (5) A CERTIFICATION THAT ALL MARIHUANA IN ANY FORM CONTAINED IN
45 THE PACKAGE WAS CULTIVATED, MANUFACTURED, AND PACKAGED IN
46 THE STATE OF MICHIGAN;

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

10 (7) THE NAME, ADDRESS, EMAIL ADDRESS, AND TELEPHONE NUMBER OF
11 AN AUTHORIZED REPRESENTATIVE OF THE DISPENSARY WHOM A
12 PATIENT CAN CONTACT WITH ANY QUESTIONS REGARDING THE
13 PRODUCT.
14

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

22 (N) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
23 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT ON
24 THE PREMISES.
25

26 (O) IT SHALL BE PROHIBITED TO DISPLAY ANY SIGNS THAT ARE
27 INCONSISTENT WITH LOCAL LAWS OR REGULATIONS OR STATE LAW.
28

29 (P) IT SHALL BE PROHIBITED TO USE ADVERTISING MATERIAL THAT IS
30 MISLEADING, DECEPTIVE, OR FALSE, OR THAT IS DESIGNED TO APPEAL TO
31 MINORS.
32

33 (Q) NO LICENSED MEDICAL MARIHUANA PROVISIONING CENTER SHALL
34 PLACE OR MAINTAIN, OR CAUSE TO BE PLACED OR MAINTAINED, AN
35 ADVERTISEMENT OF MEDICAL MARIHUANA IN ANY FORM OR THROUGH ANY
36 MEDIUM WITHIN THE DISTANCE LIMITATIONS SET FORTH IN SECTION 1300.13 (A)
37

38 (R) CERTIFIED LABORATORY TESTING RESULTS THAT DISPLAY AT A
39 MINIMUM THE TETRAHYDROCANNABINOL (THC), CANNABIDIOL (CBD), TOTAL
40 CANNABINOID TESTING RESULTS, AND A PASS/FAIL RATING BASED ON THE
41 CERTIFIED LABORATORY’S STATE-REQUIRED TESTING MUST BE AVAILABLE TO
42 ALL MEDICAL MARIHUANA PROVISIONING CENTER PATIENTS/CUSTOMERS UPON
43 REQUEST AND PROMINENTLY DISPLAYED.
44

45 **1300.10 – MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
46 **GROWER FACILITY.**

1
2 (A) EXCEPT AS MAY BE PREEMPTED BY STATE LAW OR REGUALTION, THE
3 FOLLOWING MINIMUM STANDARDS FOR MEDICAL MARIHUANA GROWER
4 FACILITIES SHALL APPLY:

5
6 (1) THE MEDICAL MARIHUANA GROWER FACILITY SHALL COMPLY AT ALL
7 TIMES AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, THE
8 MTA, AND THE GENERAL RULES OF THE DEPARTMENT OF LICENSING AND
9 REGULATORY AFFAIRS, OR THEIR SUCCESSORS, AS THEY MAY BE AMENDED
10 FROM TIME TO TIME.

11
12 (2) EXCEPT AS PROVIDED BY STATE LAW AND LANSING CITY CHARTER,
13 CONSUMPTION AND/OR USE OF MEDICAL MARIHUANA SHALL BE PROHIBITED
14 AT THE GROWER FACILITY;

15
16 (3) ALL GROWER ACTIVITY RELATED TO THE GROWER FACILITY SHALL BE
17 PERFORMED IN A BUILDING;

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

22
23 (5) ANY MEDICAL MARIHUANA GROWER FACILITY SHALL COMPLY WITH
24 THE MTA AND SHALL MAINTAIN A LOG BOOK AND/OR DATABASE
25 IDENTIFYING BY DATE THE AMOUNT OF MEDICAL MARIHUANA AND THE
26 NUMBER OF MEDICAL MARIHUANA PLANTS ON THE PREMISES WHICH SHALL
27 NOT EXCEED THE AMOUNT PERMITTED UNDER THE GROWER LICENSE
28 ISSUED BY THE STATE OF MICHIGAN. THIS LOG SHALL BE AVAILABLE TO
29 LAW ENFORCEMENT PERSONNEL TO CONFIRM THAT THE MEDICAL
30 MARIHUANA GROWER DOES NOT HAVE MORE MEDICAL MARIHUANA THAN
31 AUTHORIZED AT THE LOCATION AND SHALL NOT BE USED TO DISCLOSE
32 MORE INFORMATION THAN IS REASONABLY NECESSARY TO VERIFY THE
33 LAWFUL AMOUNT OF MEDICAL MARIHUANA AT THE FACILITY;

34
35 (6) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
36 BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE
37 MMFLA, MTA, AND THE RULES AND REGUALTIONS OF THE MEDICAL
38 MARIHUANA LICENSING BOARD, AS AMENDED;

39
40 (7) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL
41 PERMITS SHALL BE OBTAINED FROM THE CITY OF LANSING OR OTHER
42 APPLICABLE GOVERNMENT AUTHORITY FOR ANY PORTION OF THE
43 STRUCTURE IN WHICH ELECTRICAL WIRING, LIGHTING AND/OR WATERING
44 DEVICES THAT SUPPORT THE CULTIVATION, GROWING OR HARVESTING OF
45 MARIHUANA ARE LOCATED;

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

5
6 (9) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
7 MARIHUANA GROWER FACILITY SHALL BE PROHIBITED;

8
9 (10) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN
10 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH CULTIVATING,
11 PROCESSING, OR TESTING MEDICAL MARIHUANA. MULTI-TENANT
12 COMMERCIAL BUILDINGS MAY PERMIT ACCESSORY USES IN SUITES
13 SEGREGATED FROM MEDICAL MARIHUANA GROWER FACILITY;

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

18
19 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;

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

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

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

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

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

1 (15) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
2 MAINTAINED IN A SANITARY CONDITION;
3

4 (16) EACH CULTIVATION CENTER SHALL PROVIDE ITS OCCUPANTS WITH
5 ADEQUATE AND READILY ACCESSIBLE TOILET FACILITIES THAT ARE
6 MAINTAINED IN A SANITARY CONDITION AND GOOD REPAIR;
7

8 (17) 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 (18) MEDICAL MARIHUANA GROWER FACILITIES SHALL BE FREE FROM
13 INFESTATION BY INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;
14

15 (19) MEDICAL MARIHUANA GROWER FACILITIES SHALL PRODUCE NO
16 PRODUCTS OTHER THAN USEABLE MEDICAL MARIHUANA INTENDED FOR
17 HUMAN CONSUMPTION.
18

19 (B) IN FURTHERANCE OF THE PUBLIC HEALTH, SAFETY, AND WELFARE,
20 EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
21 MEDICAL MARIHUANA GROWER FACILITY SHALL BE PROHIBITED.
22

23 (C) VENTING OF MARIHUANA ODORS INTO THE AREAS SURROUNDING THE
24 MEDICAL MARIHUANA GROWER FACILITY IS DEEMED AND DECLARED TO BE A
25 PUBLIC NUISANCE.
26

27 **1300.11 – MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
28 **SAFETY COMPLIANCE FACILITY.**
29

30 (A) EXCEPT AS MAY BE PREEMPTED BY STATE LAW OR REGULATION, THE
31 FOLLOWING MINIMUM STANDARDS FOR SAFETY COMPLIANCE FACILITIES
32 SHALL APPLY:
33

34 (1) THE SAFETY COMPLIANCE FACILITY SHALL COMPLY AT ALL TIMES
35 AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, THE MTA, AND
36 THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD AS
37 THEY MAY BE AMENDED FROM TIME TO TIME;
38

39 (2) EXCEPT AS PROVIDED BY STATE LAW AND SECTION 8-501 OF THE
40 LANSING CITY CHARTER CONSUMPTION AND/OR USE OF MEDICAL
41 MARIHUANA SHALL BE PROHIBITED AT THE FACILITY;
42

43 (3) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
44 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT
45 ON THE PREMISES;
46

1 (4) ANY SAFETY COMPLIANCE FACILITY SHALL MAINTAIN A LOG BOOK
2 AND/OR DATABASE IDENTIFYING BY DATE THE AMOUNT OF MEDICAL
3 MARIHUANA ON THE PREMISES AND FROM WHICH PARTICULAR SOURCE. THE
4 FACILITY SHALL MAINTAIN THE CONFIDENTIALITY OF QUALIFYING
5 PATIENTS IN COMPLIANCE WITH THE MICHIGAN MEDICAL MARIHUANA ACT,
6 AS AMENDED FROM TIME TO TIME;
7

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

13 (6) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN THE
14 SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH TESTING MEDICAL
15 MARIHUANA;
16

17 (7) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
18 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY;
19 TRAINING PROGRAMS SHALL BE DEVELOPED AND IMPLEMENTED FOR ALL
20 EMPLOYEES ON RECOGNIZED SAFE HEALTH PRACTICES IN A SAFETY
21 COMPLIANCE FACILITY.
22

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

28 (9) FLOORS, WALLS AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
29 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
30 IN GOOD REPAIR;
31

32 (10) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
33 MAINTAINED IN A SANITARY CONDITION;
34

35 (11) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
36 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
37 PREVENTS THE GROWTH OF THESE MICROORGANISMS;
38

39 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
40 MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE PROHIBITED.
41

42 **1300.12 – MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
43 **PROCESSOR FACILITY AND A MEDICAL MARIHUANA SECURE TRANSPORTER.**
44

1 (A) EXCEPT AS MAY BE PREEMPTED BY STATE LAW OR REGULATION, THE
2 FOLLOWING MINIMUM STANDARDS FOR A MEDICAL MARIHUANA PROCESSOR
3 FACILITY AND A MEDICAL MARIHUANA SECURE TRANSPORTER SHALL APPLY:
4

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

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

17 (3) ALL ACTIVITY RELATED TO THE PROCESSOR FACILITY SHALL BE
18 PERFORMED INDOORS IN A BUILDING;
19

20 (4) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
21 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT
22 ON THE PREMISES;
23

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

37 (6) ALL MEDICAL MARIJUANA WILL BE TAGGED WITH UNIQUE
38 IDENTIFICATION.
39

40 (7) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
41 BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE
42 MMFLA, MTA AND THE RULES AND REGULATIONS OF THE MEDICAL
43 MARIHUANA LICENSING BOARD, AS AMENDED;
44

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

1 STRUCTURE IN WHICH ELECTRICAL WIRING FOR DEVICES THAT SUPPORT
2 THE PROCESSING OR SECURE TRANSPORTING OF MEDICAL MARIHUANA ARE
3 LOCATED;

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

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

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

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

23
24 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;

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

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

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

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

44
45 (15) THERE SHALL BE ADEQUATE SCREENING OR OTHER PROTECTION
46 AGAINST THE ENTRY OF PESTS. RUBBISH SHALL BE DISPOSED OF SO AS TO

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

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

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

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

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

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

23
24 (21) ALL MEDICAL MARIHUANA PROCESSORS SHALL BE CERTIFIED AS
25 ACCREDITED UNDER A RECOGNIZED FOOD SAFETY SYSTEM SUCH AS SQF, ISO
26 22000, BRC, OR THE FDA'S FSMA (FOOD SAFETY MODERNIZATION ACT) RULES
27 OR DEMONSTRATE THAT THEY ARE ACTIVELY PURSUING SAID
28 CERTIFICATION AT THE TIME OF THE LICENSING AND OBTAIN SAID
29 CERTIFICATION WITHIN 18 MONTHS OF OPERATION.

30
31 (22) THE PROCESSOR SHALL PAY FOR AND COMPLETE AN ANNUAL AUDIT
32 USING AN ACCREDITED THIRD PARTY AUDITOR RECOGNIZED UNDER
33 WHATEVER FOOD SAFETY SYSTEM THE PROCESSOR IS ACCREDITED UNDER.
34 A COPY OF THE AUDIT REPORT SHALL BE PROVIDED TO THE CITY BY THE
35 AUDITOR WITHIN TEN (10) DAYS OF THE AUDIT COMPLETION. IN THE EVENT
36 THERE ARE DEFICIENCIES IDENTIFIED BY THE AUDITOR, THE PROCESSOR
37 SHALL SUBMIT TO THE CITY A CORRECTION ACTION PLAN TO ADDRESS THE
38 DEFICIENCIES. ALL DEFICIENCIES SHALL BE ADDRESSED WITHIN 30 DAYS OF
39 SUBMITTAL OF THE INITIAL DEFICIENCY REPORT.

40
41 (B) IN FURTHERANCE OF THE PUBLIC HEALTH, SAFETY, AND WELFARE,
42 EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
43 MEDICAL MARIHUANA PROCESSOR FACILITY AND/OR MEDICAL MARIHUANA
44 SECURE TRANSPORTER FACILITY SHALL BE PROHIBITED.

1 **1300.13 – LOCATION, BUFFERING, DISPERSION, AND ZONING REQUIREMENTS**
2 **FOR ~~OF~~ MEDICAL MARIHUANA PROVISIONING CENTERS.**

3
4 (A) EXCEPT IN ACCORDANCE WITH SECTION 1300.18, FOR BUFFERING AND
5 DISPERSION PURPOSES, NO MEDICAL MARIHUANA PROVISIONING CENTER
6 SHALL BE LOCATED WITHIN:
7

8 (1) ONE THOUSAND (1000) FEET, OF AN OPERATIONAL SCHOOL,
9 INCLUDING PRE-KINDERGARTEN THAT IS LOCATED WITHIN A
10 SCHOOL; OR

11
12 (2) FIVE HUNDRED (500) FEET, OF THE FOLLOWING BUFFERED USES:
13 PUBLIC PLAYGROUND EQUIPMENT LOCATED IN A PARK; A
14 COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME
15 OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED
16 WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN
17 SERVICES, OR ITS SUCCESSOR AGENCY, A CHURCH; A FACILITY AT
18 WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE
19 ABUSE TREATMENT AND REHABILITATION SERVICES AND THOSE
20 TERMS ARE DEFINED IN PART 61 OR PA 368 OF 1978, MCL 333.6101 ET
21 SEQ., ARE OFFERED; OR ANOTHER MEDICAL MARIHUANA
22 PROVISIONING CENTER.
23

24 (B) MEDICAL MARIHUANA PROVISIONING CENTERS SHALL BE LIMITED TO F
25 AND F1-COMMERCIAL, G2-WHOLESALE, H-LIGHT INDUSTRIAL, AND I-HEAVY
26 INDUSTRIAL AS SUCH DISTRICTS ARE DESCRIBED AND DESIGNATED AS
27 PROVIDED IN THE ZONING CODE PROVISIONS OF THE LANSING CODIFIED
28 ORDINANCES.
29

30 (C) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE LOCATED
31 WITHIN ANOTHER BUSINESS EXCEPT AS PERMITTED BY THE MEDICAL
32 MARIHUANA LICENSING BOARD REGULATIONS.
33

34 (D) FOR THE PURPOSE OF CALCULATING THE BUFFERING AND DISPERSION
35 REQUIREMENTS OF THIS SECTION 1300.13, THE DISTANCE SHALL BE MEASURED
36 ALONG THE CENTER LINE OF THE STREET OR STREETS OF ADDRESS BETWEEN
37 TWO FIXED POINTS ON THE CENTER LINE DETERMINED BY PROJECTING
38 STRAIGHT LINES, AT RIGHT ANGLES TO THE CENTER LINE, FROM THE PART OF
39 THE BUFFERED USE NEAREST TO THE CONTEMPLATED LOCATION OF THE
40 MEDICAL MARIHUANA ESTABLISHMENT AND FROM THE PART OF THE
41 CONTEMPLATED LOCATION NEAREST TO THE BUFFERED USE. THE DISTANCES
42 FROM THE MEDICAL MARIHUANA ESTABLISHMENT TO THE POINT ON THE
43 CENTERLINE AND FROM THE BUFFERED USE TO THE POINT ON THE CENTERLINE
44 SHALL BE INCLUDED IN THE CALCULATION. FOR PROVISIONING CENTERS
45 LOCATED WITHIN A COMMERCIAL STRIP MALL OR RETAIL CENTER, THE

1 MEASUREMENT SHALL BE FROM THE PROPERTY LINE OF THE PROVISIONING
2 CENTER TO THE PROPERTY LINE OF ANOTHER PROVISIONING CENTER.

3
4 (E) EXCEPT AS OTHERWISE PERMISSIBLE UNDER THE LANSING CITY
5 CHARTER AT SECTION 8-501, NO PERSON SHALL ALLOW THE CONSUMPTION OF
6 MARIHUANA OR MARIHUANA INFUSED PRODUCTS ON LICENSED PREMISES.

7
8 (F) NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE LOCATED IN AN
9 UNZONED AREA OR IN AN AREA SUBJECT TO AN AGREEMENT ENTERED INTO
10 PURSUANT TO PUBLIC ACT 425 OF 1984.

11
12 **1300.14 – LOCATION OF MEDICAL MARIHUANA GROWER FACILITIES,**
13 **MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL**
14 **MARIHUANA PROCESSOR FACILITIES, AND MEDICAL MARIHUANA SECURE**
15 **TRANSPORTERS.**

16
17 (A) ALL MEDICAL MARIHUANA GROWER FACILITIES SHALL BE SUBJECT TO
18 SUBSECTION 1300.13(E) AND LIMITED TO H-LIGHT INDUSTRIAL AND I-HEAVY
19 INDUSTRIAL ZONING DISTRICT AS IDENTIFIED IN THE LANSING CODIFIED
20 ORDINANCES.

21
22 (B) ALL MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL
23 MARIHUANA PROCESSOR FACILITIES, AND MEDICAL MARIHUANA SECURE
24 TRANSPORTER FACILITIES SHALL BE SUBJECT TO SECTION 1300.13(E) AND SHALL
25 BE LIMITED TO THE H-LIGHT INDUSTRIAL, I-HEAVY INDUSTRIAL, OR G2-
26 WHOLESALE ZONING DISTRICTS AS IDENTIFIED IN THE LANSING CODIFIED
27 ORDINANCES.

28
29 (C) NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE LOCATED IN AN
30 UNZONED AREA OR IN AN AREA SUBJECT TO AN AGREEMENT ENTERED INTO
31 PURSUANT TO PUBLIC AT 425 OF 1984.

32
33 (D) EXCEPT AS OTHERWISE PERMISSIBLE UNDER THE LANSING CITY
34 CHARTER AT SECTION 8-501, NO PERSON SHALL ALLOW THE CONSUMPTION OF
35 MARIHUANA OR MARIHUNA INFUSED PRODUCTS ON LICENSED PREMISES.

36
37
38 **1300.15 – LICENSE REVOCATION; BASES FOR REVOCATION; APPEAL OF**
39 **LICENSE DENIAL.**

40
41 (A) ANY LICENSE ISSUED UNDER THIS CHAPTER MAY BE REVOKED BY THE
42 CITY CLERK AFTER AN ADMINISTRATIVE HEARING IF THE CITY CLERK FINDS
43 AND DETERMINES THAT GROUNDS FOR REVOCATION EXIST. ANY GROUNDS FOR
44 REVOCATION MUST BE PROVIDED TO THE LICENSEE AT LEAST TEN (10) DAYS
45 PRIOR TO THE DATE OF THE HEARING BY FIRST CLASS MAIL TO THE ADDRESS

1 GIVEN ON THE LICENSE APPLICATION OR ANY ADDRESS PROVIDED TO THE CITY
2 CLERK IN WRITING SUBSEQUENT TO THE FILING OF AN APPLICATION.

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

6
7 (1) A MATERIAL VIOLATION OF ANY PROVISION OF THIS CHAPTER,
8 INCLUDING, BUT NOT LIMITED TO, THE FAILURE TO PROVIDE THE
9 INFORMATION REQUIRED BY SUBSECTION 1300.16(A); OR

10
11 (2) ANY CONVICTION OF A DISQUALIFYING FELONY BY THE LICENSEE,
12 STAKEHOLDER, OR ANY PERSON HOLDING AN OWNERSHIP INTEREST IN
13 THE LICENSE; OR

14
15 (3) COMMISSION OF FRAUD OR MISREPRESENTATION OR THE MAKING OF
16 A FALSE STATEMENT BY THE APPLICANT, LICENSEE, OR ANY
17 STAKEHOLDER OF THE APPLICANT OR LICENSEE WHILE ENGAGING IN
18 ANY ACTIVITY FOR WHICH THIS CHAPTER REQUIRES A LICENSE; OR

19
20 (4) FAILURE TO OBTAIN OR MAINTAIN A LICENSE OR RENEWED LICENSE
21 FROM THE CITY CLERK PURSUANT TO THIS CHAPTER; OR

22
23 (5) FAILURE OF THE LICENSEE OR THE MEDICAL MARIHUANA
24 ESTABLISHMENT TO OBTAIN OR MAINTAIN A LICENSE OR APPROVAL
25 FROM THE STATE PURSUANT TO THE MMFLA; OR

26
27 (6) THE MEDICAL MARIHUANA ESTABLISHMENT IS DETERMINED BY THE
28 CITY TO HAVE BECOME A PUBLIC NUISANCE OR OTHERWISE IS
29 OPERATING IN A MANNER DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY
30 OR WELFARE.

31
32 (C) APPEAL OF DENIAL OF AN APPLICATION OR REVOCATION OF A
33 LICENSE: THE CITY CLERK SHALL NOTIFY AN APPLICANT OF THE REASON(S)
34 FOR DENIAL OF AN APPLICATION FOR A LICENSE OR LICENSE RENEWAL OR
35 FOR REVOCATION OF A LICENSE OR ANY ADVERSE DECISION UNDER THIS
36 CHAPTER AND PROVIDE THE APPLICANT WITH THE OPPORTUNITY TO BE
37 HEARD. ANY APPLICANT AGGRIEVED BY THE DENIAL OR REVOCATION OF A
38 LICENSE OR ADVERSE DECISION UNDER THIS CHAPTER MAY APPEAL TO THE
39 CITY CLERK, WHO SHALL APPOINT A HEARING OFFICER TO HEAR AND
40 EVALUATE THE APPEAL AND MAKE A RECOMMENDATION TO THE CLERK.
41 SUCH APPEAL SHALL BE TAKEN BY FILING WITH THE CITY CLERK, WITHIN 14
42 DAYS AFTER NOTICE OF THE ACTION COMPLAINED OF HAS BEEN MAILED TO
43 THE APPLICANT'S LAST KNOWN ADDRESS ON THE RECORDS OF THE CITY
44 CLERK, A WRITTEN STATEMENT SETTING FORTH FULLY THE GROUNDS FOR
45 THE APPEAL. THE CLERK SHALL REVIEW THE REPORT AND
46 RECOMMENDATION OF THE HEARING OFFICER AND MAKE A DECISION ON

1 THE MATTER. THE CLERK'S DECISION MAY BE FURTHER APPEALED TO THE
2 COMMISSION IF APPLIED FOR IN WRITING TO THE COMMISSION NO LATER
3 THAN THIRTY (30) DAYS FROM THE CLERK'S DECISION. THE REVIEW ON
4 APPEAL OF A DENIAL OR REVOCATION OR ADVERSE ACTION SHALL BE BY
5 THE COMMISSION PURSUANT TO SECTION 1300.3. ANY DECISION BY THE
6 COMMISSION ON AN APPEAL SHALL BE FINAL FOR PURPOSES OF JUDICIAL
7 REVIEW. THE CLERK MAY ENGAGE PROFESSIONAL EXPERTS TO ASSIST WITH
8 THE PROCEEDINGS UNDER THIS SECTION 1300.15.

9
10 **1300.16 – PENALTIES; TEMPORARY SUSPENSION OF A LICENSE**

11
12 (A) THE CITY OF LANSING MAY REQUIRE AN APPLICANT OR LICENSEE OF
13 A MEDICAL MARIHUANA FACILITY TO PRODUCE DOCUMENTS, RECORDS, OR
14 ANY OTHER MATERIAL PERTINENT TO THE INVESTIGATION OF AN
15 APPLICATION OR ALLEGED VIOLATION OF THIS CHAPTER. FAILURE TO
16 PROVIDE THE REQUIRED MATERIAL MAY BE GROUNDS FOR APPLICATION
17 DENIAL OR LICENSE REVOCATION;

18
19 (B) ANY PERSON IN VIOLATION OF ANY PROVISION OF THIS CHAPTER,
20 INCLUDING THE OPERATION OF A MEDICAL MARIHUANA ESTABLISHMENT
21 WITHOUT A LICENSE ISSUED PURSAUNT TO THIS CHAPTER, SHALL BE
22 SUBJECT TO A CIVIL FINE AND COSTS. INCREASED CIVIL FINES MAY BE
23 IMPOSED FOR A REPEAT VIOLATION. AS USED IN THIS SECTION "REPEAT
24 VIOLATION" SHALL MEAN A SECOND OR ANY SUBSEQUENT INFRACTION OF
25 THE SAME REQUIREMENT OR PROVISION COMMITTED BY A PERSON OR
26 ESTABLISHMENT WITHIN ANY 12-MONTH PERIOD. UNLESS OTHERWISE
27 SPECIFICALLY PROVIDED IN THIS CHAPTER, THE PENALTY SCHEDULE IS AS
28 FOLLOWS:

- 29
30 (1) \$750, PLUS COSTS, FOR THE FIRST VIOLATION;
31 (2) \$1,000, PLUS COSTS, FOR A REPEAT VIOLATION;
32 (3) \$1,000, PLUS COSTS, PER DAY, PLUS COSTS, FOR ANY VIOLATION THAT
33 CONTINUES FOR MORE THAN ONE DAY.

34
35 (C) ALL FINES IMPOSED UNDER THIS CHAPTER SHALL BE PAID WITHIN 45
36 DAYS AFTER THE EFFECTIVE DATE OF THE ORDER IMPOSING THE FINE OR AS
37 OTHERWISE SPECIFIED IN THE ORDER;

38
39 (D) THE CLERK MAY TEMPORARILY SUSPEND A MEDICAL MARIHUANA
40 ESTABLISHMENT LICENSE WITHOUT A PRIOR HEARING IF THE MAYOR FINDS
41 THAT PUBLIC SAFETY OR WELFARE REQUIRES EMERGENCY ACTION
42 AFFECTING THE PUBLIC HEALTH, SAFETY, OR WELFARE. THE CLERK SHALL
43 CAUSE THE TEMPORARY SUSPENSION BY ISSUING A SUSPENSION NOTICE IN
44 CONNECTION WITH INSTITUTION OF PROCEEDINGS FOR NOTICE AND A
45 HEARING;

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

10
11 (F) IF THE CLERK DOES NOT HOLD A HEARING WITHIN THIRTY (30) DAYS
12 AFTER THE DATE THE SUSPENSION WAS SERVED ON THE LICENSEE OR
13 POSTED ON THE LICENSED PREMISES, OR IN THE CASE OF A GROWER
14 FACILITY SEVEN (7) DAYS, THEN THE SUSPENDED LICENSE SHALL BE
15 AUTOMATICALLY REINSTATED AND THE SUSPENSION VACATED.

16
17 (G) THE PENALTY PROVISIONS OF THIS CHAPTER ARE NOT INTENDED TO
18 FORECLOSE ANY OTHER REMEDY OR SANCTION THAT MIGHT BE AVAILABLE
19 TO, OR IMPOSED BY THE CITY, INCLUDING CRIMINAL PROSECUTION.
20

21 **1300.17 – NO VESTED RIGHTS**

22 A PROPERTY OWNER LESSOR, LICENSE APPLICANT, OR LICENSEE SHALL NOT
23 HAVE VESTED RIGHTS OR NONCONFORMING USE RIGHTS THAT WOULD SERVE
24 AS A BASIS FOR FAILING TO COMPLY WITH THIS CHAPTER OR ANY AMENDMENT
25 OF THIS CHAPTER.
26

27 **1300.18 – ZONING BOARD OF APPEALS**

28
29 (A) WHEN APPLYING FOR A LICENSE AS A PROVISIONING CENTER, AN
30 APPLICANT WHO DOES NOT MEET THE REQUIREMENTS OF SECTION
31 1300.13(A)(1)OR(2) MAY SEEK A VARIANCE FROM THOSE REQUIREMENTS BY
32 SUBMITTING WITH THEIR APPLICATION A WRITTEN APPLICATION TO THE
33 BOARD OF ZONING APPEALS AND PAYING A FEE SET BY COUNCIL RESOLUTION.
34 UPON RECEIVING AN APPLICATION WITH AN ACCOMPANYING APPLICATION
35 FOR A VARIANCE, THE CITY CLERK SHALL DETERMINE WHETHER THE
36 APPLICANT HAS SUBMITTED A COMPLETE APPLICATION MEETING THE
37 REQUIREMENTS OF THIS CHAPTER, AN APPROPRIATE NONREFUNDABLE
38 LICENSE APPLICATION FEE, AND AN APPROPRIATE VARIANCE APPLICATION
39 FEE. IF THE APPLICANT HAS SATISFIED THESE REQUIREMENTS AND THE
40 APPLICANT HAS RECEIVED WRITTEN APPROVALS REQUIRED UNDER THIS
41 CHAPTER, THE CITY CLERK SHALL IMMEDIATELY FORWARD THE APPLICATION
42 TO THE BOARD OF ZONING APPEALS.

43 (1) THE APPLICATION MUST IDENTIFY ALL OF THE REASONS THE
44 APPLICANT DOES NOT MEET THE REQUIREMENTS OF SECTION
45 1300.13(A), INCLUDING, IF APPLICABLE, THE NAME AND ADDRESS OF
46 ANY SUBSTANCE ABUSE TREATMENT, PREVENTION, OR
47 REHABILITATION FACILITY; CHURCH OR OTHER STRUCTURE USED

1 FOR RELIGIOUS SERVICES; PUBLIC PARK CONTAINING PUBLIC
2 PLAYGROUND EQUIPMENT; OR PROVISIONING CENTER THAT IS
3 WITHIN 500 FEET OF THE APPLICANT'S LOCATION.

- 4
- 5 (2) UPON RECEIPT OF AN APPLICATION MEETING THE
6 REQUIREMENTS OF SUBSECTION (A), THE BOARD SHALL GIVE
7 NOTICE TO THE OCCUPANTS OF ANY RESIDENTIAL OR
8 COMMERCIAL BUILDINGS WITHIN THE BUFFERED USE
9 DISTANCES SET FORTH IN SECTION 1300.13(A) OF THE
10 APPLICANT'S LOCATION. IF THE OCCUPANT'S NAME IS NOT
11 KNOWN, THE TERM "OCCUPANT" MAY BE USED. THE NOTICES
12 SHALL BE DELIVERED PERSONALLY OR BY MAIL AT THE
13 ADDRESS GIVEN IN THE LAST ASSESSMENT ROLL.
- 14
- 15 (3) THE BOARD OF ZONING APPEALS SHALL EITHER GRANT OR DENY
16 THE VARIANCE WITHIN A REASONABLE TIME. IN DETERMINING
17 WHETHER TO GRANT OR DENY THE VARIANCE, THE BOARD OF
18 ZONING APPEALS SHALL CONSIDER ALL OF THE FOLLOWING:
- 19 (I) THE AMOUNT OF TIME, IF ANY, THAT THE APPLICANT HAS
20 BEEN OPERATING IN COMPLIANCE WITH THIS CHAPTER AT
21 THE PRESENT LOCATION;
- 22 (II) THE EXTENT TO WHICH THE APPLICANT HAS DEMONSTRATED
23 A COMMITMENT TO THE LAND USE AND PUBLIC NUISANCE
24 CONCERNS IN THE SURROUNDING NEIGHBORHOOD;
- 25 (III) THE DISTANCE BETWEEN THE APPLICANT'S LOCATION AND
26 ANY MEDICAL MARIHUANA PROVISIONING CENTER THAT IS
27 WITHIN 500 FEET OF THE APPLICANT'S LOCATION.
- 28 (IV) THE NEED FOR A PROVISIONING CENTER AT THE LOCATION IN
29 ORDER TO PROVIDE THE SAFE AND EFFICIENT ACCESS TO
30 MEDICAL MARIHUANA WITHIN THE CITY;
- 31 (V) THE CHARACTER OF THE STRUCTURE AND ITS
32 SURROUNDINGS; AND
- 33 (VI) THE IMPACT OF THE VARIANCE ON THE CHARACTER OF THE
34 STRUCTURE'S SURROUNDINGS AND OWNERS OF OTHER
35 PROPERTIES IN THE VICINITY.
- 36
- 37 (4) IF THE BOARD OF ZONING APPEALS APPROVES THE VARIANCE, THE
38 APPLICATION AND DECISION SHALL IMMEDIATELY BE SUBMITTED
39 TO THE CITY CLERK FOR FURTHER PROCESSING UNDER THIS
40 CHAPTER.

41
42 **1300.19 – SUNSET**

43
44 PURSUANT TO SECTION 3-307 OF THE LANSING CITY CHARTER, THIS CHAPTER
45 SHALL EXPIRE DECEMBER 1, 2027.
46

1 SECTION 2. ALL ORDINANCES, RESOLUTIONS OR RULES, PARTS OF ORDINANCES,
2 RESOLUTIONS OR RULES, INCONSISTENT WITH THE PROVISIONS HEREOF ARE HEREBY
3 REPEALED IN THEIR ENTIRETY AND SHALL BE VOID AND OF NO EFFECT.

4 SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE
5 DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE
6 ORDINANCE AS A WHOLE, OR ANY PART THEREOF, OTHER THAN THE PART DECLARED
7 TO BE INVALID.

8 SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT ON THE 30TH DAY AFTER
9 ENACTMENT UNLESS GIVEN IMMEDIATE EFFECT BY THE CITY COUNCIL.