

ORDINANCE NO. \_\_\_\_\_

An ordinance to amend the Code of the City of Flint by amending Chapter 50, Zoning, by adding Article XXXII, Medical Marihuana Facilities, §50-183.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. That the Code of the City of Flint shall be amended by amending Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities, which shall read in their entirety as follows:

**§50-183. MEDICAL MARIHUANA FACILITIES OPT IN ORDINANCE.**

**THIS ORDINANCE OF THE CITY OF FLINT, MICHIGAN IS TO PROVIDE FOR THE LICENSING AND REGULATION OF MEDICAL MARIHUANA FACILITIES WITHIN THE CITY OF FLINT, MICHIGAN; TO ESTABLISH THE MAXIMUM NUMBER OF MEDICAL MARIHUANA LICENSED FACILITIES; TO ESTABLISH OPERATIONAL, LAND USE, AND ZONING REQUIREMENTS, AND STANDARDS ATTENDANT THERETO; TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE CITY OF FLINT AND ITS NEIGHBORHOODS; AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THE CHAPTER. THESE SPECIAL REGULATED USES PERTAIN TO MEDICAL MARIHUANA FACILITIES THAT ARE ALLOWED UNDER THE STATUES OF THE MICHIGAN MEDICAL MARIHUANA ACT, 2008 IL 1, MCL 333.26421 ET SEQ., AS AMENDED (“MMMA”), THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, MCL 333.2701, ET SEQ., (MMFLA), AND THE MARIHUANA TRACKING ACT (MTA), MCL 333.27901, ET SEQ.. THIS ORDINANCE IS SUBJECT**

**TO INTERPRETATION AND REVISION BASED ON RULES YET TO BE FULLY AND PERMANENTLY ADOPTED BY THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS (LARA). IF THE STANDARDS SET FORTH IN THIS ORDINANCE ARE IN CONFLICT WITH THE STANDARDS ADOPTED BY LARA THAN THE STANDARDS FROM LARA SHALL APPLY.**

**A. USES SUBJECT TO THESE CONTROLS ARE AS FOLLOWS:**

**(1) GROUP "E" – SPECIAL REGULATED USES:**

**I. MEDICAL MARIHUANA PROVISIONING CENTERS**

**(2) GROUP “F”- SPECIAL REGULATED USES:**

**I. COMMERCIAL MEDICAL MARIHUANA GROWING CENTERS**

**II. COMMERCIAL MEDICAL MARIHUANA PROCESSING CENTER**

**(3) GROUP “G” – SPECIAL REGULATED USES:**

**I. COMMERCIAL MEDICAL MARIHUANA SECURE TRANSPORT FACILITY**

**II. COMMERCIAL MEDICAL**

**MARIHUANA  
SAFETY  
COMPLIANCE  
FACILITY**

**B. DEFINITIONS:**

**FOR THE PURPOSES OF THIS  
CHAPTER:**

**ANY TERM DEFINED BY THE MICHIGAN MEDICAL MARIHUANA ACT, 2008 IL 1, MCL 333.26421 ET SEQ., AS AMENDED (“MMMA”), OR THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, 2016 PA 281, SHALL HAVE THE DEFINITION GIVEN IN THE MMMA, AS AMENDED, OR THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, AS AMENDED. THESE SPECIAL REGULATED USES PERTAIN TO MEDICAL MARIHUANA FACILITIES THAT ARE ALLOWED UNDER THE STATUTES OF THE MICHIGAN MEDICAL MARIHUANA ACT, 2008 IL 1, MCL 333.26421 ET SEQ., AS AMENDED (“MMMA”), THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, MCL 333.2701, ET SEQ., (“MMFLA”), AND THE MARIHUANA TRACKING ACT (“MTA”), MCL 333.27901, ET SEQ. IF THE DEFINITION OF A WORD OR PHRASE SET FORTH IN THIS ORDINANCE CONFLICTS WITH THE DEFINITION IN THE MMMA OR THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, OR IF A TERM IS NOT DEFINED BUT IS DEFINED IN THE MMMA OR THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, THEN THE DEFINITION IN THE MMMA OR THE MEDICAL MARIHUANA FACILITIES LICENSING ACT SHALL APPLY.**

**THIS ORDINANCE SHALL NOT LIMIT AN INDIVIDUAL’S OR ENTITY’S RIGHTS UNDER THE MMMA, MMFLA,**

**OR MTA AND THESE ACTS SUPERSEDE THIS ORDINANCE WHERE THERE IS A CONFLICT BETWEEN THEM AND THE IMMUNITIES AND PROTECTIONS ESTABLISHED IN THE MMMA UNLESS SUPERSEDED OR PREEMPTED BY THE MMFLA.**

**THE FOLLOWING DEFINITIONS APPLY TO ALL GROUP “E”, “F”, AND “G” SPECIAL REGULATED USES:**

- 1. DEDICATED PUBLIC PARK - A CITY OR PRIVATELY OWNED PIECE OF PROPERTY THAT CONTAINS DEED RESTRICTIONS EXPLICITLY STATING THE PROPERTY IS FOR THE USE OF THE GENERAL PUBLIC FOR LEISURE, RECREATION, OR GENERAL PUBLIC PURPOSES. PROPERTY DOES NOT NEED TO CONTAIN PLAYGROUND OR RECREATION EQUIPMENT TO BE ESTABLISHED AS A DEDICATED PUBLIC PARK SPACE.**
- 2. CITY - THE CITY OF FLINT, MICHIGAN.**
- 3. MEDICAL MARIHUANA GROWING CENTER - AN ENTITY THAT IS LICENSED TO OPERATE BY THE STATE OF MICHIGAN AND HAS APPLIED TO BE ESTABLISHED AS A SPECIAL REGULATED USE BY THE CITY. THIS FACILITY IS USED TO**

CULTIVATE, DRY, AND PACKAGE MEDICAL MARIHUANA IN ACCORDANCE WITH STATE LAW.

I. THE GROWING CENTER MUST BE LOCATED IN A STRUCTURE THAT IS A MINIMUM OF 2,000 SQUARE FEET FOR A CLASS A LICENSED GROWER, 5,000 SQUARE FEET FOR A CLASS B LICENSED GROWER, AND 8,000 SQUARE FEET FOR A CLASS C LICENSED GROWER. THE BUILDING MAY BE SPLIT AMONG MULTIPLE STATE LICENSED GROWERS, AND PROCESSORS GIVEN THAT THERE ARE WALLS OR PARTITIONS ERECTED BETWEEN THEM AND APPROVED BY BSI OFFICIALS, PURSUANT TO STATE BUILDING CODE.

II. IF A GROWING CENTER IS COLLOCATED WITH A GROUP E PROVISIONING CENTER, THE STRUCTURE MUST

BE A MINIMUM OF 9,000 SQUARE FEET.

III. A GROWING CENTER SHALL PROVIDE ONLY WHOLESALE PRODUCTS FOR THE USE OF OTHER MEDICAL MARIHUANA PROVISIONING CENTERS.

4. MEDICAL MARIHUANA PROCESSING CENTER - AN ENTITY THAT IS LICENSED BY THE STATE OF MICHIGAN THAT ACQUIRES MARIHUANA FROM A GROWER AND THAT EXTRACTS RESIN FROM THE MARIHUANA OR CREATES A MARIHUANA-INFUSED PRODUCT FOR SALE AND TRANSFER IN PACKAGED FORM TO A PROVISIONING CENTER.

I. THE PROCESSING CENTER MUST BE LOCATED IN A FACILITY THAT IS A MINIMUM OF 3,000 SQUARE FEET. THE BUILDING MAY BE SPLIT AMONG MULTIPLE STATE LICENSED PROCESSORS & GROWERS, GIVEN THAT THERE ARE WALLS OR PARTITIONS ERECTED BETWEEN THEM AND APPROVED BY BSI OFFICIALS,

PURSUANT TO  
STATE BUILDING  
CODE.

II. IF A PROCESSING  
CENTER IS  
COLLOCATED WITH  
A GROUP E  
PROVISIONING  
CENTER, THE  
STRUCTURE MUST  
BE A MINIMUM OF  
9,000 SQUARE FEET.

III. A PROCESSING  
CENTER SHALL  
PROVIDE ONLY  
WHOLESALE  
PRODUCTS FOR  
THE USE OF OTHER  
MEDICAL  
MARIHUANA  
PROVISIONING  
CENTERS.

5. MEDICAL MARIHUANA  
SECURE TRANSPORT  
FACILITY - A LICENSEE  
THAT IS A COMMERCIAL  
ENTITY LOCATED IN THIS  
STATE THAT STORES  
MEDICAL MARIHUANA  
AND TRANSPORTS  
MEDICAL MARIHUANA  
BETWEEN MEDICAL  
MARIHUANA LICENSED  
FACILITIES FOR A FEE.

6. MEDICAL MARIHUANA  
SAFETY COMPLIANCE  
FACILITY - A  
COMMERCIAL ENTITY  
THAT RECEIVES  
MARIJUANA FROM A  
MARIHUANA FACILITY  
OR REGISTERED  
CAREGIVER, TESTS IT

FOR CONTAMINANTS AND  
FOR  
TETRAHYDROCANNABIN  
OL (THC) AND OTHER  
CANNABINOIDS, RETURNS  
THE TEST RESULTS, AND  
MAY RETURN THE  
MARIJUANA TO THE  
MEDICAL MARIHUANA  
LICENSED FACILITY.

7. ENCLOSED, LOCKED  
FACILITY - A PERMANENT  
BUILDING HAVING A  
ROOF SUPPORTED BY  
COLUMNS OR ANY OTHER  
SUPPORT USED FOR THE  
ENCLOSURE OF PERSONS,  
ANIMALS, CHATTELS OR  
PROPERTY OF ANY KIND,  
OR CARRYING ON  
BUSINESS ACTIVITIES OR  
OTHER USES.  
MARIHUANA MUST BE  
GROWN AND STORED IN A  
FULLY ENCLOSED AREA  
EQUIPPED WITH  
SECURED LOCKS OR  
OTHER FUNCTIONING  
SECURITY DEVICES THAT  
PERMIT ACCESS ONLY BY  
A REGISTERED LICENSEE  
OR REGISTERED  
QUALIFYING PATIENT.

8. GROWER- A LICENSEE  
THAT IS AN ENTITY  
LOCATED IN THIS STATE,  
APPROVED BY THE  
STATE, THAT  
CULTIVATES, DRIES,  
TRIMS, OR CURES AND  
PACKAGES MARIHUANA  
FOR SALE TO A  
PROCESSOR OR  
PROVISIONING CENTER.

9. PRE-K THROUGH 12  
SCHOOL - A BUILDING OR

FACILITY THAT HOUSES STUDENTS RANGING FROM GRADES PRE-KINDERGARTEN (K) THROUGH THE 12TH GRADE (12). PRE-K THROUGH 12 FACILITIES CAN BE BOTH PUBLIC AND PRIVATE EDUCATIONAL ESTABLISHMENTS AND INCLUDE BOTH CHARTER AND PAROCHIAL SCHOLASTIC SYSTEMS. THIS LIST INCLUDES EARLY CHILDHOOD EDUCATION FACILITIES.

10. LICENSE APPLICATION - THE REQUIREMENTS AND PROCEDURES SET FORTH IN THIS ORDINANCE TO SECURE THE SUBJECT LICENSE.

11. LICENSEE - A PERSON HOLDING A STATE OPERATING LICENSE, PURSUANT TO THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, 2016 PA 281.

12. MARIHUANA - THE TERM AS DEFINED IN SECTION 7106 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.7106.

13. MARIHUANA FACILITY - LOCATION AT WHICH A LICENSE HOLDER IS LICENSED TO OPERATE UNDER THIS ORDINANCE, INCLUDING A PROVISIONING CENTER, PROCESSOR, GROWER, SAFETY COMPLIANCE

FACILITY, AND SECURE TRANSPORTER.

14. MARIHUANA-INFUSED PRODUCT - A TOPICAL FORMULATION, TINCTURE, BEVERAGE, EDIBLE SUBSTANCE, OR SIMILAR PRODUCT CONTAINING ANY USABLE MARIHUANA THAT IS INTENDED FOR HUMAN CONSUMPTION IN A MANNER OTHER THAN SMOKE INHALATION. MARIHUANA-INFUSED PRODUCT SHALL NOT BE CONSIDERED A FOOD FOR PURPOSES OF THE FOOD LAW, 2000 PA 92, MCL 289.1101 TO 289.8111

15. MARIHUANA PLANT - ANY PLANT OF THE SPECIES CANNABIS SATIVA L.

16. MEDICAL USE OF MARIHUANA - THE ACQUISITION, POSSESSION, CULTIVATION, MANUFACTURE, EXTRACTION, USE, INTERNAL POSSESSION, DELIVERY, TRANSFER, OR TRANSPORTATION OF MARIHUANA, MARIHUANA-INFUSED PRODUCTS, OR PARAPHERNALIA RELATING TO THE ADMINISTRATION OF MARIHUANA TO TREAT OR ALLEVIATE A REGISTERED QUALIFYING PATIENT'S DEBILITATING MEDICAL CONDITION OR SYMPTOMS ASSOCIATED

**WITH THE DEBILITATING  
MEDICAL CONDITION.**

**1, MCL 333.26421 TO  
333.26430.**

- 17. MEDICAL MARIHUANA  
PROVISIONING CENTER-  
A LICENSEE THAT IS AN  
ENTITY LOCATED IN THIS  
STATE THAT PURCHASES  
MARIHUANA FROM A  
GROWER OR PROCESSOR  
AND SELLS, SUPPLIES, OR  
PROVIDES MARIHUANA  
TO REGISTERED  
QUALIFYING PATIENTS,  
DIRECTLY OR THROUGH  
THE PATIENTS'  
REGISTERED PRIMARY  
CAREGIVERS.  
PROVISIONING CENTER  
INCLUDES ANY  
COMMERCIAL PROPERTY  
WHERE MARIHUANA IS  
SOLD AT RETAIL TO  
REGISTERED  
QUALIFYING PATIENTS  
OR REGISTERED  
PRIMARY CAREGIVERS. A  
NONCOMMERCIAL  
LOCATION USED BY A  
PRIMARY CAREGIVER TO  
ASSIST A QUALIFYING  
PATIENT CONNECTED TO  
THE CAREGIVER  
THROUGH THE  
DEPARTMENT'S  
MARIHUANA  
REGISTRATION PROCESS  
IN ACCORDANCE WITH  
THE MMMA ACT IS NOT A  
PROVISIONING CENTER  
FOR PURPOSES OF THIS  
ORDINANCE.**
- 18. MICHIGAN MEDICAL  
MARIHUANA ACT - THE  
MICHIGAN MEDICAL  
MARIHUANA ACT, 2008 IL**

- 19. ORDINANCE - THIS  
ORDINANCE, CHAPTER 50  
ARTICLE XXXI, SECTION  
183.**
- 20. PLACE OF WORSHIP - A  
PLACE OF WORSHIP IS A  
SPECIALLY DESIGNED  
STRUCTURE OR  
CONSECRATED SPACE  
WHERE INDIVIDUALS OR  
A GROUP OF PEOPLE  
SUCH AS A  
CONGREGATION COME  
TO PERFORM ACTS OF  
DEVOTION, VENERATION,  
OR RELIGIOUS STUDY  
THAT IS RECOGNIZED AS  
A TAX-EXEMPT ENTITY,  
AS DETERMINED BY THE  
CITY ASSESSOR'S OFFICE.**
- 21. PLANT - ANY LIVING  
ORGANISM THAT  
PRODUCES ITS OWN  
FOOD THROUGH  
PHOTOSYNTHESIS AND  
HAS OBSERVABLE ROOT  
FORMATION OR IS IN  
GROWTH MATERIAL.**
- 22. RESIDENTIAL PROPERTY  
- A PIECE OF PROPERTY  
THAT IS PRINCIPALLY  
ZONED FOR DWELLING  
PURPOSES. THIS TYPE OF  
STRUCTURE INCLUDES,  
BUT IS NOT LIMITED TO,  
SINGLE-FAMILY  
DWELLINGS, TWO-  
FAMILY DWELLINGS,  
MULTI-FAMILY  
DWELLINGS, AND  
MANUFACTURED  
HOUSING COMMUNITIES.**

23. RESIDENTIAL ZONED DISTRICT - THE RESIDENTIAL ZONED DISTRICTS ARE "A-1", "A-2", "B", "B-1", "C-1", AND "C-2".

24. STATE - THE STATE OF MICHIGAN.

25. STATE LICENSED CULTIVATOR/GROWER - AN INDIVIDUAL WHO HAS APPLIED FOR AND BEEN AUTHORIZED FOR A GROWER LICENSE IN MICHIGAN PURSUANT TO THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, 2016 PA 281. THIS LICENSE AUTHORIZES THE SECURE TRANSFER OF MARIHUANA AND THE SALE OF SEEDS OR PLANTS TO ANOTHER GROWER OR PROCESSOR. INDIVIDUALS CAN APPLY FOR 3 DIFFERENT LICENSE CLASSES, EACH OF WHICH AUTHORIZES THE GROWER TO GROW NOT MORE THAN THE FOLLOWING NUMBER OF MARIHUANA PLANTS:

- I. CLASS A - 500 MARIHUANA PLANTS.
- II. CLASS B - 1,000 MARIHUANA PLANTS.
- III. CLASS C - 1,500 MARIHUANA PLANTS.

\*ALL COMMERCIAL GROWING CENTER LICENSE CLASSES MAY BE "STACKED", TO THE EXTENT PERMITTED BY THE STATE OF MICHIGAN.

26. STATE OPERATING LICENSE (OR LICENSE) - A LICENSE THAT IS ISSUED UNDER THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, 2016 PA 281 THAT ALLOWS THE LICENSEE TO OPERATE AS ONE (1) OF THE FOLLOWING, SPECIFIED IN THE LICENSE:

- I. A GROWER.
- II. A PROCESSOR.
- III. A SECURE TRANSPORTER (FACILITY).
- IV. A PROVISIONING CENTER.
- V. A SAFETY COMPLIANCE FACILITY.

27. MEDICAL RESEARCH FACILITY - AN APPLICANT WHICH (1) SEEKS A GROW AND PROCESSING AND/OR PROVISIONING CENTER LICENSE, (2) IS LOCATED IN A BUILDING OF AT LEAST 10,000 SQUARE FEET, (3) IN AN INDUSTRIALLY ZONED DISTRICT, WHERE (4) THE APPLICANT IS A VERIFIED MICHIGAN-LICENSED PHYSICIAN OR PARTNERSHIP/ENTITY

MADE UP EXCLUSIVELY OF VERIFIED MICHIGAN-LICENSED PHYSICIANS, (5) AND ONE OR MORE MICHIGAN-LICENSED PHYSICIANS ARE PHYSICALLY ON SITE AND AVAILABLE TO SEE MEDICAL MARIHUANA PATIENTS DURING AT LEAST HALF OF OPERATING HOURS AND (5) ANNUALLY DEMONSTRATES PROOF OF CLINICAL RESEARCH INVOLVING MEDICAL MARIHUANA; IS DEFINED AS A "MEDICAL RESEARCH FACILITY" AND THUSLY SHALL BE SUBJECT TO AMENDED LOCATIONAL STANDARDS.

**C. LICENSE ALLOCATION AND ANNUAL FEES**

1. NO PERSON SHALL OPERATE A GROUP "E", "F", OR "G" USE IN THE CITY OF FLINT WITHOUT OBTAINING BOTH A LICENSE TO DO SO THROUGH BOTH THE CITY AND THE STATE.

2. THE CITY SHALL ISSUE NO MORE THAN THE FOLLOWING FOR EACH LICENSE TYPE:

I. MEDICAL MARIHUANA PROVISIONING CENTERS: 20 LICENSES

II. COMMERCIAL MEDICAL

MARIHUANA GROWING CENTER: NO LIMIT \* MORE THAN 1 STATE ISSUED COMMERCIAL GROWING CENTER LICENSE CAN OPERATE WITHIN 1 STRUCTURE, TO THE EXTENT PERMITTED BY THE STATE OF MICHIGAN.

III. COMMERCIAL MEDICAL MARIHUANA PROCESSING CENTER: NO LIMIT \* MORE THAN 1 STATE ISSUED COMMERCIAL PROCESSING CENTER LICENSE CAN OPERATE WITHIN 1 STRUCTURE, TO THE EXTENT PERMITTED BY THE STATE OF MICHIGAN.

IV. COMMERCIAL MEDICAL MARIHUANA SECURE TRANSPORTER: 5 LICENSES

V. COMMERCIAL MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY: 5 LICENSES



3. THE LICENSE QUOTAS ARE PERMITTED TO THE EXTENT REGULATED BY THE MMLB RULES AND REGULATIONS AND ARE SUBJECT TO CHANGE BASED ON ANY POTENTIAL RULINGS MADE BY THE BOARD.

4. MERIT REVIEW PROCESS.

IN ORDER TO SEEK THE BEST CANDIDATES FOR MEDICAL MARIHUANA FACILITY LICENSURE FOR THE CITY OF FLINT, THE CITY SHALL REVIEW AND SCORE AND RANK THE APPLICANTS BASED UPON THEIR OBJECTIVE MERITS IF THE NUMBER OF LICENSE APPLICANTS EXCEEDS THE NUMBER OF LICENSES AVAILABLE.

A. APPLICATION WINDOW.

FOLLOWING THE EFFECTIVE DATE OF THIS ORDINANCE, THERE SHALL BE AN OPEN APPLICATION PERIOD OF FORTY FIVE (45) DAYS DURING WHICH THE CITY SHALL COLLECT APPLICATIONS FOR ALL MARIHUANA FACILITY LICENSES THAT ARE SUBJECT TO A CAP. IN THE EVENT THAT MORE APPLICATIONS FOR LICENSES ARE SUBMITTED DURING THIS WINDOW THAN THE NUMBER OF LICENSES AVAILABLE, THOSE

APPLICATIONS WOULD THEN BE REVIEWED BY STAFF.

B. BLIND REVIEW.

EACH APPLICATION SHALL ASSIGNED AN APPLICATION NUMBER BY THE ZONING COORDINATOR, WHICH SHALL BE THE SOLE MEANS OF IDENTIFYING THAT APPLICATION THROUGH THE ENTIRETY OF THE REVIEW AND SCORING PROCESS. THE ZONING COORDINATOR SHALL NOT PARTICIPATE IN THE SCORING PROCESS; AND ALL INDIVIDUALS REVIEWING AND SCORING THE APPLICATIONS SHALL ONLY KNOW THE SPECIFICATIONS OF THE APPLICATIONS AND THE APPLICATION NUMBER - NOT THE IDENTITIES OF THE APPLICANTS THEMSELVES.

C. SCORING PANEL.

CITY STAFF SHALL REVIEW AND SCORE THE APPLICATIONS. ASSIGNED STAFF CONSISTING OF THE DESIGNEES OF THE HEADS OF THE CITY CLERK'S OFFICE, LEGAL, PLANNING AND ZONING, POLICE, FIRE, AND BUILDING AND SAFETY INSPECTION DEPARTMENTS SHALL SCORE THE MEDICAL MARIHUANA FACILITY LICENSES, BASED UPON A

**PREDETERMINED RUBRIC OF CRITERIA.**

**D. FACTORS FOR SCORING.**

THE ASSIGNED CITY STAFF SHALL CREATE A SCORING RUBRIC, OUTLINING THE FACTORS AND WEIGHT OF CRITERIA CONSIDERED FOR THE SCORING OF SUCH APPLICATIONS, AND SHALL PROVIDE THE FINAL RUBRIC FOR MODIFICATION AND FINAL APPROVAL BY A MAJORITY OF THE CITY COUNCIL. THE SCORING CRITERIA SHALL INCLUDE FACTORS SUCH AS THE PROPOSED NUMBER OF EMPLOYEES WHO WOULD BE WORKING AT THE SITE, WHETHER AND TO WHAT EXTENT THE APPLICATION COMMITS TO LOCAL HIRING FOR STAFF AND/OR SUBCONTRACTORS, THE SIZE OF THE PROPOSED FACILITY, THE TOTAL CAPITAL INVESTMENT, WHETHER THE APPLICANT HAS A HISTORY OF PRIOR BUILDING/CODE VIOLATIONS AND WHETHER THE APPLICANT HAS ALREADY RECEIVED PRE-APPROVAL BY THE STATE OF MICHIGAN FOR LICENSURE.

**E. DETERMINATION OF ORDER.**

ONCE THE APPLICATIONS ARE SCORED, INDIVIDUAL APPLICANTS SHALL BE NOTIFIED OF THE ORDER OF THEIR PLACEMENT, AND THOSE WITHIN THE CAP MAY PROCEED THROUGH THE LICENSE APPLICATION PROCESS ACCORDINGLY. FAILURE TO COMPLETE THE LICENSE APPLICATION PROCESS WITHIN SIX (6) MONTHS SHALL RESULT IN THE DENIAL OF THE APPLICATION, AND THE NEXT-BEST APPLICANT SHALL BE AFFORDED THE OPPORTUNITY TO APPLY. THE RESULTING LIST OF SCORES SHALL BE USED AS THE ORDER FOR ANY WAITING LIST, IN THE EVENT THAT (A) CURRENTLY EXISTING, GRANDFATHERED FACILITIES DO NOT PASS THE STATE OF MICHIGAN'S LICENSURE PROCESS, (B) OTHER FACILITIES CLOSE ON THEIR OWN ACCORD, ARE CLOSED BY COURT OR ADMINISTRATIVE ORDER AND/OR HAVE THEIR LICENSES REVOKED, OR (C) THE CITY CHOOSES TO RAISE THE LICENSE LIMIT FOR THAT KIND OF FACILITY AT A FUTURE DATE.

5. THE NON-REFUNDABLE APPLICATION FEE FOR A MEDICAL MARIHUANA FACILITY LICENSE IS \$1500 PER LICENSE, AND THE ANNUAL FEE FOR A

MEDICAL MARIHUANA FACILITY LICENSE SHALL BE \$5000. THE TERM OF EACH LICENSE SHALL BE ONE (1) YEAR, BEGINNING WHEN THE LICENSEE IS GRANTED A CERTIFICATE OF OCCUPANCY PERMIT FROM THE BUILDING & SAFETY, INSPECTIONS DIVISION.

I. THE \$5000 ANNUAL LICENSE FEE BEGINS AND COMMENCES AT THE TIME OF RECEIPT OF THE APPLICANT'S CERTIFICATE OF OCCUPANCY BY THE CITY.

**D. OPERATION WITHOUT LICENSE PROHIBITED**

(1) EVERY MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY OF FLINT SHALL BE LICENSED PURSUANT TO THE TERMS AND PROVISIONS SET FORTH IN THIS CHAPTER. NO PERSON SHALL OPERATE A MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY WITHOUT FIRST OBTAINING A LICENSE. A MEDICAL MARIHUANA ESTABLISHMENT OPERATION WITHOUT A LICENSE UNDER THE PROVISIONS OF THIS CHAPTER OR WITHOUT A STATE LICENSE OR APPROVAL PURSUANT TO THE MMFLA, AS AMENDED FROM TIME TO

TIME, IS HEREBY DECLARED TO BE A PUBLIC NUISANCE.

**E. LICENSE APPLICATION SUBMISSION**

(1) APPLICATION FOR ANY GROUP "E", "F", OR "G" MEDICAL MARIHUANA LICENSE REQUIRED BY THIS ORDINANCE SHALL BE MADE IN WRITING TO THE ZONING COORDINATOR, AND MUST BE APPROVED BY THE PLANNING COMMISSION, AND APPROVED BY THE STATE OF MICHIGAN, PRIOR TO COMMENCING OPERATION. UPON THE EXPIRATION OF AN EXISTING LICENSE, A LICENSE WILL BE AUTOMATICALLY RENEWED BY THE CITY OF FLINT FOR ONE (1) YEAR IF THE FOLLOWING CONDITIONS ARE MET: (1) THERE ARE NO UNCURED ADMINISTRATIVE VIOLATIONS IN THE PRIOR YEAR; (2) THE APPLICANT HAS PAID THE ANNUAL LICENSING FEE FOR THE RENEWAL PERIOD; (3) ANY STAKEHOLDER CHANGES HAVE BEEN FULLY DISCLOSED TO THE CITY OF FLINT; AND (4) THE APPLICANT HAS PAID AND RECEIVED THE RENEWAL OF ITS STATE LICENSE.

(2) AN APPLICATION FOR A MEDICAL MARIHUANA

**FACILITY LICENSE  
REQUIRED BY THIS  
ORDINANCE SHALL  
CONTAIN THE  
FOLLOWING:**

- I. THE APPROPRIATE  
NON-REFUNDABLE  
APPLICATION FEE  
IS \$1500 PER  
LICENSE, AND THE  
ANNUAL LICENSE  
FEE FOR A  
MEDICAL  
MARIHUANA  
FACILITY LICENSE  
SHALL BE \$5000,  
LESS THE INITIAL  
PAYMENT OF THE  
APPLICATION FEE  
FOR THE FIRST  
YEAR ONLY.**
- II. IF THE APPLICANT  
IS AN INDIVIDUAL,  
THE APPLICANT'S  
NAME, DATE OF  
BIRTH, PHYSICAL  
ADDRESS, COPY OF  
GOVERNMENT  
ISSUED PHOTO  
IDENTIFICATION,  
EMAIL ADDRESS,  
AND ONE OR MORE  
PHONE NUMBERS,  
INCLUDING  
EMERGENCY  
CONTACT  
INFORMATION;**
- III. IF THE APPLICANT  
IS NOT AN  
INDIVIDUAL, THE  
NAMES, DATES OF  
BIRTH, PHYSICAL  
ADDRESSES, COPY  
OF GOVERNMENT  
ISSUED PHOTO  
IDENTIFICATION,**

**EMAIL ADDRESSES,  
AND ONE OR MORE  
PHONE NUMBERS  
OF EACH  
STAKEHOLDER OF  
THE APPLICANT,  
INCLUDING  
DESIGNATION OF  
THE HIGHEST  
RANKING  
STAKEHOLDER AS  
AN EMERGENCY  
CONTACT PERSON  
AND CONTACT  
INFORMATION FOR  
THE EMERGENCY  
CONTACT PERSON,  
ARTICLES OF  
INCORPORATION,  
ASSUMED NAME  
REGISTRATION  
DOCUMENTS,  
INTERNAL  
REVENUE SERVICE  
SS-4 EIN  
CONFIRMATION  
LETTER, AND A  
COPY OF THE  
OPERATING  
AGREEMENT OF  
THE APPLICANT, IF  
A LIMITED  
LIABILITY  
COMPANY, A COPY  
OF THE  
PARTNERSHIP  
AGREEMENT, IF A  
PARTNERSHIP, OR A  
COPY OF THE BY-  
LAWS OR  
SHAREHOLDER  
AGREEMENT, IF A  
CORPORATION;**

- IV. THE NAME AND  
ADDRESS OF THE  
PROPOSED  
MEDICAL**

MARIHUANA FACILITY AND ANY ADDITIONAL CONTACT INFORMATION DEEMED NECESSARY AND REQUESTED BY THE CITY;

V. FOR THE APPLICANT, FOR EACH STAKEHOLDER OF THE APPLICANT, AN AFFIRMATION UNDER OATH AS TO WHETHER THEY ARE AT LEAST 18 YEARS OF AGE AND HAVE NEVER BEEN INDICTED FOR, CHARGED WITH, ARREST FOR, OR CONVICTED OR PLED GUILTY OR NOLO CONTENDERE TO, FORFEITED BAIL CONCERNING, OR HAD EXPUNGED ANY CRIMINAL OFFENSE UNDER THE LAWS OF ANY JURISDICTION, EITHER FELONY OR CONTROLLED-SUBSTANCE-RELATED MISDEMEANOR NOT INCLUDING TRAFFIC VIOLATIONS, REGARDLESS OF WHETHER THE OFFENSE HAS BEEN EXPUNGED, PARDONED,

REVERSED ON APPEAL OR OTHERWISE, INCLUDING THE DATE, NAME AND LOCATION OF THE COURT, ARRESTING AGENCY, AND PROSECUTING AGENCY, THE CASE CAPTION, THE DOCKET NUMBER, THE OFFENSE, THE DISPOSITION, AND THE LOCATION AND LENGTH OF INCARCERATION;

VI. AN AFFIRMATION UNDER OATH THAT THE APPLICANT, BEFORE HIRING A PROSPECTIVE AGENT OR EMPLOYEE OF THE APPLICANT, AND AFTER, THE HOLDER OF A LICENSE SHALL CONDUCT A BACKGROUND CHECK OF THE PROSPECTIVE EMPLOYEE. IF THE BACKGROUND CHECK INDICATES A PENDING CHARGE OR CONVICTION WITHIN THE PAST TEN (10) YEARS FOR A CONTROLLED SUBSTANCE-RELATED FELONY, THE APPLICANT SHALL NOT HIRE THE PROSPECTIVE EMPLOYEE OR

AGENT WITHOUT WRITTEN PERMISSION FROM THE CITY COUNCIL;

VII. A SIGNED RELEASE AUTHORIZING THE CITY OF FLINT POLICE DEPARTMENT TO PERFORM A CRIMINAL BACKGROUND CHECK TO ASCERTAIN WHETHER THE APPLICANT, EACH STAKEHOLDER OF THE APPLICANT, EACH MANAGERIAL EMPLOYEE AND EMPLOYEE OF THE APPLICANT MEET THE CRITERIA SET FORTH IN THIS ORDINANCE;

VIII. THE NAME, DATE OF BIRTH, PHYSICAL ADDRESS, COPY OF PHOTO IDENTIFICATION, AND EMAIL ADDRESS FOR ANY MANAGERIAL EMPLOYEE OR EMPLOYEE OF THE MEDICAL MARIHUANA FACILITY, IF OTHER THAN THE APPLICANT;

IX. AN AFFIRMATION UNDER OATH AS TO WHETHER THE APPLICANT OR STAKEHOLDER HAS

EVER APPLIED FOR OR HAS BEEN GRANTED ANY COMMERCIAL LICENSE OR CERTIFICATE ISSUED BY A LICENSING AUTHORITY IN MICHIGAN OR ANY OTHER JURISDICTION THAT HAS BEEN DENIED, RESTRICTED, SUSPENDED, REVOKED, OR NOT RENEWED AND A STATEMENT DESCRIBING THE FACTS AND CIRCUMSTANCES CONCERNING THE APPLICATION, DENIAL, RESTRICTION, SUSPENSION, REVOCATION, OR NONRENEWAL, INCLUDING THE LICENSING AUTHORITY, THE DATE EACH ACTION WAS TAKEN, AND THE REASON FOR EACH ACTION;

X. ONE OF THE FOLLOWING: (A) PROOF OF OWNERSHIP OF THE ENTIRE PREMISES WHEREIN THE MEDICAL MARIHUANA FACILITY IS TO BE OPERATED; OR (B)

WRITTEN CONSENT FROM THE PROPERTY OWNER FOR USE OF THE PREMISES IN A MANNER REQUIRING LICENSURE UNDER THIS ORDINANCE ALONG WITH A COPY OF THE LEASE FOR THE PREMISES;

XI. PROOF OF AN ADEQUATE PREMISE LIABILITY AND CASUALTY INSURANCE POLICY IN THE AMOUNT NOT EXCEEDING THE REQUIREMENTS ADDRESSED IN THE MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAWS, COVERING THE MEDICAL MARIHUANA FACILITY AND NAMING THE CITY AS AN ADDITIONAL INSURED PARTY, AVAILABLE FOR THE PAYMENT OF ANY DAMAGES ARISING OUT OF AN ACT OR OMISSION OF THE APPLICANT OR ITS STAKEHOLDERS, AGENTS, EMPLOYEES, OR SUBCONTRACTORS;

XII. A SECURITY PLAN FOR THE MEDICAL MARIHUANA FACILITY THAT CONTAINS A COMPREHENSIVE DIAGRAM, INCLUDING, BUT NOT LIMITED TO, ANY LIGHTING, ALARMS, BARRIERS, RECORDING/MONITORING DEVICES, AND/OR SECURITY GUARD ARRANGEMENTS PROPOSED FOR THE FACILITY AND PREMISES. THE SECURITY PLAN MUST CONTAIN THE SPECIFICATION DETAILS OF EACH PIECE OF SECURITY EQUIPMENT. EACH MEDICAL MARIHUANA FACILITY MUST HAVE A SECURITY GUARD PRESENT DURING BUSINESS HOURS OR ALTERNATIVE SECURITY PROCEDURES SHALL BE PROPOSED IN THE BUSINESS PLAN;

1. SECURITY CAMERAS ARE REQUIRED FOR ANY GROUP "E", "F" OR "G"

SPECIAL REGULATED USE OPERATION. FOR GROUP "E", "F", AND "G" SPECIAL REGULATED USES, THE SECURITY PLANS MOST INCLUDE DETAILS ON THE LOCATION AND NUMBER OF SECURITY CAMERAS LOCATED ON THE PREMISES, BOTH ON THE INTERIOR AND EXTERIOR. AT A MINIMUM, SECURITY CAMERAS MUST BE INSTALLED TO CAPTURE ALL ENTRY AND EXIT DOORS, PUBLIC COUNTERS, AND PARKING LOTS;

2. THE MAKE AND MODEL OF THE SECURITY CAMERAS MUST MEET THE FLINT PROJECT

C.A.T.T. EYE SPECIFICATIONS AND THE VIDEO FEED MADE AVAILABLE TO BE MONITORED TWENTY-FOUR HOURS/DAY BY THE FLINT POLICE DEPARTMENT. SIGNS AND DECALS ARE STRONGLY ENCOURAGED TO BE POSTED WITHIN THE MEDICAL MARIHUANA ESTABLISHMENT INDICATING THE FACILITY IS PART OF FLINT PROJECT C.A.T.T. EYE.

XIII. A FLOOR PLAN OF THE MEDICAL MARIHUANA FACILITY, AS WELL AS A SCALE DIAGRAM ILLUSTRATING THE PROPERTY UPON WHICH THE MEDICAL MARIHUANA FACILITY IS TO BE OPERATED, INCLUDING ALL AVAILABLE



**PARKING SPACES,  
AND SPECIFYING  
WHICH PARKING  
SPACES, IF ANY,  
ARE HANDICAPPED-  
ACCESSIBLE;**

**XIV. AN AFFIDAVIT  
THAT NEITHER THE  
APPLICANT NOR  
ANY STAKEHOLDER  
OF THE APPLICANT  
IS IN DEFAULT TO  
THE CITY.  
SPECIFICALLY,  
THAT THE  
APPLICANT OR  
STAKEHOLDER OF  
THE APPLICANT  
HAS NOT FAILED TO  
PAY ANY  
PROPERTY TAXES,  
SPECIAL  
ASSESSMENTS,  
FINES, FEE OR  
OTHER FINANCIAL  
OBLIGATIONS TO  
THE CITY;**

**XV. AN AFFIDAVIT  
THAT THE  
TRANSFER OF  
MARIHUANA TO  
AND FROM  
MEDICAL  
MARIHUANA  
FACILITIES SHALL  
BE IN COMPLIANCE  
WITH THE MMMA  
AND THE MEDICAL  
MARIHUANA  
FACILITIES  
LICENSING ACT OR  
OTHER  
APPLICABLE STATE  
LAWS;**

**XVI. A STAFFING PLAN  
COMPLETE WITH**

**AN  
ORGANIZATIONAL  
CHART LISTING  
ALL INDIVIDUALS  
THAT INCLUDES  
POSITION  
DESCRIPTIONS AND  
THE NAMES OF  
EACH PERSON  
HOLDING EACH  
POSITION;**

**XVII. ANY PROPOSED  
TEXT OR  
GRAPHICAL  
MATERIALS TO BE  
SHOWN ON THE  
EXTERIOR OF THE  
PROPOSED  
MEDICAL  
MARIHUANA  
FACILITY;**

**XVIII. A BUSINESS PLAN  
THAT INCLUDES A  
PROPOSED  
MARKETING PLAN,  
SCHEDULED  
TANGIBLE CAPITAL  
INVESTMENT IN  
THE CITY  
INCLUDING AN  
EXPLANATION OF  
THE ECONOMIC  
BENEFITS TO THE  
CITY AND JOB  
CREATION  
STATISTICS. THE  
PLAN SHOULD  
INCLUDE BOTH THE  
SHORT AND LONG  
TERM GOALS AND  
OBJECTIVES OF  
THE BUSINESS  
OPERATION;**

**XIX. A LOCATION AREA  
MAP OF THE  
MEDICAL**

MARIHUANA FACILITY AND SURROUNDING AREA THAT IDENTIFIES THE RELATIVE LOCATIONS AND THE DISTANCES (CLOSEST PROPERTY LINE TO THE SUBJECT MEDICAL MARIHUANA FACILITY'S BUILDING) TO THE SUBJECT MEDICAL MARIHUANA FACILITY TO THE CLOSEST REAL PROPERTY COMPRISING A PRE-K-12 SCHOOL; A PLACE OF WORSHIP; AND ANY DEDICATED PUBLIC PARK(S);

XX. A FACILITY SANITATION PLAN TO PROTECT AGAINST ANY MARIHUANA BEING INGESTED BY ANY PERSON OR ANIMAL, INDICATING HOW THE WASTE WILL BE STORED AND DISPOSED OF, AND HOW ANY MARIHUANA WILL BE RENDERED UNUSABLE UPON DISPOSAL. DISPOSAL BY ON-SITE BURNING OR INTRODUCTION IN THE SEWERAGE

SYSTEM IS PROHIBITED;

XXI. A HAZARDOUS MATERIAL PLAN, INDICATING WHAT, IF ANY, HAZARDOUS SUBSTANCES WILL BE ON THE PREMISES, IN WHAT QUANTITIES, THE INTENDED USAGE OF SUCH HAZARDOUS MATERIALS, AND THE PLANS FOR THE DISPOSAL OF SUCH HAZARDOUS MATERIALS AND/OR THEIR BYPRODUCTS. ALL WASTE THAT HIS HAZARDOUS MUST BE DISPOSED OF PURSUANT TO PART 111 OF 1994 PA 451, HAZARDOUS WASTE MANAGEMENT.

XXII. A PROPOSED PATIENT RECORDKEEPING PLAN THAT WILL TRACK QUANTITIES SOLD TO INDIVIDUAL PATIENTS AND CAREGIVERS, AND WILL MONITOR INVENTORY;

XXIII. A DESCRIPTION OF PROCEDURES FOR TESTING OF CONTAMINANTS, INCLUDING MOLD AND PESTICIDES;

**XXIV. AN AFFIRMATION UNDER OATH THAT THE APPLICANT ACKNOWLEDGES THE CURRENT STATUS OF FEDERAL MARIHUANA LAW AND AGREES THAT, AS A CONDITION OF RECEIVING A LICENSE FROM THE CITY OF FLINT, ANY PLANT(S) POSSESSED BY THE APPLICANT IN EXCESS OF THE LICENSED QUANTITY OF PLANTS PERMITTED MAY BE IMMEDIATELY CONFISCATED FOR DESTRUCTION WITHOUT A HEARING; AND THAT THE APPLICANT AGREES TO WAIVE ANY RIGHT OF RECOURSE AGAINST THE CITY FOR ANY DAMAGES OR RESTITUTION FOR THE VALUE OF SUCH EXCESS PLANT(S).**

**XXV. AS IT RELATES TO A GROWING OR A PROCESSING FACILITY, THE FOLLOWING ADDITIONAL ITEMS SHALL BE REQUIRED:**

- 1. A GROWER PLAN THAT INCLUDES AT A MINIMUM A DESCRIPTION OF THE GROWER METHODS TO BE USED, INCLUDING PLANS FOR THE GROWING MEDIUMS, TREATMENTS AND/OR ADDITIVES;**
- 2. A PROCESSING PLAN THAT INCLUDES AT A MINIMUM A DESCRIPTION OF THE METHODS TO BE USED;**
- 3. A PRODUCTION TESTING PLAN THAT INCLUDES AT A MINIMUM A DESCRIPTION OF HOW AND WHEN SAMPLES FOR LABORATORY TESTING BY A STATE APPROVED SAFETY COMPLIANCE FACILITY WILL BE SELECTED, WHAT TYPE**

OF TESTING  
WILL BE  
REQUESTED,  
AND HOW  
THE TEST  
RESULTS  
WILL BE  
USED;

4. AN  
AFFIDAVIT  
THAT ALL  
OPERATIONS  
WILL BE  
CONDUCTED  
IN  
CONFORMAN  
CE WITH THE  
MMMA, THE  
MEDICAL  
MARIHUANA  
FACILITIES  
LICENSING  
ACT OR  
OTHER  
APPLICABLE  
STATE LAWS  
AND SUCH  
OPERATIONS  
SHALL NOT  
BE  
CULTIVATED  
ON THE  
PREMISES AT  
ANY ONE  
TIME MORE  
THAN THE  
PERMITTED  
NUMBER OF  
MARIHUANA  
PLANTS PER  
THE  
MICHIGAN  
MEDICAL  
MARIHUANA  
ACT, AS  
AMENDED,  
AND THE

MEDICAL  
MARIHUANA  
FACILITIES  
LICENSING  
ACT;

5. A CHEMICAL  
AND  
PESTICIDE  
STORAGE  
PLAN THAT  
STATES THE  
NAMES OF  
THE  
CHEMICALS  
AND  
PESTICIDES  
TO BE USED  
IN A  
GROWING OR  
PROCESSING  
FACILITY,  
AND WHERE  
AND HOW  
PESTICIDES  
AND  
CHEMICALS  
WILL BE  
STORED IN  
THE  
FACILITY,  
ALONG WITH  
A PLAN FOR  
THE  
DISPOSAL OF  
UNUSED  
PESTICIDES;
6. ALL  
GROWERS  
AND  
PROCESSORS  
MUST BE  
PERFORMED  
WITHIN AN  
ENCLOSED  
LOCKED  
FACILITY

WHICH MAY  
INCLUDE  
INDOORS OR  
IN AN  
ENCLOSED  
GREENHOUSE

- (3) UPON RECEIPT OF A COMPLETED MEDICAL MARIHUANA FACILITY APPLICATION MEETING THE REQUIREMENTS OF THIS ORDINANCE AND CONFIRMATION THAT THE NUMBER OF EXISTING LICENSES DOES NOT EXCEED THE MAXIMUM NUMBER ESTABLISHED BY RESOLUTION PURSUANT TO 2(C), ABOVE, THE ZONING COORDINATOR SHALL REFER A COPY OF THE APPLICATION TO EACH OF THE FOLLOWING FOR THEIR REVIEW AND APPROVAL: THE CITY ATTORNEY OR THEIR DESIGNEE, THE POLICE DEPARTMENT OR THEIR DESIGNEE, THE FIRE DEPARTMENT OR THEIR DESIGNEE, THE BUILDING & SAFETY INSPECTIONS DIVISION AND THE DIRECTOR OF PLANNING & DEVELOPMENT OR THEIR DESIGNEE. ONCE APPLICATIONS ARE VERIFIED BY EACH DEPARTMENT TO BE COMPLETE AND COMPREHENSIVE, AND NO SOONER, THE ZONING COORDINATOR SHALL

FORWARD THE APPLICATIONS TO THE PLANNING COMMISSION. THE PLANS THAT ARE SUBMITTED FOR BOTH PRELIMINARY REVIEW AND FINAL REVIEW, MUST BE COMPLETED BY A STATE OF MICHIGAN LICENSED ARCHITECT OR ENGINEER. THE PLANS MUST INCLUDE ALL OF THE REQUIRED ELEMENTS MENTIONED IN THIS SECTION. PRELIMINARY PLANS MUST BE STAMPED AND SIGNED BY THE LICENSED ARCHITECT OR ENGINEER WHO AUTHORED THE PLANS. FINAL PLANS MUST BE STAMPED, SIGNED AND SEALED BY THE LICENSED ARCHITECT OR ENGINEER WHO AUTHORED THE PLANS.

- (4) NO APPLICATION SHALL BE APPROVED UNLESS:

I. THE FIRE DEPARTMENT OR DESIGNEE AND THE BUILDING & SAFETY INSPECTIONS DIVISION HAVE INSPECTED THE PLANS OF THE PROPOSED LOCATION FOR COMPLIANCE WITH ALL LAWS FOR WHICH THEY ARE CHARGED WITH ENFORCEMENT;

II. THE APPLICANT, EACH STAKEHOLDER OF THE APPLICANT, AND THE MANAGERIAL EMPLOYEES AND EMPLOYEES OF THE APPLICANT, HAVE PASSED A CRIMINAL BACKGROUND CHECK CONDUCTED BY THE STATE OF MICHIGAN;

III. THE ZONING COORDINATOR HAS CONFIRMED THAT THE PROPOSED LOCATION COMPLIES WITH THE ZONING CODE;

IV. THE CITY TREASURER OR THEIR DESIGNEE HAS CONFIRMED THAT THE APPLICANT AND EACH STAKEHOLDER OF THE APPLICANT ARE NOT IN DEFAULT TO THE CITY;

V. THE CITY ATTORNEY OR THEIR DESIGNEE HAS COMPLETED A DETAILED REVIEW OF THE MEDICAL MARIHUANA FACILITY APPLICATION FOR COMPLIANCE WITH THE APPLICABLE

STATE LAWS AND CITY ORDINANCES.

(5) IF WRITTEN APPROVAL IS GIVEN BY EACH INDIVIDUAL OR DEPARTMENT IDENTIFIED IN SUBSECTION 1-5, THE ZONING COORDINATOR SHALL SUBMIT THE APPLICATION TO THE PLANNING COMMISSION FOR RECOMMENDATION TO THE CITY COUNCIL FOR THE ISSUING OF A LICENSE TO THE APPLICANT. ALL LICENSES ISSUED ARE CONTINGENT UPON THE STATE OF MICHIGAN ISSUING A LICENSE FOR THE OPERATION UNDER STATE LAW.

(6) LICENSEES SHALL REPORT ANY OTHER CHANGE IN THE INFORMATION REQUIRED BY SUBSECTION 4 ABOVE, TO THE CITY WITHIN TEN (10) DAYS OF THE CHANGE. APPLICATION FEES SHALL BE SET BY COUNCIL RESOLUTION FOR ANY STAKEHOLDER ADDED AFTER THE ORIGINAL APPLICATION IS FILED.

#### F. LICENSE EVALUATION

(1) THE PLANNING COMMISSION SHALL ASSESS ALL APPLICATIONS PURSUANT TO ITS AUTHORITY UNDER THE CITY ZONING CODE AND

**THE TERMS OUTLINED  
HEREIN.**

**(2) PAST CRIMINAL CONVICTIONS OF THE APPLICANT OR STAKEHOLDER WILL BE EVALUATED. CONVICTIONS INVOLVING ANY OF THE FOLLOWING LISTED BELOW, BUT NOT LIMITED TO, MAY RESULT IN DENIAL OF THE APPLICATION.**

- I. GAMBLING;**
- II. PROSTITUTION;**
- III. WEAPONS;**
- IV. VIOLENCE;**
- V. TAX EVASION;**
- VI. FRAUDULENT ACTIVITY; AND**
- VII. SERIOUS MORAL TURPITUDE.**

**(3) THE PLANNING COMMISSION SHALL CONSIDER THE COMMUNITY IMPACT OF THE PROPOSED REGULATED USE, INCLUDING BUT NOT LIMITED TO THE NUMBER OF JOBS CREATED, THE NUMBER OF JOBS THAT WILL BE CREATED SPECIFICALLY FOR CITY OF FLINT RESIDENTS, AND THE OVERALL IMPACT ON THE CHARACTER AND GROWTH OF THE**

**SURROUNDING  
NEIGHBORHOOD.**

**(4) FURTHER GROUNDS FOR DENIAL OF THE APPLICATION MAY INCLUDE A FELONY OR MISDEMEANOR OF SUCH NATURE THAT IT MAY IMPAIR THE ABILITY OF THE APPLICANT OR STAKEHOLDER TO OPERATE A LICENSED BUSINESS IN A SAFE AND COMPETENT MANNER.**

**(5) THE PLANNING COMMISSION, IN EVALUATING A LICENSE APPLICATION, MAY CONSIDER WHETHER THE APPLICANT OR STAKEHOLDER HAS FILED, OR HAD FILED AGAINST IT, A PROCEEDING FOR BANKRUPTCY WITHIN THE PAST SEVEN (7) YEARS AS GROUNDS FOR DENIAL.**

**(6) THE PLANNING COMMISSION, IN EVALUATING A LICENSE APPLICATION, MAY CONSIDER WHETHER THE APPLICANT OR STAKEHOLDER HAS A HISTORY OF NONCOMPLIANCE WITH ANY REGULATORY REQUIREMENTS IN THIS STATE OR ANY OTHER JURISDICTION AS GROUNDS FOR DENIAL.**

**(7) THE PLANNING COMMISSION MAY FURTHER IMPOSE ANY**

CONDITIONS OR LIMITATIONS UPON THE ESTABLISHMENT, LOCATION, CONSTRUCTION, MAINTENANCE OR OPERATIONS OF REGULATED USE AS MAY IN ITS JUDGMENT BE NECESSARY FOR THE PROTECTION OF THE PUBLIC INTEREST. ANY EVIDENCE AND GUARANTEE MAY BE REQUIRED AS PROOF THAT THE CONDITIONS STIPULATED IN CONNECTION THEREWITH WILL BE FULFILLED.

**G. MINIMUM OPERATING STANDARDS OF MEDICAL MARIHUANA PROVISIONING CENTERS**

THE FOLLOWING MINIMUM STANDARDS FOR PROVISIONING CENTERS SHALL APPLY

- (1) OPERATING HOURS LIMITED TO BETWEEN 8:00 A.M. AND 7:00 P.M. MONDAY THROUGH SATURDAY AND 12:00 NOON AND 6:00 P.M. SUNDAY;
- (2) IF IN A MULTI-USE OR MULTI-TENANT BUILDING, THE GROUP "E" SPECIAL REGULATED USE SHALL NOT USE COMMON ENTRANCES OR ENTRANCES OFF A COMMON HALL AND MUST BE DIRECTLY ACCESSED FROM THE

OUTSIDE BY ITS OWN SEPARATE ENTRANCE;

- I. IF CO-LOCATED WITH A GROUP "F" SPECIAL REGULATED USE, THE STRUCTURE MUST BE A MINIMUM OF 9,000 SQUARE FEET, AND MUST BE SEPARATED BY WALLS, AND ACCESSIBLE VIA SEPARATE ENTRANCES PURSUANT TO STATE BUILDING CODE.

- (3) CONSUMPTION OF MARIHUANA SHALL BE PROHIBITED ON THE PREMISES OF A PROVISIONING CENTER, AND A SIGN SHALL BE POSTED ON THE PREMISES OF EACH PROVISIONING CENTER INDICATING THAT CONSUMPTION IS PROHIBITED ON THE PREMISES;
- (4) PURSUANT TO SECTION E., 2., XII., 1. & 2., PROVISIONING CENTERS SHALL CONTINUOUSLY MONITOR THE ENTIRE PREMISES ON WHICH THEY ARE OPERATED WITH SURVEILLANCE SYSTEMS THAT INCLUDE SECURITY CAMERAS;
- (5) UNLESS PERMITTED BY THE MMMA AND MEDICAL MARIHUANA



FACILITIES LICENSING ACT OR APPLICABLE STATE LAW, PUBLIC OR COMMON AREAS OF THE PROVISIONING CENTER MUST BE SEPARATED FROM RESTRICTED OR NON-PUBLIC AREAS OF THE PROVISIONING CENTER BY A PERMANENT BARRIER. UNLESS PERMITTED BY THE MMMA AND MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAW, NO MARIHUANA IS PERMITTED TO BE STORED, DISPLAYED, OR TRANSFERRED IN AN AREA ACCESSIBLE TO THE GENERAL PUBLIC;

- (6) ALL MARIHUANA STORAGE AREAS WITHIN PROVISIONING CENTER MUST BE SEPARATED FROM ANY CUSTOMER/PATIENT AREAS BY A PERMANENT BARRIER. UNLESS PERMITTED BY THE MMMA AND MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAW, NO MARIHUANA IS PERMITTED TO BE STORED IN AN AREA ACCESSIBLE BY THE GENERAL PUBLIC OR REGISTERED CUSTOMERS/PATIENTS. MARIHUANA MAY BE DISPLAYED IN A SALES AREA ONLY IF PERMITTED BY THE

MMMA OR THE MEDICAL MARIHUANA FACILITIES LICENSING ACT;

- (7) ANY USABLE MARIHUANA REMAINING ON THE PREMISES OF A PROVISIONING CENTER WHILE THE PROVISIONING CENTER IS NOT IN OPERATION SHALL BE SECURED IN A SAFE PERMANENTLY AFFIXED TO THE PREMISES;
- (8) DRIVE-THROUGH WINDOW(S) ON THE PREMISES OF A PROVISIONING CENTER SHALL NOT BE PERMITTED;
- (9) PROVISIONING CENTER SHALL NOT ALLOW THE SALE, CONSUMPTION, OR USE OF ALCOHOL OR TOBACCO PRODUCTS ON THE PREMISES;
- (10) NO PROVISIONING CENTER SHALL BE OPERATED IN A MANNER CREATING NOISE, DUST, VIBRATION, GLARE, FUMES, OR ODORS DETECTABLE TO NORMAL SENSES BEYOND THE BOUNDARIES OF THE PROPERTY ON WHICH THE PROVISIONING CENTER IS OPERATED;
- (11) THE LICENSE REQUIRED BY THIS ORDINANCE SHALL BE PROMINENTLY DISPLAYED ON THE

**PREMISES OF A  
PROVISIONING CENTER;**

**(12) THE PREMISES SHALL BE OPEN, AT ALL TIMES, TO ANY MICHIGAN MEDICAL MARIHUANA LICENSING BOARD INVESTIGATORS, AGENTS, AUDITORS, THE STATE POLICE, LOCAL POLICE, LOCAL FIRE INSPECTORS OR LOCAL BUILDING AND SAFETY INSPECTION OFFICIALS, WITHOUT A WARRANT AND WITHOUT NOTICE TO THE HOLDER OF THE LICENSE, ENTER THE PREMISES, OFFICES, FACILITIES, OR OTHER PLACES OF BUSINESS OF A LICENSEE, IF EVIDENCE OF COMPLIANCE OR NONCOMPLIANCE WITH THE MMMA AND MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAWS IS LIKELY TO BE FOUND AND CONSISTENT WITH CONSTITUTIONAL LIMITATIONS, FOR THE FOLLOWING PURPOSES:**

**I. TO INSPECT AND EXAMINE ALL PREMISES OF MEDICAL MARIHUANA FACILITY;**

**II. TO INSPECT, EXAMINE, AND AUDIT RELEVANT RECORDS OF THE LICENSEE AND, IF THE HOLDER OF**

**THE LICENSE OR ANY OF THE MANAGERIAL EMPLOYEES OR EMPLOYEES FAILS TO COOPERATE WITH AN INVESTIGATION, IMPOUND, SEIZE, ASSUME PHYSICAL CONTROL OF, OR SUMMARILY REMOVE FROM THE PREMISES ALL BOOKS, LEDGERS, DOCUMENTS, WRITINGS, PHOTOCOPIES, CORRESPONDENCE, RECORDS, AND VIDEOTAPES, INCLUDING ELECTRONICALLY STORED RECORDS, MONEY RECEPTACLES, OR EQUIPMENT IN WHICH THE RECORDS ARE STORED;**

**III. TO INSPECT THE PERSON, AND INSPECT OR EXAMINE PERSONAL EFFECTS PRESENT IN A MEDICAL MARIHUANA FACILITY, OF ANY HOLDER OF STATE OPERATING LICENSE WHILE THAT PERSON IS PRESENT IN A MEDICAL MARIHUANA FACILITY;**

**IV. TO INVESTIGATE ALLEGED VIOLATIONS OF THE MMMA AND MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAWS.**

**H. MINIMUM OPERATING STANDARDS OF COMMERCIAL MEDICAL MARIHUANA GROWING CENTERS**

**THE FOLLOWING MINIMUM STANDARDS FOR GROWING CENTERS SHALL APPLY**

- (1) THE GROWING FACILITY SHALL COMPLY AT ALL TIMES AND IN ALL CIRCUMSTANCES WITH THE MICHIGAN MEDICAL MARIHUANA ACT, THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, AND THE GENERAL RULES OF THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, AS THEY MAY BE AMENDED FROM TIME TO TIME;**
- (2) AT NO TIME AND FOR ANY REASON, SHALL THE ENCLOSED STRUCTURE BE OPEN TO THE GENERAL PUBLIC;**
- (3) NO GROWING FACILITY SHALL BE OPERATED IN A MANNER CREATING NOISE, DUST, VIBRATION, GLARE, FUMES, OR ODORS DETECTABLE TO**

**NORMAL SENSES BEYOND THE BOUNDARIES OF THE PROPERTY ON WHICH THE GROWER FACILITY IS OPERATED;**

- (4) ANY GROWING FACILITY SHALL MAINTAIN A LOG BOOK AND/OR DATABASE INDICATING THE NUMBER OF MARIHUANA PLANTS THEREIN. EACH MARIHUANA PLANT WILL BE TAGGED AS REQUIRED BY THE MMMA AND MEDICAL MARIHUANA FACILITIES LICENSING ACT;**
- (5) PURSUANT TO SECTION E., 2., XII., 1. & 2., GROWING CENTERS SHALL CONTINUOUSLY MONITOR THE ENTIRE PREMISES ON WHICH THEY ARE OPERATED WITH SURVEILLANCE SYSTEMS THAT INCLUDE SECURITY CAMERAS.**
- (6) ALL MARIHUANA SHALL BE CONTAINED WITHIN AN ENCLOSED LOCKED FACILITY;**
- (7) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL PERMITS SHALL BE OBTAINED FOR ANY PORTION OF THE STRUCTURE IN WHICH ELECTRICAL WIRING, LIGHTING AND/OR WATERING DEVICES THAT SUPPORT THE GROWER, GROWING OR HARVESTING OF**

MARIHUANA ARE  
LOCATED;

THE PROVISIONING  
CENTER.

(8) THAT PORTION OF THE STRUCTURE STORING ANY CHEMICALS SUCH AS HERBICIDES, PESTICIDES, AND FERTILIZERS SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE CITY OF FLINT FIRE DEPARTMENT TO INSURE COMPLIANCE WITH ALL APPLICABLE STATUTES, CODES AND ORDINANCES;

(9) THE DISPENSING OF MEDICAL MARIHUANA AT THE GROWING FACILITY SHALL BE PROHIBITED;

I. IF CO-LOCATED WITH A GROUP "E" SPECIAL REGULATED USE, PROVISIONING CENTER, THE STRUCTURE MUST BE A MINIMUM OF 9,000 SQUARE FEET, AND MUST BE SEPARATED BY WALLS, AND ACCESSIBLE VIA SEPARATE ENTRANCES PURSUANT TO STATE BUILDING CODE.

II. ON SUCH A CO-LOCATED SITE, THE DISPENSING OF MEDICAL MARIHUANA MUST ONLY BE IN THE AREA DESIGNATED SPECIFICALLY AS

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

I. MAINTAINING ADEQUATE PERSONAL CLEANLINESS;

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 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.

- (11) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE OPERATING SYSTEMS FOR WASTE DISPOSAL SHALL BE MAINTAINED IN AN ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF CONTAMINATION IN THE AREAS WHERE MARIJUANA IS EXPOSED.
- (12) FLOORS, WALLS AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND IN GOOD REPAIR;
- (13) THERE SHALL BE ADEQUATE SCREENING OR OTHER PROTECTION AGAINST THE ENTRY OR 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;
- (14) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE MAINTAINED IN A SANITARY CONDITION;
- (15) EACH GROWER FACILITY SHALL PROVIDE ITS OCCUPANTS WITH ADEQUATE AND READILY ACCESSIBLE TOILET FACILITIES THAT ARE MAINTAINED IN A SANITARY CONDITION AND GOOD REPAIR;
- (16) MARIJUANA THAT CAN SUPPORT THE RAPID GROWTH OF UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT PREVENTS THE GROWTH OF THESE MICROORGANISMS;
- (17) GROWER FACILITY SHALL BE FREE FROM INFESTATION BY INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;
- (18) THE CENTER MUST BE LOCATED IN A STRUCTURE THAT IS A MINIMUM OF 2,000 SQUARE FEET FOR A CLASS A LICENSED GROWER, 5,000 SQUARE FEET FOR A CLASS B LICENSED GROWER, AND 8,000 SQUARE FEET FOR A CLASS C LICENSED GROWER. THE BUILDING MAY BE SPLIT AMONG MULTIPLE STATE LICENSED GROWERS, AND PROCESSING CENTERS, GIVEN THAT THERE ARE WALLS OR PARTITIONS ERECTED BETWEEN THEM AND APPROVED BY BUILDING AND SAFETY INSPECTION

**OFFICIALS, PURSUANT TO  
STATE BUILDING CODE.**

**(19) A GROWING  
CENTER SHALL PROVIDE  
ONLY WHOLESALE  
PRODUCTS FOR THE USE  
AT OTHER MEDICAL  
MARIHUANA  
PROVISIONING CENTERS.**

**(20) THE PREMISES  
SHALL BE OPEN, AT ALL  
TIMES, TO ANY  
MICHIGAN MEDICAL  
MARIHUANA LICENSING  
BOARD INVESTIGATORS,  
AGENTS, AUDITORS, THE  
STATE POLICE, LOCAL  
POLICE, LOCAL FIRE  
INSPECTORS OR LOCAL  
BUILDING AND SAFETY  
INSPECTION OFFICIALS,  
WITHOUT A WARRANT  
AND WITHOUT NOTICE  
TO THE HOLDER OF THE  
LICENSE, ENTER THE  
PREMISES, OFFICES,  
FACILITIES, OR OTHER  
PLACES OF BUSINESS OF  
A LICENSEE, IF EVIDENCE  
OF COMPLIANCE OR  
NONCOMPLIANCE WITH  
THE MMMA AND  
MEDICAL MARIHUANA  
FACILITIES LICENSING  
ACT OR APPLICABLE  
STATE LAWS IS LIKELY  
TO BE FOUND AND  
CONSISTENT WITH  
CONSTITUTIONAL  
LIMITATIONS, FOR THE  
FOLLOWING PURPOSES:**

**I. TO INSPECT AND  
EXAMINE ALL  
PREMISES OF  
MEDICAL**

**MARIHUANA  
FACILITY;**

**II. TO INSPECT,  
EXAMINE, AND  
AUDIT RELEVANT  
RECORDS OF THE  
LICENSEE AND, IF  
THE HOLDER OF  
THE LICENSE OR  
ANY OF THE  
MANAGERIAL  
EMPLOYEES OR  
EMPLOYEES FAILS  
TO COOPERATE  
WITH AN  
INVESTIGATION,  
IMPOUND, SEIZE,  
ASSUME PHYSICAL  
CONTROL OF, OR  
SUMMARILY  
REMOVE FROM THE  
PREMISES ALL  
BOOKS, LEDGERS,  
DOCUMENTS,  
WRITINGS,  
PHOTOCOPIES,  
CORRESPONDENCE,  
RECORDS, AND  
VIDEOTAPES,  
INCLUDING  
ELECTRONICALLY  
STORED RECORDS,  
MONEY  
RECEPTACLES, OR  
EQUIPMENT IN  
WHICH THE  
RECORDS ARE  
STORED;**

**III. TO INSPECT THE  
PERSON, AND  
INSPECT OR  
EXAMINE  
PERSONAL EFFECTS  
PRESENT IN A  
MEDICAL  
MARIHUANA**

FACILITY, OF ANY  
HOLDER OF STATE  
OPERATING  
LICENSE WHILE  
THAT PERSON IS  
PRESENT IN A  
MEDICAL  
MARIHUANA  
FACILITY;

IV. TO INVESTIGATE  
ALLEGED  
VIOLATIONS OF  
THE MMMA AND  
MEDICAL  
MARIHUANA  
FACILITIES  
LICENSING ACT OR  
APPLICABLE STATE  
LAWS.

I. MINIMUM OPERATING  
STANDARDS OF COMMERCIAL  
MEDICAL MARIHUANA  
PROCESSING CENTER

THE FOLLOWING MINIMUM  
STANDARDS FOR PROCESSING  
CENTERS SHALL APPLY:

(1) THE PROCESSOR SHALL  
COMPLY AT ALL TIMES  
AND IN ALL  
CIRCUMSTANCES WITH  
THE MICHIGAN MEDICAL  
MARIHUANA ACT, THE  
MEDICAL MARIHUANA  
FACILITIES LICENSING  
ACT, AND THE GENERAL  
RULES OF THE  
DEPARTMENT OF  
LICENSING AND  
REGULATORY AFFAIRS,  
AS THEY MAY BE  
AMENDED FROM TIME TO  
TIME;

(2) CONSUMPTION AND/OR  
USE OF MARIHUANA

SHALL BE PROHIBITED  
AT THE PROCESSOR  
FACILITY;

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

(4) THE PREMISES SHALL BE  
OPEN, AT ALL TIMES, TO  
ANY MICHIGAN MEDICAL  
MARIHUANA LICENSING  
BOARD INVESTIGATORS,  
AGENTS, AUDITORS, THE  
STATE POLICE, LOCAL  
POLICE, LOCAL FIRE  
INSPECTORS OR LOCAL  
BUILDING AND SAFETY  
INSPECTION OFFICIALS,  
WITHOUT A WARRANT  
AND WITHOUT NOTICE  
TO THE LICENSEE, ENTER  
THE PREMISES, OFFICES,  
FACILITIES, OR OTHER  
PLACES OF BUSINESS OF  
A LICENSEE, IF EVIDENCE  
OF COMPLIANCE OR  
NONCOMPLIANCE WITH  
THE MMMA AND  
MEDICAL MARIHUANA  
FACILITIES LICENSING  
ACT OR APPLICABLE  
STATE LAWS IS LIKELY  
TO BE FOUND AND  
CONSISTENT WITH  
CONSTITUTIONAL  
LIMITATIONS, FOR THE  
FOLLOWING PURPOSES:

I. TO INSPECT AND  
EXAMINE ALL  
PREMISES OF  
MEDICAL  
MARIHUANA  
FACILITIES;

II. TO INSPECT,  
EXAMINE, AND

AUDIT RELEVANT RECORDS OF THE LICENSEE AND, IF THE LICENSEE OR ANY MANAGERIAL EMPLOYEES OR EMPLOYEES FAILS TO COOPERATE WITH AN INVESTIGATION, IMPOUND, SEIZE, ASSUME PHYSICAL CONTROL OF, OR SUMMARILY REMOVE FROM THE PREMISES ALL BOOKS, LEDGERS, DOCUMENTS, WRITINGS, PHOTOCOPIES, CORRESPONDENCE, RECORDS, AND VIDEOTAPES, INCLUDING ELECTRONICALLY STORED RECORDS, MONEY RECEPTACLES, OR EQUIPMENT IN WHICH THE RECORDS ARE STORED;

III. TO INSPECT THE PERSON, AND INSPECT OR EXAMINE PERSONAL EFFECTS PRESENT IN A MEDICAL MARIHUANA FACILITY, OF ANY HOLDER OF STATE OPERATING LICENSE WHILE THAT PERSON IS PRESENT IN A MEDICAL

MARIHUANA FACILITY;

IV. TO INVESTIGATE ALLEGED VIOLATIONS OF THE MMMA AND MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAWS.

(5) ANY PROCESSOR FACILITY SHALL MAINTAIN A LOG BOOK AND/OR DATABASE WHICH COMPLIES WITH THE MMMA, AS AMENDED, AND MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAWS;

(6) ALL MARIHUANA SHALL BE TAGGED AS REQUIRED BY THE MMMA, THE MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAWS;

(7) ALL MARIHUANA SHALL BE CONTAINED WITHIN ENCLOSED LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, AS AMENDED;

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



FOR DEVICES THAT  
SUPPORT THE  
PROCESSING OF  
MARIHUANA ARE  
LOCATED;

ONLY BE IN THE  
AREA DESIGNATED  
SPECIFICALLY AS  
THE PROVISIONING  
CENTER.

(9) THAT PORTION OF THE  
STRUCTURE WHERE THE  
STORAGE OF ANY  
CHEMICALS ARE  
LOCATED SHALL BE  
SUBJECT TO INSPECTION  
AND APPROVAL BY THE  
CITY OF FLINT FIRE  
DEPARTMENT TO INSURE  
COMPLIANCE WITH ALL  
APPLICABLE STATUTES,  
CODES AND ORDINANCES;

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

(10) THE DISPENSING OF  
MEDICAL MARIHUANA AT  
THE PROCESSOR  
FACILITY SHALL BE  
PROHIBITED;

I. MAINTAINING  
ADEQUATE  
PERSONAL  
CLEANLINESS;

I. IF CO-LOCATED  
WITH A GROUP "E"  
SPECIAL  
REGULATED USE,  
PROVISIONING  
CENTER, THE  
STRUCTURE MUST  
BE A MINIMUM OF  
9,000 SQUARE FEET,  
AND MUST BE  
SEPARATED BY  
WALLS, AND  
ACCESSIBLE VIA  
SEPARATE  
ENTRANCES  
PURSUANT TO  
STATE BUILDING  
CODE.

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;

II. ON SUCH A CO-  
LOCATED SITE, THE  
DISPENSING OF  
MEDICAL  
MARIHUANA MUST

III. REFRAINING FROM  
HAVING DIRECT  
CONTACT WITH  
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 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 OR 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;**
- (15) **ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE MAINTAINED IN A SANITARY CONDITION;**
- (16) **EACH PROCESSOR FACILITY SHALL PROVIDE ITS OCCUPANTS WITH ADEQUATE AND READILY ACCESSIBLE TOILET FACILITIES THAT ARE MAINTAINED IN A SANITARY CONDITION AND GOOD REPAIR;**
- (17) **MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT PREVENTS THE GROWTH OF THESE MICROORGANISMS;**
- (18) **PROCESSOR FACILITY SHALL BE FREE FROM INFESTATION BY INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;**
- (19) **PROCESSOR FACILITY SHALL PRODUCE NO PRODUCTS OTHER THAN USEABLE MARIHUANA INTENDED FOR HUMAN CONSUMPTION.**
- (20) **THE CENTER MUST BE LOCATED IN A STRUCTURE THAT IS A MINIMUM OF 3,000 SQUARE FEET. THE BUILDING MAY BE SPLIT AMONG MULTIPLE STATE LICENSED GROWERS AND PROCESSORS, GIVEN THAT THERE ARE WALLS OR PARTITIONS ERECTED BETWEEN THEM AND APPROVED BY BSI**

OFFICIALS, PURSUANT TO STATE BUILDING CODE.

- (21) A GROWING CENTER SHALL PROVIDE ONLY WHOLESALE PRODUCTS FOR THE USE AT OTHER MEDICAL MARIHUANA PROVISIONING CENTERS.

J. MINIMUM OPERATING STANDARDS OF COMMERCIAL MEDICAL MARIHUANA SECURE TRANSPORT FACILITY

THE FOLLOWING MINIMUM STANDARDS FOR SECURE TRANSPORTER SHALL APPLY

- (1) THE SECURE TRANSPORTER SHALL COMPLY AT ALL TIMES WITH THE MICHIGAN MEDICAL MARIHUANA ACT, THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, THE MARIHUANA TRACKING ACT AND THE GENERAL RULES OF THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, AS THEY MAY BE AMENDED FROM TIME TO TIME.
- (2) CONSUMPTION AND OR USE OF MARIHUANA SHALL BE PROHIBITED AT A FACILITY OF A SECURE TRANSPORTER.
- (3) STORAGE OF MEDICAL MARIHUANA BY A SECURE TRANSPORTER

SHALL COMPLY WITH THE FOLLOWING:

- I. PURSUANT TO SECTION E., 2., XII., 1. & 2., SECURE TRANSPORT FACILITIES SHALL CONTINUOUSLY MONITOR THE ENTIRE PREMISES ON WHICH THEY ARE OPERATED WITH SURVEILLANCE SYSTEMS THAT INCLUDE SECURITY CAMERAS.
- II. THE STORAGE FACILITY SHALL NOT BE USED FOR ANY OTHER COMMERCIAL PURPOSE.
- III. THE STORAGE FACILITY SHALL NOT BE OPEN OR ACCESSIBLE TO THE GENERAL PUBLIC.
- IV. THE STORAGE FACILITY SHALL BE MAINTAINED AND OPERATED SO AS TO COMPLY WITH ALL STATE AND LOCAL RULES, REGULATIONS AND ORDINANCE.
- V. THE STORAGE FACILITY SHALL BE OPEN AT ALL TIMES TO ANY MICHIGAN MEDICAL MARIHUANA

LICENSING BOARD  
INVESTIGATOR,  
LOCAL OR STATE  
POLICE OFFICERS,  
LOCAL FIRE  
INSPECTORS OR  
LOCAL BUILDING  
AND SAFETY  
INSPECTION  
OFFICIALS,  
WITHOUT A  
WARRANT AND  
WITHOUT NOTICE  
TO THE HOLDER OF  
THE LICENSE,  
ENTER THE  
PREMISES, OFFICES,  
FACILITIES OR  
OTHER PLACES OF  
BUSINESS OF A  
LICENSEE, IF  
EVIDENCE OF  
COMPLIANCE OR  
NON-COMPLIANCE  
WITH THE MMMA  
AND MEDICAL  
MARIHUANA  
FACILITIES  
LICENSING ACT OR  
APPLICABLE STATE  
LAWS IS LIKELY TO  
BE FOUND AND  
CONSISTENT WITH  
CONSTITUTIONAL  
LIMITATIONS FOR  
THE FOLLOWING  
PURPOSES:

1. TO INSPECT  
AND  
EXAMINE ALL  
PREMISES OF  
MEDICAL  
MARIHUANA  
FACILITY;
2. TO INSPECT,  
EXAMINE

AND AUDIT  
RELEVANT  
RECORDS OF  
THE  
LICENSEE  
AND, IF THE  
HOLDER OF  
THE LICENSE  
OR ANY OF  
THE  
MANAGERIAL  
EMPLOYEES  
OR  
EMPLOYEES  
FAILS TO  
COOPERATE  
WITH AN  
INVESTIGATION,  
IMPOUND,  
SEIZE,  
ASSUME  
PHYSICAL  
CONTROL OF,  
OR  
SUMMARILY  
REMOVE  
FROM THE  
PREMISES  
ALL BOOKS,  
LEDGERS,  
DOCUMENTS,  
WRITINGS,  
PHOTOCOPIES,  
CORRESPONDENCE,  
RECORDS,  
AND  
VIDEOTAPES,  
INCLUDING  
ELECTRONICALLY  
STORED  
RECORDS,  
MONEY  
RECEPTACLES,  
OR  
EQUIPMENT  
IN WHICH

**THE  
RECORDS  
ARE STORED;**

**3. TO INSPECT  
THE  
PERSON(S),  
AND INSPECT  
OR EXAMINE  
PERSONAL  
EFFECTS  
PRESENT, IN A  
MEDICAL  
MARIHUANA  
FACILITY, OF  
ANY HOLDER  
OR STATE  
OPERATING  
LICENSE  
WHILE THAT  
PERSON IS  
PRESENT IN A  
MEDICAL  
MARIHUANA  
FACILITY;**

**4. TO  
INVESTIGATE  
ALLEGED  
VIOLATIONS  
OF THE  
MMMA AND  
MEDICAL  
MARIHUANA  
FACILITIES  
LICENSING  
ACT OR  
APPLICABLE  
STATE LAWS.**

**VI. ALL MARIHUANA  
STORED WITHIN  
THE FACILITY  
SHALL BE STORED  
WITHIN ENCLOSED  
LOCKED  
FACILITIES IN  
ACCORDANCE**

**WITH THE MMMA  
AS AMENDED.**

**VII. ALL PERSONS  
WORKING IN  
DIRECT CONTACT  
WITH MARIHUANA  
BEING STORED BY A  
SECURE  
TRANSPORTER  
SHALL CONFORM  
TO HYGIENIC  
PRACTICES WHILE  
ON DUTY,  
INCLUDING BUT  
NOT LIMITED TO:**

**1. MAINTAINING  
ADEQUATE  
PERSONAL  
CLEANLINESS  
;**

**2. WASHING  
HANDS  
THOROUGHL  
Y  
INADEQUATE  
HAND  
WASHING  
AREAS  
BEFORE  
STARTING  
WORK AND  
AT ANY  
OTHER TIME  
WHEN THE  
HANDS MAY  
HAVE  
BECOME  
SOILED OR  
CONTAMINAT  
ED;**

**3. REFRAIN  
FROM  
HAVING  
DIRECT  
CONTACT**

WITH  
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  
CONTAMINAT  
ION, UNTIL  
THE  
CONDITION IS  
CORRECTED.

(4) A SECURE TRANSPORTER  
LICENSEE AND EACH  
STAKEHOLDER SHALL  
NOT HAVE AN INTEREST  
IN A GROWING,  
PROCESSOR,  
PROVISIONING, OR  
SAFETY COMPLIANCE  
FACILITY AND SHALL  
NOT BE A REGISTERED  
QUALIFYING PATIENT OR  
A REGISTERED PRIMARY  
CAREGIVER.

(5) A SECURE TRANSPORTER  
SHALL ENTER ALL  
TRANSACTIONS,  
CURRENT INVENTORY,  
AND OTHER  
INFORMATION AS  
REQUIRED BY THE STATE  
INTO THE STATEWIDE  
MONITORING SYSTEM AS  
REQUIRED BY LAW.

(6) A SECURE TRANSPORTER  
SHALL COMPLY WITH  
ALL OF THE FOLLOWING:

I. EACH DRIVER  
TRANSPORTING  
MARIHUANA MUST  
HAVE A  
CHAUFFEUR'S  
LICENSE ISSUED BY  
THE STATE;

II. EACH EMPLOYEE  
WHO HAS CUSTODY  
OF MARIHUANA OR  
MONEY THAT IS  
RELATED TO A  
MARIHUANA  
TRANSACTION  
SHALL NOT HAVE  
BEEN CONVICTED  
OF OR RELEASED  
FROM  
INCARCERATION  
FOR A FELONY  
UNDER THE LAWS  
OF THIS STATE,  
ANY OTHER STATE,  
OR THE UNITED  
STATES WITHIN  
THE PAST FIVE (5)  
YEARS OR HAVE  
BEEN CONVICTED  
OF A  
MISDEMEANOR  
INVOLVING A  
CONTROLLED  
SUBSTANCE WITH  
THE PAST FIVE (5)  
YEARS;

III. EACH VEHICLE  
SHALL BE  
OPERATED WITH A  
TWO PERSON CREW  
WITH AT LEAST  
ONE INDIVIDUAL  
REMAINING WITH  
THE VEHICLE AT

ALL TIMES DURING THE TRANSPORTATION OF MARIHUANA;

IV. A ROUTE PLAN AND MANIFEST SHALL BE ENTERED INTO THE STATEWIDE MONITORING SYSTEM, AND A COPY SHALL BE CARRIED IN THE TRANSPORTING VEHICLE AND PRESENTED TO A LAW ENFORCEMENT OFFICER UPON REQUEST;

V. THE MEDICAL MARIHUANA SHALL BE TRANSPORTED BY ONE OR MORE SEALED CONTAINERS AND NOT BE ACCESSIBLE WHILE IN TRANSIT;

VI. A SECURE TRANSPORTING VEHICLE SHALL NOT BEAR MARKINGS OR OTHER INDICATION THAT IT IS CARRYING MEDICAL MARIHUANA OR A MARIHUANA INFUSED PRODUCT.

(7) A VEHICLE USED BY A SECURE TRANSPORTER IS SUBJECT TO ADMINISTRATIVE INSPECTION BY A LAW

ENFORCEMENT OFFICER AT ANY POINT DURING THE TRANSPORTATION OF MEDICAL MARIHUANA TO DETERMINE COMPLIANCE WITH ALL STATE AND LOCAL LAWS, RULES, REGULATIONS AND ORDINANCES.

K. MINIMUM OPERATING STANDARDS OF COMMERCIAL MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY

THE FOLLOWING MINIMUM STANDARDS FOR SAFETY COMPLIANCE FACILITIES SHALL APPLY

(1) THE SAFETY COMPLIANCE FACILITY SHALL COMPLY AT ALL TIMES AND IN ALL CIRCUMSTANCES WITH THE MMMA AND MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAWS, AND THE GENERAL RULES OF THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, AS THEY MAY BE AMENDED FROM TIME TO TIME;

(2) CONSUMPTION AND/OR USE OF MARIHUANA SHALL BE PROHIBITED AT THE FACILITY;

(3) THE PREMISES SHALL BE OPEN, AT ALL TIMES, TO ANY MICHIGAN MEDICAL MARIHUANA LICENSING BOARD INVESTIGATORS, AGENTS, AUDITORS, THE

STATE POLICE, LOCAL POLICE, LOCAL FIRE INSPECTORS OR LOCAL BUILDING AND SAFETY INSPECTION OFFICIALS, WITHOUT A WARRANT AND WITHOUT NOTICE TO THE LICENSEE, ENTER THE PREMISES, OFFICES, FACILITIES, OR OTHER PLACES OF BUSINESS OF A LICENSEE, IF EVIDENCE OF COMPLIANCE OR NONCOMPLIANCE WITH THE MMMA AND MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAWS IS LIKELY TO BE FOUND AND CONSISTENT WITH CONSTITUTIONAL LIMITATIONS, FOR THE FOLLOWING PURPOSES:

- I. TO INSPECT AND EXAMINE ALL PREMISES OF MEDICAL MARIHUANA FACILITIES;
- II. TO INSPECT, EXAMINE, AND AUDIT RELEVANT RECORDS OF THE LICENSEE AND, IF THE LICENSEE OR ANY MANAGERIAL EMPLOYEES OR EMPLOYEES FAILS TO COOPERATE WITH AN INVESTIGATION, IMPOUND, SEIZE, ASSUME PHYSICAL CONTROL OF, OR

SUMMARILY REMOVE FROM THE PREMISES ALL BOOKS, LEDGERS, DOCUMENTS, WRITINGS, PHOTOCOPIES, CORRESPONDENCE, RECORDS, AND VIDEOTAPES, INCLUDING ELECTRONICALLY STORED RECORDS, MONEY RECEPTACLES, OR EQUIPMENT IN WHICH THE RECORDS ARE STORED;

- III. TO INSPECT THE PERSON, AND INSPECT OR EXAMINE PERSONAL EFFECTS PRESENT IN A MEDICAL MARIHUANA FACILITY, OF ANY HOLDER OF STATE OPERATING LICENSE WHILE THAT PERSON IS PRESENT IN A MEDICAL MARIHUANA FACILITY;
- IV. TO INVESTIGATE ALLEGED VIOLATIONS OF THE MMMA AND MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAWS.



- (4) ANY SAFETY COMPLIANCE FACILITY SHALL MAINTAIN A LOG BOOK AND/OR DATABASE WHICH COMPLIES WITH THE MMMA AND MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAWS;
- (5) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE BUILDING IN AN ENCLOSED, LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, AS AMENDED, AND MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAWS;
- (6) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH TESTING MEDICAL MARIHUANA;
- (7) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY;
- (8) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE OPERATING SYSTEMS FOR WASTE DISPOSAL SHALL BE MAINTAINED IN AN ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
- (9) FLOORS, WALLS AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND IN GOOD REPAIR;
- (10) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE MAINTAINED IN A SANITARY CONDITION;
- (11) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT PREVENTS THE GROWTH OF THESE MICROORGANISMS;
- (12) THE PREMISES SHALL BE OPEN, AT ALL TIMES, TO ANY MICHIGAN MEDICAL MARIHUANA LICENSING BOARD INVESTIGATORS, AGENTS, AUDITORS, THE STATE POLICE, LOCAL POLICE, LOCAL FIRE INSPECTORS OR LOCAL BUILDING AND SAFETY INSPECTION OFFICIALS, WITHOUT A WARRANT AND WITHOUT NOTICE TO THE HOLDER OF THE LICENSE, ENTER THE

PREMISES, OFFICES, FACILITIES, OR OTHER PLACES OF BUSINESS OF A LICENSEE, IF EVIDENCE OF COMPLIANCE OR NONCOMPLIANCE WITH THE MMMA AND MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAWS IS LIKELY TO BE FOUND AND CONSISTENT WITH CONSTITUTIONAL LIMITATIONS, FOR THE FOLLOWING PURPOSES:

- I. TO INSPECT AND EXAMINE ALL PREMISES OF MEDICAL MARIHUANA FACILITY.
- II. TO INSPECT, EXAMINE, AND AUDIT RELEVANT RECORDS OF THE LICENSEE AND, IF THE HOLDER OF THE LICENSE OR ANY OF THE MANAGERIAL EMPLOYEES OR EMPLOYEES FAILS TO COOPERATE WITH AN INVESTIGATION, IMPOUND, SEIZE, ASSUME PHYSICAL CONTROL OF, OR SUMMARILY REMOVE FROM THE PREMISES ALL BOOKS, LEDGERS, DOCUMENTS, WRITINGS, PHOTOCOPIES,

CORRESPONDENCE, RECORDS, AND VIDEOTAPES, INCLUDING ELECTRONICALLY STORED RECORDS, MONEY RECEPTACLES, OR EQUIPMENT IN WHICH THE RECORDS ARE STORED.

- III. TO INSPECT THE PERSON, AND INSPECT OR EXAMINE PERSONAL EFFECTS PRESENT IN A MEDICAL MARIHUANA FACILITY, OF ANY HOLDER OF STATE OPERATING LICENSE WHILE THAT PERSON IS PRESENT IN A MEDICAL MARIHUANA FACILITY.

- IV. TO INVESTIGATE ALLEGED VIOLATIONS OF THE MMMA AND MEDICAL MARIHUANA FACILITIES LICENSING ACT OR APPLICABLE STATE LAWS.

L. LOCATION OF GROUP "E" SPECIAL REGULATED USES

- (1) GROUP "E" SPECIAL REGULATED USES SHALL BE LIMITED TO THE "D-5", "D-6", "E", "F", & "G"

ZONING DISTRICTS. FOR THESE SPECIAL REGULATED USES THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH THE PROVISIONING OF MEDICAL MARIHUANA TO REGISTERED PATIENTS.

(2) GROUP “E” SPECIAL REGULATED USES. AN APPLICATION TO ESTABLISH A GROUP “E” SPECIAL REGULATED USE SHALL NOT BE APPROVED IF THERE IS ALREADY IN EXISTENCE FOUR OR MORE GROUP “A” OR GROUP “E” SPECIAL REGULATED USES WITHIN 2,000 FEET OF THE BOUNDARIES OF THE SITE OF THE PROPOSED REGULATED USE.

(3) GROUP “E” SPECIAL REGULATED USE. AN APPLICATION TO ESTABLISH A GROUP “E” SPECIAL REGULATED USE SHALL NOT BE APPROVED IF THE PROPOSED LOCATION IS WITHIN 1,000 FEET OF A PRE-K THROUGH 12 SCHOOL, OR WITHIN 500 FEET FROM A DEDICATED PUBLIC PARK (EXCEPT FOR THE TRAIL, KNOWN AS THE FLINT RIVER TRAIL/IRON BELLE TRAIL, ITSELF, WHERE THE PRINCIPAL USE OF THE PARK SPACE IS FOR

THE FLINT RIVER TRAIL) OR PLACE OF WORSHIP; OR IF THE PROPOSED LOCATION IS WITHIN 300 FEET OF A RESIDENTIAL PROPERTY OR RESIDENTIALLY ZONED DISTRICT.

(4) MEDICAL RESEARCH FACILITY EXEMPTION - A MEDICAL RESEARCH FACILITY IS BOUND BY THE LOCATIONAL STANDARDS FOR ITS PROPOSED MEDICAL MARIHUANA-RELATED USES, INCLUDING THOSE SET FORTH FOR GROUPS “E,” “F” OR “G,” EXCEPT THAT THE 300 FOOT RESIDENTIAL ZONE EXCLUSION DOES NOT APPLY. SUCH MEDICAL RESEARCH FACILITIES MUST STILL BE 1,000 FEET FROM PRE-K THROUGH 12 SCHOOLS, AND 500 FEET FROM PLACES OF WORSHIP AND DEDICATED PUBLIC PARKS.

**M. LOCATION OF GROUP “F” AND “G” SPECIAL REGULATED USES**

(1) GROUP “F” AND “G” SPECIAL REGULATED USES SHALL BE LIMITED TO THE “E”, “F”, & “G” INDUSTRIAL ZONING DISTRICTS. FOR SPECIAL REGULATED USES THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN THE SAME FACILITY.

(2) GROUP "F" AND "G" SPECIAL REGULATED USE. AN APPLICATION TO ESTABLISH A GROUP "F" AND "G" SPECIAL REGULATED USE SHALL NOT BE APPROVED IF THE PROPOSED LOCATION IS WITHIN 1,000 FEET OF A PRE-K THROUGH 12 SCHOOL, OR WITHIN 500 FEET FROM A DEDICATED PUBLIC PARK (EXCEPT FOR THE TRAIL, KNOWN AS THE FLINT RIVER TRAIL/IRON BELLE TRAIL, ITSELF, WHERE THE PRINCIPAL USE OF THE PARK SPACE IS FOR THE FLINT RIVER TRAIL), OR PLACE OF WORSHIP; OR IF THE PROPOSED LOCATION IS WITHIN 300 FEET OF A RESIDENTIAL PROPERTY OR RESIDENTIALLY ZONED DISTRICT.

(3) MEDICAL RESEARCH FACILITY EXEMPTION - A MEDICAL RESEARCH FACILITY IS BOUND BY THE LOCATIONAL STANDARDS FOR ITS PROPOSED MEDICAL MARIHUANA-RELATED USES, INCLUDING THOSE SET FORTH FOR GROUPS "E," "F" OR "G," EXCEPT THAT THE 300 FOOT RESIDENTIAL ZONE EXCLUSION DOES NOT APPLY. SUCH MEDICAL RESEARCH FACILITIES MUST STILL BE 1,000 FEET FROM PRE-K THROUGH 12 SCHOOLS, AND 500 FEET FROM PLACES OF

WORSHIP AND DEDICATED PUBLIC PARKS.

#### N. DENIAL AND REVOCATION

(1) A LICENSE ISSUED UNDER THIS ORDINANCE MAY BE REVOKED AFTER AN ADMINISTRATIVE HEARING AT WHICH THE PLANNING COMMISSION BY MAJORITY VOTE OF MEMBERS PRESENT, DETERMINES THAT ANY GROUNDS FOR REVOCATION UNDER THIS ORDINANCE EXIST. NOTICE OF THE TIME AND PLACE OF THE HEARING AND THE GROUNDS FOR REVOCATION MUST BE GIVEN TO THE HOLDER OF LICENSE AT LEAST FIVE DAYS PRIOR TO THE DATE OF THE HEARING, BY FIRST CLASS MAIL TO THE ADDRESS GIVEN ON THE LICENSE APPLICATION; A LICENSEE WHOSE LICENSE IS SUBJECT OF SUCH HEARING MAY PRESENT EVIDENCE AND/OR CALL WITNESSES AT THE HEARING;

(2) A LICENSE APPLIED FOR OR ISSUED UNDER THIS ORDINANCE MAY BE DENIED OR REVOKED ON ANY OF THE FOLLOWING BASIS:

I. VIOLATION OF THIS ORDINANCE;

II. ANY CONVICTION OF OR RELEASE FROM INCARCERATION FOR A FELONY UNDER THE LAWS OF THIS STATE, ANY OTHER STATE, OR THE UNITED STATES WITHIN THE PAST FIVE (5) YEARS BY THE APPLICANT OR ANY STAKEHOLDER OF THE APPLICANT AS MEASURED FROM THE DATE OF THE APPLICATION OR THE DATE OF BECOMING A STAKEHOLDER, WHICHEVER OCCURS LATER, OR WHILE LICENSED UNDER THIS ORDINANCE; OR ANY CONVICTION OF A SUBSTANCE-RELATED FELONY BY THE APPLICANT OR ANY STAKEHOLDER OF THE APPLICANT EVER OR WHILE LICENSED UNDER THIS ORDINANCE;

III. COMMISSION OF FRAUD OR MISREPRESENTATION OR THE MAKING OF A FALSE STATEMENT BY THE APPLICANT OR ANY STAKEHOLDER OF THE APPLICANT WHILE ENGAGING IN ANY ACTIVITY

FOR WHICH THIS ORDINANCE REQUIRES A LICENSE;

IV. SUFFICIENT EVIDENCE THAT THE APPLICANT(S) LACK, OR HAVE FAILED TO DEMONSTRATE, THE REQUISITE PROFESSIONALISM AND/OR BUSINESS EXPERIENCE REQUIRED TO ASSURE STRICT ADHERENCE TO THIS ORDINANCE AND THE RULES AND REGULATIONS GOVERNING THE MEDICAL MARIHUANA PROGRAM IN THE STATE OF MICHIGAN;

V. THE MEDICAL MARIHUANA FACILITY IS DETERMINED BY THE CITY OF FLINT TO HAVE BECOME A PUBLIC NUISANCE;

VI. THE MICHIGAN MEDICAL MARIHUANA LICENSING BOARD HAS DENIED, REVOKED OR SUSPENDED THE APPLICANT'S STATE LICENSE.

(3) ANY SPECIAL REGULATED USE THAT

CEASES FOR MORE THAN 30 DAYS SHALL NOT BE RESUMED EXCEPT BY APPLICATION AND APPROVAL PURSUANT TO §50-162, UNLESS THE HIATUS IS CAUSED BY A TEMPORARY REVOCATION OR SUSPENSE OF THE LICENSE AND IS PENDING A PLANNING COMMISSION HEARING.

**O. PENALTIES; TEMPORARY SUSPENSION OF A LICENSE; SEIZURE AND FORFEITURE**

- (1) THE CITY OF FLINT MAY REQUIRE AN APPLICANT OR HOLDER OF LICENSE OF A MEDICAL MARIHUANA FACILITY TO PRODUCE DOCUMENTS, RECORDS, OR ANY OTHER MATERIAL PERTINENT TO THE INVESTIGATION OF AN APPLICATION OR ALLEGED VIOLATION OF THIS ORDINANCE. FAILURE TO PROVIDE THE REQUIRED MATERIAL MAY BE GROUNDS FOR APPLICATION DENIAL, LICENSE REVOCATION, OR LICENSE SUSPENSION;
- (2) ANY PERSON IN VIOLATION OF ANY PROVISION OF THIS ORDINANCE OR ANY PROVISION OF A LICENSE ISSUED UNDER THIS ORDINANCE IS RESPONSIBLE FOR A MISDEMEANOR, PUNISHABLE BY FINE OF

UP TO \$500.00 PER VIOLATION PLUS COST OF PROSECUTION, 90 DAYS IMPRISONMENT, OR BOTH, FOR EACH VIOLATION. EACH PLANT POSSESSED BY ANY PERSON IN EXCESS OF THE LICENSED QUANTITY OF PLANTS PERMITTED SHALL BE A SEPARATE VIOLATION OF THIS ORDINANCE; AND AS SUCH EACH PLANT IN EXCESS OF THE LICENSED QUANTITY MAY BE IMMEDIATELY CONFISCATED FOR DESTRUCTION. ANY PERSON IN VIOLATION OF THIS ORDINANCE IS ALSO SUBJECT TO LICENSE REVOCATION, AS OUTLINED IN THE AFOREMENTIONED SECTION N. IMMEDIATE, TEMPORARY REVOCATION OR SUSPENSION OF THE SPECIAL REGULATED USE LICENSE MAY BE ISSUED BY THE CITY'S ZONING COORDINATOR, DIRECTOR OF PLANNING & DEVELOPMENT, OR THEIR DESIGNEE. THIS TEMPORARY SUSPENSION OR REVOCATION WILL NOT BE RESCINDED UNTIL THE FLINT PLANNING COMMISSION HOLDS A HEARING WITH THE APPLICANT TO DISCUSS THE VIOLATIONS AND VOTES ON WHETHER TO UPHOLD THE SUSPENSION OR REVOCATION. THIS

SECTION IS NOT INTENDED TO PREVENT ENFORCEMENT OF ANY PROVISION OF THE STATE LAW BY THE CITY OF FLINT POLICE DEPARTMENT;

(3) ALL FINES IMPOSED UNDER THIS ORDINANCE SHALL BE PAID WITHIN FORTY-FIVE (45) DAYS AFTER THE EFFECTIVE DATE OF THE ORDER IMPOSING THE FINE OR AS OTHERWISE SPECIFIED IN THE ORDER;

(4) TWO OR MORE VIOLATIONS OF THIS ORDINANCE WITHIN A SIX (6) MONTH PERIOD BY ANY INDIVIDUAL OFFENDER SHALL BE CONSIDERED A PUBLIC NUISANCE, AND IN THE INTEREST OF SUCH NUISANCE ABATEMENT, MAY RESULT IN THE SEIZURE AND DESTRUCTION OF THE MARIHUANA PLANTS, AND/OR MARIHUANA PRODUCT(S), AND FORFEITURE OF OTHER RELATED ASSETS, IN ORDER TO DETER AND PREVENT SUCH NUISANCES AND PROTECT THE HEALTH, SAFETY AND WELFARE OF THE CITY OF FLINT.

(5) THE PLANNING COMMISSION MAY TEMPORARILY SUSPEND A MEDICAL MARIHUANA FACILITY LICENSE

WITHOUT A HEARING IF IT FINDS THAT PUBLIC SAFETY OR WELFARE REQUIRES EMERGENCY ACTION. THE PLANNING COMMISSION SHALL CAUSE THE TEMPORARY SUSPENSION BY ISSUING A SUSPENSION NOTICE BY MAJORITY VOTE OF MEMBERS PRESENT AND VOTING THEREON IN CONNECTION WITH INSTITUTION OF PROCEEDINGS FOR A HEARING;

(6) IF THE PLANNING COMMISSION TEMPORARILY SUSPENDS A LICENSE WITHOUT A HEARING, THE HOLDER OF LICENSE IS ENTITLED TO A HEARING WITHIN THIRTY (30) DAYS AFTER THE SUSPENSION NOTICE HAS BEEN ISSUED. THE HEARING SHALL BE LIMITED TO THE ISSUES CITED IN THE SUSPENSION NOTICE;

(7) IF THE PLANNING COMMISSION DOES NOT HOLD A HEARING WITHIN THIRTY (30) DAYS AFTER THE DATE OF SUSPENSION WAS ISSUED, THEN THE SUSPENDED LICENSE SHALL BE AUTOMATICALLY REINSTATED AND THE SUSPENSION VACATED.

P. LAWFUL NON-CONFORMING AND GRANDFATHERED LOCATIONS

(1) ANY PROVISIONING CENTER APPLICANT GRANTED GROUP "E" SPECIAL REGULATED USE APPROVAL UNDER THE PREVIOUS CITY OF FLINT MEDICAL MARIHUANA PROVISIONING CENTER ORDINANCE (50-161; & 12-XVI), PRIOR TO THE ADOPTION DATE OF THIS ORDINANCE ON (INSERT DATE OF ADOPTION) AND ADDITIONALLY, HAS UNDERGONE AND SUCCESSFULLY FULFILLED THE REQUIRED "ANNUAL RELICENSING PROCESS", AND HAVING BEEN GRANTED A 2017-2018 SPECIAL REGULATED USE GROUP "E" LICENSE, WILL RETAIN LEGAL NON-CONFORMING RIGHTS AND BECOME A LEGAL, CONFORMING USE.

(2) THE COLLECTIVE AMOUNT OF THESE GRANDFATHERED LICENSES WILL BE SUBTRACTED FROM THE LICENSE ALLOCATION AMOUNT LISTED IN SECTION C.,2,I. (MEDICAL MARIHUANA PROVISIONING CENTERS), WITH THE DIFFERENCE REPRESENTING THE DEFINITE AVAILABLE ALLOCATION OF GROUP "E" SPECIAL REGULATED USE LICENSES AVAILABLE TO THE PUBLIC, PENDING APPROVAL FOR

LICENSURE BY THE STATE OF MICHIGAN.

I. APPLICANTS WHO HAVE FULFILLED THE RELICENSING REQUIREMENTS AND SUCCESSFULLY OBTAINED A 2017-2018 GROUP "E" MEDICAL MARIHUANA PROVISIONING CENTER LICENSE, WILL BE GRANTED AN ADDITIONAL SIX (6) MONTH EXTENSION TO BECOME COMPLAINT UNDER THE NEW TERMS OF THE GROUP "E" SPECIAL REGULATED USE LICENSE, (INSERT ORDINANCE NUMBER).

II. FAILURE TO BECOME COMPLIANT UNDER THE REVISED GROUP "E" SPECIAL REGULATED USE STANDARDS WITHIN A SIX (6) MONTH PERIOD, WILL RESULT IN IMMEDIATE REVOCATION OF THE GRANDFATHERED LICENSE. ANY NUMBER OF LICENSES THAT ARE REVOKED WILL BE ADDED TO



THE ALLOCATION  
AMOUNT LISTED IN  
SECTION C.2,I.  
(MEDICAL  
MARIHUANA  
PROVISIONING  
CENTERS).

- (3) ANY PREVIOUSLY  
LICENSED MEDICAL  
MARIHUANA  
CULTIVATION OR  
GROWING FACILITY WHO  
RECEIVED A SPECIAL  
REGULATED USE GROUP  
“E” PERMIT FROM THE  
FLINT PLANNING  
COMMISSION, WILL NOT  
BE ELIGIBLE TO GAIN  
GRANDFATHERED  
STATUS AND WILL NOT  
BE TREATED AS A  
LAWFUL, NON-  
CONFORMING LAND USE.  
FACILITIES AND  
APPLICANTS WHO HAVE  
PREVIOUSLY BEEN  
ISSUED A GROUP “E”  
SPECIAL REGULATED USE  
FOR CULTIVATION OR  
GROWING OF MEDICAL  
MARIHUANA ARE  
REQUIRED TO RESUBMIT  
APPLICATIONS TO THE  
FLINT PLANNING  
COMMISSION TO OBTAIN  
A GROUP “F”  
COMMERCIAL MEDICAL  
MARIHUANA GROWING  
CENTER PERMIT AND  
MUST ADHERE TO THE  
MINIMUM OPERATING  
STANDARDS AS  
REFERENCED IN SECTION  
H. AND THE ANY  
LOCATION OF A  
GROWING CENTER MUST  
ADHERE TO THE

STANDARDS  
ESTABLISHED IN SECTION  
M. “LOCATION OF A  
GROUP “F” AND “G”  
SPECIAL REGULATED  
USE.

**Q. TRANSFER OF MEDICAL  
MARIHUANA FACILITY  
LICENSES; PROCESS**

- (1) SPECIAL REGULATED USE  
PERMITS ARE ISSUED TO  
THE APPLICANT, AND  
NOT TO THE LOCATION.  
ANY CHANGES TO THE  
SPECIAL REGULATED USE  
PERMIT, INCLUDING A  
CHANGE IN OWNERSHIP,  
REQUIRES APPROVAL BY  
CITY, AS OUTLINED  
BELOW.

- I. IF THE ORIGINAL  
APPLICANT  
RETAINS PARTIAL  
OWNERSHIP, WITH  
NO MODIFICATION  
TO PREVIOUSLY  
APPROVED SITE  
PLANS OR FLOOR  
PLANS, PENDING  
SUCCESSFUL  
COMPLETION OF A  
BACKGROUND  
CHECK FOR ANY  
NEW OWNER(S),  
THE NEW OWNER(S)  
WOULD BE  
ADMINISTRATIVEL  
Y ADDED TO THE  
SPECIAL  
REGULATED USE  
PERMIT BY THE  
CITY’S ZONING  
COORDINATOR  
UPON PAYMENT OF  
A NONREFUNDABLE  
SPECIAL

REGULATED USE  
PERMIT  
APPLICATION FEE.

II. IF OWNERSHIP  
WILL BE  
TRANSFERRED  
ENTIRELY FROM  
THE ORIGINAL  
APPLICANT TO A  
NEW INDIVIDUAL,  
PARTNERSHIP OR  
OTHER  
CORPORATE  
ENTITY, BUT WITH  
NO MODIFICATION  
TO PREVIOUSLY  
APPROVED SITE  
PLANS OR FLOOR  
PLANS, THE  
TRANSFER  
REQUIRES  
PAYMENT OF A  
NONREFUNDABLE  
SPECIAL  
REGULATED USE  
PERMIT  
APPLICATION FEE,  
COMPLETION OF A  
BACKGROUND  
CHECK FOR ANY  
NEW OWNER(S),  
AND PUBLIC  
HEARING BEFORE  
THE PLANNING  
COMMISSION FOR  
APPROVAL OF THE  
TRANSFER OF THE  
APPLICABLE  
SPECIAL  
REGULATED USE  
PERMIT(S).

III. IF THERE IS ANY  
TRANSFER, FULL  
OR PARTIAL, OF  
OWNERSHIP THAT  
ACCOMPANIES

MODIFICATION OF  
PREVIOUSLY  
APPROVED SITE  
PLANS OR FLOOR  
PLANS, THE  
APPLICATION WILL  
BE TREATED AS A  
NEW SPECIAL USE  
PERMIT  
APPLICATION  
INCLUDING ALL  
APPLICABLE SITE  
PLAN REVIEWS,  
APPROVALS AND  
PUBLIC HEARING.

R. GROUP "E", "F" AND "G"  
LICENSE LOCATION APPEALS  
PROCESS

(1) THE MEDICAL  
MARIHUANA FACILITIES  
LICENSING ANALYSIS  
"MAPS", DEVELOPED AND  
ADMINISTERED BY THE  
PLANNING & ZONING  
DIVISION, SYMBOLIZES A  
SPATIAL ANALYSIS  
PERFORMED UTILIZING  
THE CRITERIA LISTED IN  
SECTION L.,1.-3.  
(LOCATION OF GROUP "E"  
SPECIAL REGULATED  
USES) AND IN SECTION  
M.,1.-3. (LOCATION OF  
GROUP "F" AND "G"  
SPECIAL REGULATED  
USES). ANY POTENTIAL  
LOCATION OF A GROUP  
"E", "F" OR "G" MEDICAL  
MARIHUANA FACILITIES  
LICENSE IS APPEALABLE  
TO THE FLINT PLANNING  
COMMISSION. A \$5,000,  
NON-REFUNDABLE  
APPEALS FEE IS  
REQUIRED UPON  
SUBMITTING AN

APPLICATION FOR A LOCATION APPEAL. AN APPLICANT SUBMITTING AN APPEAL MUST CLEARLY DEMONSTRATE AN "UNDUE HARDSHIP" AND "PROVE THAT SPECIAL AND UNUSUAL CONDITIONS PERTAINING TO THE SPECIFIC PIECE OF PROPERTY ARE WARRANTED" FOR A VARIANCE TO BE GRANTED.

USES OF LAND.

4. THE PLIGHT IS DUE TO UNIQUE CIRCUMSTANCES PECULIAR TO THE PROPERTY AND NOT TO GENERAL NEIGHBORHOOD CONDITIONS.

5. ISSUANCE OF THE VARIANCE WOULD STILL ENSURE THAT THE SPIRIT OF THE ORDINANCE IS INTACT.

I. NO SUCH VARIANCE SHALL BE AUTHORIZED BY THE PLANNING COMMISSION UNLESS THE COMMISSION FINDS THAT ALL OF THE FOLLOWING FACTS AND CONDITIONS EXIST:

1. THE PROPOSED USE WILL NOT ALTER THE ESSENTIAL CHARACTER OF THE AREA.

2. THE PROBLEM WAS NOT A SELF-CREATED HARDSHIP.

3. THE USE WILL BE COMPATIBLE WITH ADJACENT

Sec. 2. This ordinance shall become effective immediately upon adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2018, A.D.

\_\_\_\_\_  
Dr. Karen W. Weaver, Mayor

\_\_\_\_\_  
Inez M. Brown, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer