

INITIATION OF LEGISLATION AMENDMENT TO THE CHARTER

To the Clerk of the City of Belleville: We, the undersigned qualified and registered electors, residents in the city of Belleville, state of Michigan, respectively petition for initiation of a charter amendment to allow for medical marihuana sales in the City, and to amend the local regulations pertaining to medical marihuana facilities and marihuana establishments in the City. We respectfully request that this proposed amendment be submitted to a vote of the electors of the City of Belleville for the November 8, 2022 General Election.

The proposal, if adopted, would amend Chapter XIX of the City Charter by adding Section 19.16, and alter or abrogate specific provisions of Chapter XIX, as follows: (New language is bolded and capitalized, deleted language struck out with a line)

CHAPTER XIX. MARIHUANA ESTABLISHMENTS AND MARIHUANA FACILITIES PERMITTED

SEC. 19.16

(I) PURPOSE. THE PURPOSE OF THIS ARTICLE IS TO AUTHORIZE AND REGULATE WITHIN THE CITY THE BUSINESS OPERATIONS OF PERSONS LICENSED BY THE STATE TO OPERATE MARIHUANA ESTABLISHMENTS CONSISTENT WITH THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT, 2018 IL 1, MCL 333.27951 ET SEQ., TO ALLOW FOR THE OPERATION OF MARIHUANA FACILITIES IN THE CITY PURSUANT TO THE MEDICAL MARIHUANA FACILITIES LICENSING ACT 2016 PA 281, MCL 333.27101 ET SEQ., AND TO DO ALL OF THE FOLLOWING: (1) PROVIDE ADULTS TWENTY-ONE (21) YEARS OF AGE AND OLDER AND PATIENTS IN NEED OF MEDICAL MARIHUANA FOR CONDITIONS SUCH AS EPILEPSY, MULTIPLE SCLEROSIS, COLITIS, ARTHRITIS, CROHN'S DISEASE, CEREBRAL PALSY, CHRONIC PAIN, PARKINSON'S DISEASE, POST TRAUMATIC STRESS DISORDER AND OTHER MEDICAL CONDITIONS FOR WHICH MARIHUANA IS AN APPROVED MEDICAL USE BY THE STATE OF MICHIGAN SAFE ACCESS TO MARIHUANA; THE PROVISIONS OF THIS ARTICLE ARE SEVERABLE AND SELF-EXECUTING. THIS ARTICLE IS HEREBY DECLARED NECESSARY TO PRESERVE THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE OF THE PEOPLE OF THE CITY.

(II) REPEAL. SECTIONS 19.3 - 19.15 ARE HEREBY REPEALED AND OF NO EFFECT. ANY ORDINANCES PASSED BY THE COUNCIL SHALL CONTROL WITH REGARDS TO MARIHUANA ESTABLISHMENTS AND MARIHUANA FACILITIES, EXCEPT AS SPECIFICALLY PROVIDED FOR BY THIS ARTICLE.

(III) THERE SHALL BE NO MORE THAN THE FOLLOWING NUMBER OF MARIHUANA ESTABLISHMENTS AND MARIHUANA FACILITIES PROVIDED FOR IN THE CITY.

- (1) MARIHUANA SAFETY COMPLIANCE FACILITY - ZERO (0) LICENSES
- (2) MARIHUANA SECURE TRANSPORTER - ZERO (0) LICENSES
- (3) MARIHUANA MICROBUSINESS - ZERO LICENSES
- (4) MARIHUANA RETAILER - TWO (2) LICENSES
- (5) MARIHUANA PROCESSOR - ONE (1) LICENSE
- (6) CLASS A MARIHUANA GROWER - ZERO (0) LICENSES
- (7) CLASS B MARIHUANA GROWER - ZERO (0) LICENSES
- (8) CLASS C MARIHUANA GROWER - FIVE (5) LICENSES
- (9) MEDICAL MARIHUANA PROVISIONING CENTER - TWO (2) LICENSES
- (10) MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY - ZERO (0) LICENSES
- (11) MEDICAL MARIHUANA SECURE TRANSPORTER - ZERO (0) LICENSES
- (12) CLASS A MEDICAL MARIHUANA GROWER - ZERO (0) LICENSES
- (13) CLASS B MEDICAL MARIHUANA GROWER - ZERO (0) LICENSES
- (14) CLASS C MEDICAL MARIHUANA GROWER - ZERO (0) LICENSES
- (15) DESIGNATED CONSUMPTION MARIHUANA ESTABLISHMENT - TWO (2)

(IV) AN ENTITY WHICH HOLDS A MARIHUANA RETAILER PROVISIONAL LICENSE OR A CITY FULL LICENSE AUTHORIZATION FOR A MARIHUANA RETAILER IS ELIGIBLE TO CONVERT SUCH LICENSE TO A PROVISIONAL OR CITY FULL AUTHORIZATION LICENSE FOR A MEDICAL MARIHUANA PROVISIONING CENTER, OR VICE VERSA, WHICH SHALL BE DONE THROUGH A PROCESS SET BY THE CITY WITH AN APPLICATION FEE OF \$5000. SUCH LICENSE CONVERSION SHALL BE ALLOWED PROVIDED THE ENTITY IS NOT IN DEFAULT TO THE CITY AND OTHERWISE COMPLIES WITH ALL APPLICABLE STATE AND LOCAL LAWS AND REGULATIONS. ANY LICENSE HOLDER WHO, AFTER THE ENACTMENT OF THIS PROPOSAL, HAS MORE THAN THE NUMBER OF LICENSES ALLOWED FOR BY THIS CHARTER SHALL HAVE AN EIGHT MONTH PERIOD TO MAKE ANY APPLICABLE LICENSE CONVERSIONS FOR THE EXCESS NUMBER OF LICENSES.

(V) A PROVISIONAL LICENSE ORIGINALLY ISSUED BY THE CITY TO A LOCAL APPLICANT MAY BE RENEWED IN PERPETUITY PROVIDED THAT THE LOCAL APPLICANT PAYS AN ANNUAL RENEWAL FEE OF \$5000 EACH YEAR TO THE CITY AND IS OTHERWISE COMPLIANT WITH ALL APPLICABLE STATE AND LOCAL LAWS AND REGULATIONS, PROVIDED THAT NO APPLICANT OR LICENSE HOLDER SHALL BE DEEMED NON-COMPLIANT FOR THESE PURPOSES UNLESS THEY HAVE FAILED TO CURE ANY ALLEGED NONCOMPLIANCE AFTER BEING PROVIDED WITH A REASONABLE OPPORTUNITY TO DO SO.

(VI) A PROVISIONAL LICENSE OR MUNICIPAL APPROVAL ISSUED BY THE CITY TO A LOCAL APPLICANT SHALL BE CONSIDERED A VESTED PROPERTY RIGHT.

(VII) THE CITY MAY NOT ENACT ANY REGULATIONS WHICH ARE UNDULY BURDENSOME OR UNREASONABLY IMPRACTICABLE FOR AN ENTITY WHICH HAS BEEN ISSUED A MARIHUANA LICENSE IN THE CITY.

(VIII) SEC. 19.14. SEVERABILITY AND EXECUTION

THE VARIOUS PARTS, SECTIONS AND CLAUSES OF THIS ARTICLE ARE HEREBY DECLARED TO BE SEVERABLE AND SELF-EXECUTING. IF ANY PART, SENTENCE, PARAGRAPH, SEC. 19.16 OR CLAUSE IS ADJUDGED UNCONSTITUTIONAL OR INVALID AS TO ANY PERSON OR CIRCUMSTANCE

BY A COURT OF COMPETENT JURISDICTION, THE REMAINDER OF THE ARTICLE SHALL NOT BE AFFECTED THEREBY AND THAT INVALIDITY OR UNENFORCEABILITY SHALL NOT AFFECT THE VALIDITY, ENFORCEABILITY, OR APPLICATION OF ANY OTHER PORTION OF THIS ARTICLE. ORDINANCES MAY BE ENACTED TO FACILITATE OPERATION OF THIS ARTICLE, BUT NO ORDINANCE SHALL LIMIT OR RESTRICT THE APPLICATION OF THIS ARTICLE. THIS SUBSECTION 19.16 SHALL BE LIBERALLY CONSTRUED IN FAVOR OF VOTERS' RIGHTS IN ORDER TO EFFECTUATE ITS PURPOSES. IN CASES WHERE THERE IS A CONFLICT BETWEEN THE MMFLA AND THE MRTMA, THE MRTMA SHALL CONTROL.

THE COUNCIL SHALL PASS ANY AUTHORIZING ORDINANCES NECESSARY TO GIVE FULL EFFECT TO THE AMENDMENTS MADE TO THIS ARTICLE WITH REGARD TO MARIHUANA FACILITIES AND ESTABLISHMENTS.

CITY ORDINANCES OR REGULATIONS THAT CONFLICT WITH THIS ARTICLE ARE HEREBY REPEALED. THIS ARTICLE SHALL BECOME EFFECTIVE UPON CERTIFICATION OF THE RESULTS OF VOTER ENACTMENT. THE AMENDMENTS CONTAINED HEREIN SHALL SUPERSEDE AND CONTROL THE PROVISIONS OF THIS ARTICLE.

SEC. 19.3 ORDINANCE REQUIRED

(A) UNLESS ONE OR MORE ORDINANCES AUTHORIZING MARIHUANA ESTABLISHMENTS HAS ALREADY BEEN ENACTED BY THE COUNCIL OR THROUGH THE INITIATIVE POWER BY THE VOTERS OF THE CITY THAT MEET THE REQUIREMENTS OF THIS SECTION AND THAT DOES NOT CONFLICT WITH THE PROVISIONS OF THIS CHAPTER, THE COUNCIL SHALL ADOPT AN ORDINANCE THAT, AT A MINIMUM, DOES ALL OF THE FOLLOWING, AND THAT DOES NOT CONFLICT WITH THE PROVISIONS OF THIS CHAPTER:

- 1. PROHIBITS A PERSON FROM OPERATING A MARIHUANA ESTABLISHMENT IN THE CITY WITHOUT FIRST OBTAINING A RELEVANT CITY FULL LICENSE AUTHORIZATION AND IN ACCORDANCE WITH THE MRTMA AND THE PROVISIONS OF THIS CHAPTER. A SEPARATE CITY FULL LICENSE AUTHORIZATION IS REQUIRED FOR EACH MARIHUANA ESTABLISHMENT.
- 2. REGULATES SIGNAGE ASSOCIATED WITH MARIHUANA ESTABLISHMENTS IN THE CITY, INCLUDING, BUT NOT LIMITED TO, PROHIBITING
 - (i) A GREEN CROSS;
 - (ii) ANYTHING THAT RESEMBLES ANY PART OF A MARIHUANA PLANT; OR
 - (iii) THE WORDS OR PHRASES "MARIHUANA," "MARIJUANA," "CANNABIS," "DANK," "POT," "KUSH," "WEED," "THC," OR "MARY JANE"
- 3. PROVIDES THAT A PERSON WHO VIOLATES THE ORDINANCE SHALL BE RESPONSIBLE FOR A MUNICIPAL CIVIL INFRACTION PUNISHABLE BY A CIVIL FINE OF NO MORE THAN FIVE HUNDRED (\$500.00) DOLLARS.
- 4. LIMITS THE NUMBER OF MARIHUANA ESTABLISHMENTS AS SET FORTH IN THIS CHAPTER.
- 5. REQUIRES A MARIHUANA ESTABLISHMENT WITHIN THE CITY TO OBTAIN A PROVISIONAL LICENSE OR CITY FULL LICENSE AUTHORIZATION AS SET FORTH IN THIS CHAPTER, BUT DOES NOT IMPOSE QUALIFICATIONS FOR LICENSURE THAT CONFLICT WITH THIS CHAPTER, THE MRTMA OR RULES PROMULGATED BY THE AGENCY.
- 6. PROHIBITS MARIHUANA ESTABLISHMENTS FROM OPERATING BETWEEN THE HOURS OF 9:00 PM AND 9:00 AM DAILY, EXCEPT THAT GROWER LICENSEES MAY OPERATE TWENTY-FOUR (24) HOURS PER DAY, MARIHUANA MICROBUSINESSES MAY OPERATE FROM 7:00 AM UNTIL 12:00 AM, DESIGNATED CONSUMPTION ESTABLISHMENTS MAY OPERATE FROM 9:00 AM UNTIL 2:00 AM, AND A MARIHUANA RETAILER THAT IS CO-LOCATED WITH A DESIGNATED CONSUMPTION ESTABLISHMENT MAY OPERATE FROM 9:00 AM UNTIL 12:00 AM.
- 7. REQUIRES A MARIHUANA ESTABLISHMENT GRANTED A PROVISIONAL LICENSE OR CITY FULL LICENSE AUTHORIZATION IN THE CITY TO COMPLY WITH THE MRTMA AND RULES PROMULGATED BY THE AGENCY.
- 8. PROVIDES FOR A MINIMUM OF ONE (1) DESIGNATED CONSUMPTION ESTABLISHMENT PROVISIONAL LICENSES
- 9. CONTAINS ANY PROVISIONS NECESSARY TO IMPLEMENT THE REQUIREMENTS AND TO EMBODY THE PROVISIONS OF THIS CHAPTER.

SEC. 19.4. AUTHORIZATION OF MARIHUANA ESTABLISHMENTS

(A) EXCEPT AS PROVIDED HEREIN AND PURSUANT TO THE MRTMA, THE CITY SHALL AUTHORIZE THE FOLLOWING NUMBER OF STATE LICENSED MARIHUANA ESTABLISHMENTS TO OPERATE WITHIN ITS BOUNDARIES:

- (1) MARIHUANA SAFETY COMPLIANCE FACILITY - ONE (1) LICENSE
- (2) MARIHUANA SECURE TRANSPORTER - ONE (1) LICENSE
- (3) MARIHUANA MICROBUSINESS - MINIMUM OF TWO (2) LICENSES
- (4) MARIHUANA RETAILER - MINIMUM OF THREE (3) LICENSES, MAXIMUM OF THREE (3) LICENSES ALLOWED
- (5) MARIHUANA PROCESSOR - THREE (3) LICENSES
- (6) CLASS A MARIHUANA GROWER - MINIMUM OF FIVE (5) LICENSES
- (7) CLASS B MARIHUANA GROWER - TWO (2) LICENSES
- (8) CLASS C MARIHUANA GROWER - FIVE (5) LICENSES

(B) THE CITY SHALL NOT ENACT ANY UNREASONABLY IMPRACTICABLE RESTRICTIONS ON THE COMMERCIAL SALE OR THE SERVING OF FOOD OR BEVERAGES AT A DESIGNATED CONSUMPTION ESTABLISHMENT.

(C) THERE SHALL BE NO MORE THAN A TOTAL OF THREE (3) UNIQUE BUSINESS FACILITY ADDRESSES AT WHICH A MARIHUANA RETAILER OR A DESIGNATED CONSUMPTION ESTABLISHMENT MAY OPERATE, PROVIDED THAT MORE THAN ONE OF THESE LICENSE TYPES MAY BE LOCATED AT THE SAME BUSINESS FACILITY ADDRESS, AND THAT THE CO-LOCATION OF A MARIHUANA RETAILER AND A DESIGNATED CONSUMPTION ESTABLISHMENT AT A BUSINESS FACILITY ADDRESS SHALL NOT COUNT TOWARDS MORE THAN ONE (1) OF THE TOTAL LIMIT OF THREE (3) UNIQUE BUSINESS FACILITY ADDRESSES ALLOWED TO OPERATE WITHIN THE CITY FOR THESE LICENSE TYPES.

(D) NOTHING IN THIS CHAPTER SHALL BE READ TO PROHIBIT ANY COMBINATION OF A MARIHUANA GROWER, A MARIHUANA PROCESSOR, A

~~DESIGNATED CONSUMPTION ESTABLISHMENT, OR A MARIJUANA RETAILER FROM OPERATING AT A SINGLE LOCATION OR FROM OPERATING AT THE SAME LOCATION AS A MARIJUANA FACILITY. NOTHING IN THIS CHAPTER SHALL BE READ TO PROHIBIT A DESIGNATED CONSUMPTION ESTABLISHMENT FROM OPERATING AT THE SAME BUSINESS FACILITY ADDRESS AS A MARIJUANA RETAILER. NOTWITHSTANDING ANYTHING ELSE IN THIS ORDINANCE, A MARIJUANA RETAILER MAY NOT BE LOCATED AT THE SAME BUSINESS FACILITY ADDRESS AS ANOTHER MARIJUANA RETAILER.~~

SEC. 19.5. PROVISIONAL LICENSE APPLICATIONS

~~THE CLERK SHALL DEVELOP AN APPLICATION PROGRAM TO APPLY FOR THE ISSUANCE OF PROVISIONAL LICENSES THAT CONTAINS THE FOLLOWING CATEGORIES: THE BASIC IDENTIFYING INFORMATION ABOUT THE APPLICANT AND ITS STAKEHOLDERS; AN AFFIDAVIT THAT NO STAKEHOLDER OF THE LOCAL APPLICANT IS IN DEFAULT TO THE CITY; A COMMITMENT TO COMMUNITY STATEMENT THAT DEMONSTRATES THE LOCAL APPLICANT'S INTENT TO ADVANCE THE BROADER INTERESTS AND GOALS OF THE COMMUNITY WHICH INCLUDE, FOR THE PURPOSES OF THIS CHAPTER, ITS COMMITMENT TO THE HIRING OF LOCAL RESIDENTS AND CONTRACTORS, AND ITS COMMITMENT TO THE REDEVELOPMENT OF BLIGHTED, UNDER-UTILIZED, VACANT, OR ABANDONED PROPERTY IN THE CITY; A LOCATION MAP SHOWING THEIR DISTANCE TO THE NEAREST SCHOOL; THE LICENSE TYPE THEY ARE APPLYING FOR; DOCUMENTATION OF OWNERSHIP OR OTHER LEGAL ARRANGEMENT TO OPERATE A MARIJUANA ESTABLISHMENT AT THE PROPOSED BUSINESS FACILITY ADDRESS; DOCUMENTATION OF STAKEHOLDERS AS INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIJUANA PROHIBITION; A SOCIAL EQUITY PLAN; DOCUMENTATION OF OWNERSHIP OF AN MMFLA OR MRTMA PRE-QUALIFICATION LETTER OR STATE OPERATING LICENSE; DOCUMENTATION OF BUSINESS OPERATING EXPERIENCE OF THE STAKEHOLDERS OF THE LOCAL APPLICANT; A SECURITY PLAN CHECKLIST; AND A PUBLIC HEALTH PLAN CHECKLIST. THE SYSTEM TO SCORE APPLICATIONS MUST WORK TO SELECT LOCAL APPLICANTS THROUGH A DEMONSTRATION OF THE APPLICANT'S BUSINESS EXPERIENCE, PRIOR VETTING FROM THE AGENCY, ABILITY OF THEIR BUSINESS FACILITY ADDRESS TO COMPLY WITH LOCAL AND STATE REGULATIONS, COMMITMENT TO SOCIAL EQUITY, AND THE LONG-TERM COMMUNITY COMMITMENT OF THE LOCAL APPLICANT.~~

~~THE CLERK SHALL ESTABLISH AND MAKE AVAILABLE PROVISIONAL LICENSE APPLICATION FORMS, WHICH SHALL REQUIRE A SWORN OATH FROM AN AUTHORIZED REPRESENTATIVE OF THE LOCAL APPLICANT THAT ALL INFORMATION CONTAINED WITHIN THE APPLICATION IS TRUE TO THE BEST OF THEIR KNOWLEDGE AND, IN ADDITION TO THIS SWORN OATH, SHALL REQUIRE NO MORE THAN THE FOLLOWING INFORMATION:~~

~~(1) THE FULL NAME, DATE OF BIRTH, PHYSICAL ADDRESS, EMAIL ADDRESS, AND TELEPHONE NUMBER OF THE LOCAL APPLICANT IN THE CASE OF AN INDIVIDUAL; OR, IN THE CASE OF AN ENTITY, ALL STAKEHOLDERS THEREOF.~~

~~(2) IF THE LOCAL APPLICANT IS AN ENTITY, THE ENTITY'S ARTICLES OF INCORPORATION OR ORGANIZATIONAL DOCUMENTS.~~

~~(3) IF THE LOCAL APPLICANT IS AN ENTITY, THE ENTITY'S EMPLOYER IDENTIFICATION NUMBER.~~

~~(4) AN AFFIDAVIT THAT NEITHER THE LOCAL APPLICANT NOR ANY STAKEHOLDER OF THE LOCAL APPLICANT IS IN DEFAULT TO THE CITY.~~

~~(5) THE BUSINESS FACILITY ADDRESS FOR WHICH THE LOCAL APPLICANT IS APPLYING FOR A LICENSE TYPE.~~

~~(6) A "COMMITMENT TO COMMUNITY" STATEMENT THAT DEMONSTRATES THE LOCAL APPLICANT'S INTENT TO ADVANCE THE BROADER INTEREST AND GOALS OF THE COMMUNITY THROUGH LOCAL INVESTMENT. THIS COMMITMENT TO COMMUNITY STATEMENT SHALL OUTLINE THE LOCAL APPLICANT'S INTENTIONS REGARDING THE HIRING OF LOCAL RESIDENTS AND THE EMPLOYMENT OF LOCAL CONTRACTORS AND LOCAL WORKERS FOR IMPROVEMENTS TO ITS BUSINESS FACILITY ADDRESS, AND ITS INTENTIONS FOR RE-DEVELOPING VACANT, BLIGHTED, UNDERUTILIZED, AND ABANDONED PROPERTY THROUGH INVESTMENTS IN ITS BUSINESS FACILITY ADDRESS. THIS SECTION MAY INCLUDE AN OCCUPANCY AFFIDAVIT.~~

~~(7) A LOCATION AREA MAP THAT IDENTIFIES THE RELATIVE LOCATION(S) OF, AND DISTANCE(S) FROM, THE SCHOOL(S) NEAREST TO THE BUSINESS FACILITY ADDRESS, INCLUDING COMPLIANCE WITH THE MRTMA'S REQUIREMENT THAT THE LOCATION OF THE MARIJUANA ESTABLISHMENT BE AT LEAST ONE THOUSAND (1,000) FEET AWAY FROM A SCHOOL UNLESS THE CITY ADOPTS AN ORDINANCE LOWERING THIS DISTANCE REQUIREMENT.~~

~~(8) THE LICENSE TYPE FOR WHICH THE LOCAL APPLICANT IS APPLYING.~~

~~(9) DOCUMENTATION OF OWNERSHIP, LEASE AGREEMENT, OR OTHER LEGAL ARRANGEMENT PERMITTING THE LOCAL APPLICANT TO APPLY FOR A LICENSE OR ANY AND ALL MUNICIPAL PERMITS OR APPROVALS NEEDED FOR THE BUSINESS FACILITY ADDRESS PURSUANT TO THE TERMS OF THIS CHAPTER.~~

~~(10) IF APPLICABLE, A COMMUNITY BENEFITS AGREEMENT AS DEFINED IN SEC. 19.2(J) OF THIS CHAPTER.~~

~~(11) A SOCIAL EQUITY PLAN THAT DETAILS HOW THE LOCAL APPLICANT PLANS ON FURTHERING THE SOCIAL EQUITY OBJECTIVES OF THIS CHAPTER IN TERMS OF PROMOTING BUSINESS AND EMPLOYMENT OPPORTUNITIES FOR COMMUNITIES THAT HAVE BEEN DISPROPORTIONATELY IMPACTED BY MARIJUANA PROHIBITION, AND ITS COMMITMENT TO HIRING INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIJUANA PROHIBITION. THIS SOCIAL EQUITY PLAN AND THE COMMITMENTS THAT THE LOCAL APPLICANT MAKES SHALL BE USED FOR THE PURPOSES OF SCORING A PROVISIONAL LICENSE~~

~~APPLICATION IN SEC. 19.7 OF THIS CHAPTER AND ANY RENEWALS OR TRANSFERS AS PERMITTED BY THIS CHAPTER.~~

~~(12) DOCUMENTATION OF THE LOCAL APPLICANT'S STAKEHOLDERS OF BEING INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIJUANA PROHIBITION, IF APPLICABLE, ALONG WITH THEIR RESPECTIVE OWNERSHIP PERCENTAGES. TO VERIFY PROOF OF RESIDENCY IN A DISPROPORTIONATELY IMPACTED COMMUNITY AS DEFINED BY THE AGENCY, W-2 FORMS, MORTGAGES, DEEDS, PROPERTY TAX DOCUMENTS, LEASE OR RENTAL AGREEMENTS, INSURANCE DOCUMENTS, VOTER REGISTRATION, OR OTHER VALID DOCUMENTATION MAY BE USED. TO VERIFY A MARIJUANA-RELATED CONVICTION, A COPY OF JUDGMENT OF SENTENCE OR OTHER OFFICIAL DOCUMENTATION IS REQUIRED. TO VERIFY TWO (2) CALENDAR YEARS OF CAREGIVER EXPERIENCE, THE LOCAL APPLICANT MUST GIVE AUTHORIZATION FOR THE AGENCY TO RELEASE RELEVANT INFORMATION UNDER THE MMMA OR PROVIDE THE APPROPRIATE SUPPORTING DOCUMENTATION.~~

~~(13) A SITE PLAN OR PRELIMINARY SKETCH OF THE PROPOSED FACILITY, DETAILING THE LOCATION OF BASIC SECURITY FEATURES, ENTRANCES AND EXITS, DIMENSIONS, AND PROPOSED LAYOUT OF THE BUSINESS FACILITY ADDRESS. THIS MAY INCLUDE THE SQUARE FOOTAGE OF THE BUSINESS FACILITY ADDRESS AND THE LOCATION OF ANY SHARED WALLS, BATHROOMS, DOORS, AIR VENTILATION SYSTEMS, OR FACILITIES WITH NON-MARIJUANA BUSINESSES AND THE LOCATION OF ANY BUSINESS FACILITY ADJACENT ADDRESSES. THE APPLICANT MAY NOTE IF THEY ARE APPLYING TO BE A VERTICALLY INTEGRATED FACILITY BY NOTING OTHER LICENSE TYPES THAT THEY ARE APPLYING FOR AT THE BUSINESS FACILITY ADDRESS.~~

~~(14) IF APPLICABLE, DOCUMENTATION THAT THE LOCAL APPLICANT HAS RECEIVED A STATE OPERATING LICENSE PURSUANT TO THE MMFLA OR MRTMA OR THAT THE LOCAL APPLICANT HAS RECEIVED MMFLA OR MRTMA PRE-QUALIFICATION APPROVAL FROM THE AGENCY.~~

~~(15) DOCUMENTATION OF THE BUSINESS OPERATING, MANAGING, OR OWNERSHIP EXPERIENCE OF EACH OF THE STAKEHOLDERS OF THE LOCAL APPLICANT~~

~~(16) THE COMPLETION OF A "SECURITY PLAN CHECKLIST" THAT CONTAINS ANSWERS TO THE FOLLOWING QUESTIONS ALONG WITH SUPPORTING DOCUMENTATION: (1) DOES THE LOCAL APPLICANT HAVE A SECURITY PLAN TO PREVENT MINORS FROM OBTAINING ACCESS TO MARIJUANA AT THE BUSINESS FACILITY ADDRESS? IF SO, PROVIDE SUPPORTING DOCUMENTATION; (2) DOES THE LOCAL APPLICANT HAVE A SECURITY PLAN DESIGNED TO DETER POTENTIAL ROBBERY AND THEFT FROM THE BUSINESS FACILITY ADDRESS? IF SO, PROVIDE SUPPORTING DOCUMENTATION; (3) DOES THE BUSINESS FACILITY ADDRESS OF THE LOCAL APPLICANT MEET THE DEFINITION OF A STAND ALONE BUSINESS FACILITY ADDRESS AND IF SO, DOES ITS SECURITY PLAN INCLUDE THE INSTALLATION OF PHYSICAL SECURITY BARRIERS TO CREATE A THREE HUNDRED AND SIXTY (360) DEGREE PERIMETER SURROUNDING ITS STAND ALONE BUSINESS FACILITY ADDRESS FOR THE PURPOSE OF DETERRING THEFT AND CRIME? IF SO, PROVIDE SUPPORTING DOCUMENTATION.~~

~~(17) THE COMPLETION OF A "PUBLIC HEALTH PLAN CHECKLIST" THAT CONTAINS ANSWERS TO THE FOLLOWING QUESTIONS ALONG WITH SUPPORTING DOCUMENTATION: (I) WILL THE LOCAL APPLICANT REQUIRE THAT THE EMPLOYEES AT ITS BUSINESS FACILITY ADDRESS WEAR PERSONAL PROTECTIVE EQUIPMENT, INCLUDING GLOVES, WHEN HANDLING MARIJUANA AND MARIJUANA PRODUCTS? IF SO, PROVIDE SUPPORTING DOCUMENTATION; (II) DOES THE LOCAL APPLICANT HAVE A PUBLIC HEALTH PLAN TO EDUCATE ITS CUSTOMERS ABOUT THE POTENTIALLY HARMFUL SIDE-EFFECTS OF USING MARIJUANA IN COMBINATION WITH OTHER SUBSTANCES AND TO WARN ITS CUSTOMERS ABOUT POTENTIAL NEGATIVE HEALTH EFFECTS OF INDIVIDUALS WITH SPECIFIC HEALTH CONDITIONS FROM USING MARIJUANA? IF SO, PROVIDE SUPPORTING DOCUMENTATION; (III) DOES THE BUSINESS FACILITY ADDRESS OF THE LOCAL APPLICANT CONTAIN AN EXISTING VENTILATION SYSTEM THAT IS NOT ALSO UTILIZED BY A NON-MARIJUANA ESTABLISHMENT OR OTHER NON-MARIJUANA BUSINESS AND WHERE THE VENTILATION SYSTEM DIRECTS AIR FROM THE MARIJUANA ESTABLISHMENT TO THE OUTSIDE OF THE BUILDING THROUGH A FILTRATION SYSTEM SUFFICIENT TO REMOVE VISIBLE SMOKE IF APPLICABLE, CONSISTENT WITH ALL APPLICABLE BUILDING CODES AND ORDINANCES AND ADEQUATE TO ELIMINATE ODOR AT THE BOUNDARY LINE OF THE BUSINESS FACILITY ADDRESS? IF SO, PROVIDE SUPPORTING DOCUMENTATION; (IV) DOES THE BUSINESS FACILITY ADDRESS OF THE LOCAL APPLICANT QUALIFY AS A STAND ALONE BUSINESS FACILITY ADDRESS? IF SO, PROVIDE SUPPORTING DOCUMENTATION.~~

SEC. 19.6. APPLICATION FEE

~~(A) THE CITY SHALL ESTABLISH A NONREFUNDABLE PROVISIONAL LICENSE APPLICATION FEE TO BE PAID UPON FILING ANY APPLICATION FOR A MARIJUANA ESTABLISHMENT BY A LOCAL APPLICANT. THE AMOUNT OF THE INITIAL PROVISIONAL LICENSE APPLICATION FEE MAY BE SET BY COUNCIL RESOLUTION, BUT SHALL NOT EXCEED ONE HUNDRED DOLLARS (\$100). WITH A FINAL APPLICATION FEE THAT DOES NOT EXCEED FOUR THOUSAND NINE HUNDRED DOLLARS (\$4,900) TO BE PAID TO THE CITY UPON APPROVAL OF A STATE OPERATING LICENSE ISSUE BY THE AGENCY FOR THE LICENSE TYPE AT THE BUSINESS FACILITY ADDRESS. IF THE CITY FAILS TO ESTABLISH SUCH A FEE BY THE TIME THAT THE INITIAL APPLICATION WINDOW OPENS, THE FEE AMOUNT SHALL DEFAULT TO THE MAXIMUM AMOUNT OF ONE HUNDRED DOLLARS (\$100) FOR THE INITIAL PROVISIONAL LICENSE APPLICATION FEE AND FOUR THOUSAND NINE HUNDRED DOLLARS (\$4,900) FOR THE FINAL APPLICATION FEE, WHICH SHALL BE PAID UPON ISSUANCE OF A STATE OPERATING LICENSE TO THE LOCAL APPLICANT.~~

SEC. 19.7. APPLICATION REVIEW

(A) ~~THE CLERK SHALL ESTABLISH A PROCESS TO RECEIVE, PROCESS, AND REVIEW APPLICATIONS IN ORDER TO DETERMINE THAT ALL APPLICABLE REQUIRED CONTENT LISTED IN SEC. 19.5 OF THIS CHAPTER HAS BEEN INCLUDED AND THAT THE RELEVANT APPLICATION FEE HAS BEEN PAID, BUT THE PROCESS MAY NOT CONFLICT WITH THE PROVISIONS OF THIS CHAPTER. THE CLERK MAY ONLY REFUSE TO PROCESS AN APPLICATION FOR FAILURE TO PAY THE INITIAL APPLICATION FEE.~~

(B) ~~EXCEPT AS PROVIDED BY LAW, ALL MATERIALS SUBMITTED TO THE CITY AS PART OF AN APPLICATION SHALL BE EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 ET SEQ.~~

(C) ~~THE CLERK MAY SET THE OPENING OF THE INITIAL APPLICATION WINDOW FOR MARIHUANA ESTABLISHMENTS NO LATER THAN TWO WEEKS AFTER THE EFFECTIVE DATE OF THIS CHAPTER. BUT IF THE CLERK FAILS TO SET THE INITIAL APPLICATION WINDOW WITHIN TEN (10) DAYS AFTER THE EFFECTIVE DATE OF THIS CHAPTER, THE INITIAL APPLICATION WINDOW FOR MARIHUANA ESTABLISHMENTS SHALL AUTOMATICALLY OPEN ON THE ELEVENTH (11TH) DAY AFTER THE EFFECTIVE DATE OF THIS CHAPTER. IF THE CLERK FAILS TO MAKE AN APPLICATION FORM AVAILABLE FOR MARIHUANA ESTABLISHMENTS, LOCAL APPLICANTS MAY PREPARE AND FILE THEIR OWN APPLICATION WHICH MUST INCLUDE INFORMATION FOR AT LEAST TWELVE (12) OF THE ITEMS LISTED IN SEC. 19.5 OF THIS CHAPTER AND BE TITLED "CITY OF BELLEVILLE MARIHUANA ESTABLISHMENT BUSINESS APPLICATION" AND BE FILED WITH THE CLERK. THE INITIAL APPLICATION WINDOW FOR MARIHUANA ESTABLISHMENTS SHALL CLOSE THIRTY (30) DAYS AFTER IT OPENS. ONE (1) CALENDAR YEAR AFTER PROVISIONAL LICENSES FOR MARIHUANA ESTABLISHMENTS HAVE BEEN AWARDED TO LOCAL APPLICANTS WHO APPLY WITHIN THE INITIAL APPLICATION WINDOW FOR MARIHUANA ESTABLISHMENTS, THE CLERK MAY SET A SUBSEQUENT APPLICATION WINDOW.~~

(D) ~~OVERALL SCORING AND RANKING SHALL BE CONDUCTED AND APPLIED BY THE CLERK ON THE BASIS OF ASSIGNED POINTS FROM ZERO (0) POINTS TO ONE HUNDRED (100) POINTS WITH THE LOWEST POSSIBLE TOTAL SCORE BEING ZERO (0) POINTS AND THE HIGHEST POSSIBLE TOTAL SCORE BEING ONE HUNDRED (100) POINTS. IN THE EVENT OF AN EVALUATION SCORING TIE, WHICH CAUSES THERE TO BE TWO (2) OR MORE LOCAL APPLICANTS WHO ACHIEVE EQUAL SCORES, THE SCORING-TIED LOCAL APPLICANTS WILL BE ENTERED INTO A RANDOM DRAW TO DETERMINE THEIR RELATIVE RANKINGS UNDER THIS SCORING PROCEDURE.~~

(E) ~~AFTER THE CLOSING OF THE INITIAL APPLICATION WINDOW, THE CLERK SHALL SCORE AND RANK APPLICATIONS FOR MARIHUANA ESTABLISHMENTS BY USING THE FOLLOWING SCORING CRITERIA WHICH CAN BE VERIFIED BY CATEGORY FOR APPLICATIONS SUBMITTED DURING THE INITIAL APPLICATION WINDOW FOR MARIHUANA ESTABLISHMENTS: MARIHUANA MICROBUSINESS AND CLASS A MARIHUANA GROWER LICENSE TYPE AND DESIGNATED CONSUMPTION ESTABLISHMENT APPLICATIONS SHALL BE SCORED USING A SEPARATE SCORING PROCEDURE, AS SET FORTH IN THE SECTION SPECIFICALLY DESIGNED FOR SCORING SUCH LICENSE TYPES BELOW.~~

(F) ~~MARIHUANA CLASS B GROWER, CLASS C GROWER, PROCESSOR, RETAILER, SAFETY COMPLIANCE FACILITY, AND SECURE TRANSPORTER ESTABLISHMENT LICENSE TYPE SCORING PROCEDURE:~~

(1) ~~LOCAL APPLICANT VETTING: THIS CATEGORY SHALL REFER TO THE DEGREE TO WHICH THE LOCAL APPLICANT HAS BEEN FOUND QUALIFIED FOR LICENSURE BY THE AGENCY. A MAXIMUM OF FIFTY (50) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT POSSESSES A STATE OPERATING LICENSE PURSUANT TO THE MMFLA OR THE MRTMA, FIFTY (50) POINTS SHALL BE AWARDED FOR THIS CATEGORY; OR, IF THE LOCAL APPLICANT POSSESSES A STATE PREQUALIFICATION APPROVAL FROM THE AGENCY PURSUANT TO THE MMFLA OR THE MRTMA, FORTY (40) POINTS SHALL BE AWARDED FOR THIS CATEGORY. A LOCAL APPLICANT CAN ONLY EARN POINTS FOR EITHER A STATE OPERATING LICENSE OR A STATE PRE-QUALIFICATION LETTER IN THIS CATEGORY.~~

(2) ~~COMPLETENESS: THIS CATEGORY SHALL REFER TO THE INFORMATION WHICH MAY BE INCLUDED IN AN APPLICATION UNDER THE PROVISIONS OF SEC. 19.5 OF THIS CHAPTER. THE MAXIMUM NUMBER OF SCORING POINTS IN THIS CATEGORY SHALL BE TEN (10) POINTS. POINTS IN THIS CATEGORY SHALL ONLY BE DETERMINED BASED ON THE COMPLETENESS OF THE APPLICATION. COMPLETENESS SHALL BE DEFINED AS THE NUMBER OF ITEMS IN SEC. 19.5 OF THIS CHAPTER FOR WHICH INFORMATION HAS BEEN SUBMITTED. IF THE APPLICATION CONTAINS INFORMATION FOR LESS THAN TWELVE (12) OF THE ITEMS LISTED IN SEC. 19.5 OF THIS CHAPTER, ZERO (0) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE APPLICATION CONTAINS TWELVE (12) TO THIRTEEN (13) OF THE ITEMS LISTED IN SEC. 19.5 OF THIS CHAPTER, SEVEN (7) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE APPLICATION CONTAINS OVER THIRTEEN (13) OF THE ITEMS LISTED IN SEC. 19.5 OF THIS CHAPTER, TEN (10) POINTS SHALL BE AWARDED FOR THIS CATEGORY. COMPLETENESS IN THIS CATEGORY SHALL ONLY REFER TO WHETHER OR NOT INFORMATION FOR A SEC. 19.5 ITEM HAS BEEN PROVIDED, AND IS NOT AN ASSESSMENT OF THE SUBJECTIVE QUALITY OR SUFFICIENCY OF SAID INFORMATION.~~

(3) ~~BUSINESS EXPERIENCE: THIS CATEGORY SHALL REFER TO THE YEARS OF BUSINESS OPERATING EXPERIENCE OF THE STAKEHOLDERS OF THE LOCAL APPLICANT IN OPERATING EITHER MARIHUANA OR NON-MARIHUANA BUSINESSES. A MAXIMUM OF TEN (10) POINTS SHALL BE AWARDED FOR THIS CATEGORY, AND ONE (1) POINT SHALL BE AWARDED FOR EACH TOTAL YEAR OF COMBINED BUSINESS OPERATING EXPERIENCE BY THE STAKEHOLDERS OF THE LOCAL APPLICANT AS DOCUMENTED IN SEC. 19.5(15) OF THIS CHAPTER.~~

(4) ~~SECURITY AND PUBLIC HEALTH: THIS CATEGORY ALLOCATES POINTS BASED ON WHETHER THE BUSINESS FACILITY ADDRESS OF A LOCAL APPLICANT HAS FEATURES THAT WILL INCREASE THE SECURITY OF THE MARIHUANA~~

~~ESTABLISHMENT AND REDUCE ANY PUBLIC HEALTH RISKS THAT MAY RESULT FROM THE MARIHUANA ESTABLISHMENT. A MAXIMUM OF SEVEN (7) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT FOR THE PROPOSED MARIHUANA ESTABLISHMENT HAS ANSWERED AFFIRMATIVELY AND HAS PROVIDED THE APPROPRIATE SUPPORTING DOCUMENTATION TO AT LEAST TWO (2) OF THE SECURITY PLAN CHECKLIST QUESTIONS LISTED IN SEC. 19.5(16) OF THIS CHAPTER, ONE (1) POINT SHALL BE AWARDED FOR THIS CATEGORY; OR, IF THE LOCAL APPLICANT FOR THE PROPOSED MARIHUANA ESTABLISHMENT HAS ANSWERED AFFIRMATIVELY AND HAS PROVIDED THE APPROPRIATE SUPPORTING DOCUMENTATION TO ALL OF THE SECURITY PLAN CHECKLIST QUESTIONS LISTED IN SEC. 19.5(16) OF THIS CHAPTER, THREE (3) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT FOR THE PROPOSED MARIHUANA ESTABLISHMENT HAS ANSWERED AFFIRMATIVELY AND PROVIDED THE APPROPRIATE SUPPORTING DOCUMENTATION TO AT LEAST TWO (2) OF THE PUBLIC HEALTH PLAN CHECKLIST QUESTIONS LISTED IN SEC. 19.5 (17) OF THIS CHAPTER, TWO (2) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY; OR, IF THE LOCAL APPLICANT FOR THE PROPOSED MARIHUANA ESTABLISHMENT HAS ANSWERED AFFIRMATIVELY AND HAS PROVIDED THE APPROPRIATE SUPPORTING DOCUMENTATION TO ALL OF THE PUBLIC HEALTH PLAN CHECKLIST QUESTIONS LISTED IN SEC. 19.5(17) OF THIS CHAPTER, FOUR (4) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY.~~

(5) ~~STRUCTURAL SUITABILITY: THIS CATEGORY ALLOCATES POINTS BASED ON WHETHER THE BUSINESS FACILITY ADDRESS IS LIKELY TO BE IN COMPLIANCE WITH THE MRTMA, THE TIME IT WILL TAKE FOR THE BUSINESS FACILITY ADDRESS TO COME INTO COMPLIANCE WITH THE MRTMA, AND THE SAFETY RISK POSED BY BUILDING STRUCTURES THAT ARE NOT WELL SUITED TO OPERATE AS MARIHUANA ESTABLISHMENTS. A MAXIMUM OF TEN (10) POINTS SHALL BE AWARDED FOR THIS CATEGORY. APPLICATION INFORMATION IN SEC. 19.5(13) SHALL BE USED FOR THE PURPOSES OF ALLOCATING POINTS IN THIS CATEGORY. IF THE APPLICATION IS FOR A MARIHUANA RETAILER LICENSE TYPE AND THE BUSINESS FACILITY ADDRESS CONTAINS A MINIMUM OF A MINIMUM OF TWO THOUSAND (2,000) SQUARE FEET, TEN (10) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE APPLICATION IS FOR A MARIHUANA GROWER LICENSE TYPE AND THE BUSINESS FACILITY ADDRESS CONTAINS A MINIMUM OF FIVE THOUSAND (5,000) SQUARE FEET, TEN (10) POINTS SHALL BE AWARDED FOR THIS CATEGORY.~~

(6) ~~COMMITMENT TO COMMUNITY: THIS CATEGORY ALLOCATES POINTS BASED ON THE LOCAL APPLICANT'S COMMITMENT TO ADVANCE THE BROADER INTEREST AND GOALS OF THE COMMUNITY THROUGH INVESTMENT IN THE PEOPLE OF THE COMMUNITY AND IN THE COMMUNITY'S TAX BASE. THIS IS DEMONSTRATED THROUGH THE FOLLOWING CRITERIA: COMMITMENT TO THE HIRING OF LOCAL RESIDENTS AND HIRING OF LOCAL CONTRACTORS FOR WORK AND IMPROVEMENTS TO ITS BUSINESS FACILITY ADDRESS, AND COMMITMENT TO LONG-TERM INVESTMENT IN THE COMMUNITY THROUGH THE REDEVELOPMENT OF VACANT, BLIGHTED, OR ABANDONED PROPERTY IN THE COMMUNITY. THE MAXIMUM NUMBER OF SCORING POINTS IN THIS CATEGORY SHALL BE SEVEN (7) POINTS. POINTS IN THIS CATEGORY SHALL BE AWARDED AS FOLLOWS: IF THE LOCAL APPLICANT, AS PART OF THE COMMITMENT TO COMMUNITY CATEGORY OF ITS APPLICATION, COMMITS TO HIRING A MINIMUM OF TEN (10) PERCENT OF ITS EMPLOYEES FROM LOCAL RESIDENTS OF THE CITY, ONE (1) POINT SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT, AS PART OF THE COMMITMENT TO COMMUNITY CATEGORY OF ITS APPLICATION COMMITS TO HIRING LOCAL CONTRACTORS FOR WORK AND IMPROVEMENTS TO ITS BUSINESS FACILITY ADDRESS, ONE (1) ADDITIONAL POINT SHALL BE AWARDED FOR THIS CATEGORY. POINTS FOR LONG-TERM COMMUNITY INVESTMENT AND RE-DEVELOPMENT SHALL BE AWARDED BASED ON THE PERCENTAGE OCCUPANCY OF THE BUSINESS FACILITY ADDRESS. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY OF ZERO PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED FIVE (5) ADDITIONAL POINTS FOR THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY GREATER THAN ZERO (0) PERCENT AND LESS THAN OR EQUAL TO TWENTY-FIVE (25) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED THREE (3) ADDITIONAL POINTS FOR THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY GREATER THAN TWENTY-FIVE (25) PERCENT AND LESS THAN OR EQUAL TO FIFTY (50) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED TWO (2) ADDITIONAL POINTS FOR THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY GREATER THAN FIFTY (50) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED ZERO (0) ADDITIONAL POINTS FOR THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS CONSISTS OF NO COMMERCIALY VIABLE BUILDING STRUCTURES OR IS A VACANT LAND PARCEL, THE LOCAL APPLICANT SHALL BE AWARDED ZERO (0) ADDITIONAL POINTS FOR THIS CATEGORY.~~

(7) ~~SOCIAL EQUITY: THIS CATEGORY ALLOCATES POINTS BASED ON WHETHER THE LOCAL APPLICANT HAS MADE A COMMITMENT TO HIRE INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIHUANA PROHIBITION. A MAXIMUM OF SIX (6) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT COMMITS TO HIRE A MINIMUM OF TWENTY-FIVE (25) PERCENT OF ITS WORKFORCE CONSISTING OF INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIHUANA PROHIBITION, THREE (3) POINTS SHALL BE AWARDED FOR THIS CATEGORY; OR, IF THE LOCAL APPLICANT COMMITS TO HIRING A MINIMUM OF TEN (10) PERCENT OF ITS WORKFORCE CONSISTING OF INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIHUANA PROHIBITION, ONE (1) POINT SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT INCLUDES A COMMUNITY BENEFITS AGREEMENT IN THEIR APPLICATION THAT MEETS THE REQUIREMENTS OF SEC. 19.5(10) OF THIS CHAPTER, THREE (3) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY.~~

(G) ~~MARIHUANA MICROBUSINESS AND CLASS A MARIHUANA GROWER ESTABLISHMENT LICENSE TYPE SCORING PROCEDURE:~~

(1) ~~COMPLETENESS: THIS CATEGORY SHALL REFER TO THE INFORMATION THAT MAY BE INCLUDED IN AN APPLICATION UNDER THE PROVISIONS OF SEC. 19.5 OF THIS CHAPTER. THE MAXIMUM NUMBER OF SCORING POINTS IN THIS CATEGORY SHALL BE TWENTY (20) POINTS. POINTS IN THIS CATEGORY SHALL BE DETERMINED BASED ON THE COMPLETENESS OF THE APPLICATION. COMPLETENESS SHALL BE DEFINED AS THE NUMBER OF ITEMS IN SEC. 19.5 OF THIS CHAPTER FOR WHICH INFORMATION HAS BEEN SUBMITTED. IF THE APPLICATION CONTAINS LESS THAN TWELVE (12) OF THE ITEMS LISTED IN SEC. 19.5 OF THIS CHAPTER, NO POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE APPLICATION CONTAINS TWELVE (12) TO THIRTEEN (13) OF THE ITEMS LISTED IN SEC. 19.5 OF THIS CHAPTER, FIFTEEN (15) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE APPLICATION CONTAINS OVER THIRTEEN (13) OF THE ITEMS LISTED IN SEC. 19.5 OF THIS CHAPTER, TWENTY (20) POINTS SHALL BE AWARDED FOR THIS CATEGORY. COMPLETENESS IN THIS CATEGORY SHALL ONLY REFER TO WHETHER OR NOT INFORMATION FOR A SEC. 19.5 ITEM HAS BEEN PROVIDED, AND IS NOT AN ASSESSMENT OF THE SUBJECTIVE QUALITY OR SUFFICIENCY OF SAID INFORMATION.~~

(2) ~~SECURITY AND PUBLIC HEALTH: THIS CATEGORY ALLOCATES POINTS BASED ON WHETHER THE BUSINESS FACILITY ADDRESS OF A LOCAL APPLICANT HAS FEATURES THAT WILL INCREASE THE SECURITY OF THE MARIHUANA ESTABLISHMENT AND REDUCE ANY PUBLIC HEALTH RISKS THAT MAY RESULT FROM THE MARIHUANA ESTABLISHMENT. A MAXIMUM OF TWENTY (20) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT FOR THE PROPOSED MARIHUANA ESTABLISHMENT HAS ANSWERED AFFIRMATIVELY AND HAS PROVIDED THE APPROPRIATE SUPPORTING DOCUMENTATION TO AT LEAST TWO OF THE SECURITY PLAN CHECKLIST QUESTIONS LISTED IN SEC. 19.5(16) OF THIS CHAPTER, FIVE (5) POINTS SHALL BE AWARDED FOR THIS CATEGORY; OR, IF THE LOCAL APPLICANT FOR THE PROPOSED MARIHUANA ESTABLISHMENT HAS ANSWERED AFFIRMATIVELY AND HAS PROVIDED THE APPROPRIATE SUPPORTING DOCUMENTATION TO ALL OF THE SECURITY PLAN CHECKLIST QUESTIONS LISTED IN SEC. 19.5(16) OF THIS CHAPTER, TEN (10) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT FOR THE PROPOSED MARIHUANA ESTABLISHMENT HAS ANSWERED AFFIRMATIVELY AND HAS PROVIDED THE APPROPRIATE SUPPORTING DOCUMENTATION TO AT LEAST TWO (2) OF THE PUBLIC HEALTH PLAN CHECKLIST QUESTIONS LISTED IN SEC. 19.5(17) OF THIS CHAPTER, FIVE (5) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY; OR, IF THE LOCAL APPLICANT FOR THE PROPOSED MARIHUANA ESTABLISHMENT HAS ANSWERED AFFIRMATIVELY AND HAS PROVIDED THE APPROPRIATE SUPPORTING DOCUMENTATION TO ALL OF THE PUBLIC HEALTH PLAN CHECKLIST QUESTIONS LISTED IN SEC. 19.5(17) OF THIS CHAPTER, TEN (10) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY.~~

(3) ~~COMMITMENT TO COMMUNITY: THIS CATEGORY ALLOCATES POINTS BASED ON THE LOCAL APPLICANT'S COMMITMENT TO ADVANCE THE BROADER INTEREST AND GOALS OF THE COMMUNITY THROUGH INVESTMENT IN THE PEOPLE OF THE COMMUNITY AND IN THE COMMUNITY'S TAX BASE. THIS IS DEMONSTRATED THROUGH THE FOLLOWING: COMMITMENT TO THE HIRING OF LOCAL RESIDENTS AND HIRING OF LOCAL CONTRACTORS FOR WORK AND IMPROVEMENTS TO ITS BUSINESS FACILITY ADDRESS, AND COMMITMENT TO LONG-TERM INVESTMENT IN THE COMMUNITY THROUGH THE REDEVELOPMENT OF VACANT, BLIGHTED, OR ABANDONED PROPERTY IN THE COMMUNITY. THE MAXIMUM NUMBER OF SCORING POINTS IN THIS CATEGORY SHALL BE TWENTY (20) POINTS. POINTS IN THIS CATEGORY SHALL ONLY BE AWARDED AS FOLLOWS: IF THE LOCAL APPLICANT, AS PART OF THE COMMITMENT TO COMMUNITY CATEGORY OF ITS APPLICATION, COMMITS TO HIRING OF AT LEAST TEN (10) PERCENT OF ITS EMPLOYEES FROM LOCAL RESIDENTS OF THE CITY, TWO (2) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT, AS PART OF THE COMMITMENT TO COMMUNITY CATEGORY OF ITS APPLICATION COMMITS TO HIRING LOCAL CONTRACTORS FOR WORK AND IMPROVEMENTS TO ITS BUSINESS FACILITY ADDRESS, THREE (3) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY. POINTS FOR LONG-TERM COMMUNITY INVESTMENT AND RE-DEVELOPMENT SHALL BE AWARDED BASED ON THE PERCENTAGE OCCUPANCY OF THE BUSINESS FACILITY ADDRESS. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY OF ZERO (0) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED FIFTEEN (15) ADDITIONAL POINTS FOR THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY GREATER THAN ZERO (0) PERCENT AND LESS THAN OR EQUAL TO TWENTY-FIVE (25) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED TEN (10) ADDITIONAL POINTS FOR THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY GREATER THAN TWENTY-FIVE (25) PERCENT AND LESS THAN OR EQUAL TO FIFTY (50) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED FIVE (5) ADDITIONAL POINTS FOR THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY GREATER THAN FIFTY (50) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED ZERO (0) ADDITIONAL POINTS FOR THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS CONSISTS OF NO COMMERCIALY VIABLE BUILDING STRUCTURES OR IS A VACANT LAND PARCEL, THE LOCAL APPLICANT SHALL BE AWARDED ZERO (0) ADDITIONAL POINTS FOR THIS CATEGORY.~~

(4) ~~STRUCTURAL SUITABILITY: THIS CATEGORY ALLOCATES POINTS BASED ON WHETHER THE BUSINESS FACILITY ADDRESS IS LIKELY TO BE IN COMPLIANCE WITH THE MRTMA AND THE TIME IT WILL TAKE FOR THE BUSINESS FACILITY ADDRESS TO COME INTO COMPLIANCE WITH THE MRTMA, AND THE SAFETY RISK POSED BY BUILDING STRUCTURES THAT ARE NOT WELL SUITED TO OPERATE AS MARIHUANA ESTABLISHMENTS. A MAXIMUM OF TEN (10) POINTS SHALL BE AWARDED FOR THIS CATEGORY. APPLICATION INFORMATION IN SEC. 19.5(13) SHALL BE USED FOR THE PURPOSES OF ALLOCATING POINTS IN THIS CATEGORY. IF THE APPLICATION IS FOR A MARIHUANA MICROBUSINESS AND THE BUSINESS FACILITY ADDRESS CONTAINS A MINIMUM OF FIVE THOUSAND (5,000) SQUARE FEET, TEN (10) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE APPLICATION IS FOR A~~

~~CLASS A MARIHUANA GROWER LICENSE TYPE AND THE BUSINESS FACILITY ADDRESS CONTAINS A MINIMUM OF TWO THOUSAND FIVE HUNDRED (2,500) SQUARE FEET, TEN (10) POINTS SHALL BE AWARDED FOR THIS CATEGORY.~~

(5) ~~SOCIAL EQUITY: THIS CATEGORY ALLOCATES POINTS BASED ON WHETHER THE LOCAL APPLICANT HAS MADE A COMMITMENT TO HIRE INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIHUANA PROHIBITION. A MAXIMUM OF TEN (10) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT COMMITS TO HIRE A MINIMUM OF TWENTY-FIVE (25) PERCENT OF ITS WORKFORCE CONSISTING OF INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIHUANA PROHIBITION, FIVE (5) POINTS SHALL BE AWARDED FOR THIS CATEGORY; OR, IF THE LOCAL APPLICANT COMMITS TO HIRING A MINIMUM OF TEN (10) PERCENT OF ITS WORKFORCE CONSISTING OF INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIHUANA PROHIBITION, TWO (2) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT INCLUDES A COMMUNITY BENEFITS AGREEMENT IN THEIR APPLICATION THAT MEETS THE REQUIREMENTS OF SEC. 19.5 (10) OF THIS CHAPTER, FIVE (5) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY.~~

(6) ~~SOCIAL EQUITY BACKGROUND: THIS CATEGORY ALLOCATES POINTS BASED ON WHETHER THE STAKEHOLDERS OF THE LOCAL APPLICANT CONSIST OF INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIHUANA PROHIBITION. A MAXIMUM OF TWENTY (20) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF AT LEAST ONE (1) STAKEHOLDER WITH AT LEAST A TWENTY-FIVE (25) PERCENT OWNERSHIP OF THE LOCAL APPLICANT ENTITY HAS RESIDED IN A DISPROPORTIONATELY IMPACTED COMMUNITY, AS DEFINED BY THE AGENCY, FOR AT LEAST FIVE (5) CALENDAR YEARS PRIOR TO THE APPLICATION DATE, THREE (3) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF AT LEAST ONE (1) STAKEHOLDER WITH AT LEAST A TWENTY-FIVE (25) PERCENT OWNERSHIP OF THE LOCAL APPLICANT ENTITY CONSISTS OF AN INDIVIDUAL WITH A PRIOR MARIHUANA RELATED CONVICTION, THREE (3) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF AT LEAST ONE STAKEHOLDER WITH AT LEAST A TWENTY-FIVE (25) PERCENT OWNERSHIP OF THE LOCAL APPLICANT ENTITY CONSISTS OF AN INDIVIDUAL WITH AT LEAST TWO (2) CALENDAR YEARS OF CAREGIVER EXPERIENCE UNDER THE STATE OF MICHIGAN'S MEDICAL MARIHUANA PROGRAM, THREE (3) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF OVER FIFTY (50) PERCENT OF THE LOCAL APPLICANT ENTITY IS OWNED BY STAKEHOLDER(S) WHO ARE INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIHUANA PROHIBITION AS DEFINED BY THIS CHAPTER, THREE (3) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT MEETS THE DEFINITION OF A WORKER-OWNED COOPERATIVE AS DEFINED BY THIS CHAPTER, EIGHT (8) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY.~~

(H) ~~MARIHUANA ESTABLISHMENT SCORING PROCEDURE FOR DESIGNATED CONSUMPTION ESTABLISHMENTS:~~

(1) ~~LOCAL APPLICANT VETTING: THIS CATEGORY SHALL REFER TO THE DEGREE TO WHICH THE LOCAL APPLICANT HAS BEEN FOUND QUALIFIED FOR LICENSURE BY THE AGENCY. A MAXIMUM OF FIFTY (50) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT POSSESSES A STATE OPERATING LICENSE PURSUANT TO THE MMFLA OR THE MRTMA, FIFTY (50) POINTS SHALL BE AWARDED FOR THIS CATEGORY; OR, IF THE LOCAL APPLICANT POSSESSES A STATE PREQUALIFICATION APPROVAL FROM THE AGENCY PURSUANT TO THE MMFLA OR THE MRTMA, FORTY (40) POINTS SHALL BE AWARDED FOR THIS CATEGORY. A LOCAL APPLICANT CAN ONLY EARN POINTS FOR EITHER A STATE OPERATING LICENSE OR A STATE PRE-QUALIFICATION LETTER IN THIS CATEGORY.~~

(2) ~~COMPLETENESS: THIS CATEGORY SHALL REFER TO THE INFORMATION WHICH MAY BE INCLUDED IN AN APPLICATION UNDER THE PROVISIONS OF SEC. 19.5 OF THIS CHAPTER. THE MAXIMUM NUMBER OF SCORING POINTS IN THIS CATEGORY SHALL BE TEN (10) POINTS. POINTS IN THIS CATEGORY SHALL ONLY BE DETERMINED BASED ON THE COMPLETENESS OF THE APPLICATION. COMPLETENESS SHALL BE DEFINED AS THE NUMBER OF ITEMS IN SEC. 19.5 OF THIS CHAPTER FOR WHICH INFORMATION HAS BEEN SUBMITTED. IF THE APPLICATION CONTAINS LESS THAN TWELVE (12) OF THE ITEMS LISTED IN SEC. 19.5 OF THIS CHAPTER, ZERO (0) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE APPLICATION CONTAINS TWELVE (12) TO THIRTEEN (13) OF THE ITEMS LISTED IN SEC. 19.5 OF THIS CHAPTER, SEVEN (7) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE APPLICATION CONTAINS OVER THIRTEEN (13) OF THE ITEMS LISTED IN SEC. 19.5 OF THIS CHAPTER, TEN (10) POINTS SHALL BE AWARDED FOR THIS CATEGORY. COMPLETENESS IN THIS CATEGORY SHALL ONLY REFER TO WHETHER OR NOT INFORMATION FOR A SEC. 19.5 ITEM HAS BEEN PROVIDED, AND IS NOT AN ASSESSMENT OF THE SUBJECTIVE QUALITY OR SUFFICIENCY OF SAID INFORMATION.~~

(3) ~~BUSINESS EXPERIENCE: THIS CATEGORY SHALL REFER TO THE YEARS OF BUSINESS OPERATING EXPERIENCE OF THE STAKEHOLDERS OF THE LOCAL APPLICANT IN OPERATING EITHER MARIHUANA OR NON-MARIHUANA BUSINESSES. A MAXIMUM OF TEN (10) POINTS SHALL BE AWARDED FOR THIS CATEGORY, AND ONE (1) POINT SHALL BE AWARDED FOR EACH TOTAL YEAR OF COMBINED BUSINESS OPERATING EXPERIENCE BY THE STAKEHOLDERS OF THE LOCAL APPLICANT AS DOCUMENTED IN SEC. 19.5(15) OF THIS CHAPTER.~~

(4) ~~SECURITY AND PUBLIC HEALTH: THIS CATEGORY ALLOCATES POINTS BASED ON WHETHER THE BUSINESS FACILITY ADDRESS OF A LOCAL APPLICANT HAS FEATURES THAT WILL INCREASE THE SECURITY OF THE MARIHUANA ESTABLISHMENT AND REDUCE ANY PUBLIC HEALTH RISKS THAT MAY RESULT FROM THE MARIHUANA ESTABLISHMENT. A MAXIMUM OF SEVEN (7) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT FOR THE PROPOSED MARIHUANA ESTABLISHMENT HAS ANSWERED AFFIRMATIVELY AND HAS PROVIDED THE APPROPRIATE SUPPORTING DOCUMENTATION TO AT LEAST TWO (2) OF THE SECURITY PLAN CHECKLIST QUESTIONS LISTED IN SEC. 19.5(16) OF THIS~~

CHAPTER, ONE (1) POINT SHALL BE AWARDED FOR THIS CATEGORY; OR, IF THE LOCAL APPLICANT FOR THE PROPOSED MARIHUANA ESTABLISHMENT HAS ANSWERED AFFIRMATIVELY AND HAS PROVIDED THE APPROPRIATE SUPPORTING DOCUMENTATION TO ALL OF THE SECURITY PLAN CHECKLIST QUESTIONS LISTED IN SEC. 19.5(16) OF THIS CHAPTER, THREE (3) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT FOR THE PROPOSED MARIHUANA ESTABLISHMENT HAS ANSWERED AFFIRMATIVELY AND PROVIDED THE APPROPRIATE SUPPORTING DOCUMENTATION TO AT LEAST TWO (2) OF THE PUBLIC HEALTH PLAN CHECKLIST QUESTIONS LISTED IN SEC. 19.5(17) OF THIS CHAPTER, TWO (2) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY; OR, IF THE LOCAL APPLICANT FOR THE PROPOSED MARIHUANA ESTABLISHMENT HAS ANSWERED AFFIRMATIVELY AND HAS PROVIDED THE APPROPRIATE SUPPORTING DOCUMENTATION TO ALL OF THE PUBLIC HEALTH PLAN CHECKLIST QUESTIONS LISTED IN SEC. 19.5(17) OF THIS CHAPTER, FOUR (4) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY.

(5) ——— STRUCTURAL SUITABILITY: THIS CATEGORY ALLOCATES POINTS BASED ON WHETHER THE BUSINESS FACILITY ADDRESS IS LIKELY TO BE IN COMPLIANCE WITH THE MRTMA AND THE TIME IT WILL TAKE FOR THE BUSINESS FACILITY ADDRESS TO COME INTO COMPLIANCE WITH THE MRTMA. A MAXIMUM OF TEN (10) POINTS SHALL BE AWARDED FOR THIS CATEGORY. APPLICATION INFORMATION IN SEC. 19.5(13) SHALL BE USED FOR THE PURPOSES OF ALLOCATING POINTS IN THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS CONTAINS A COMMERCIAL KITCHEN, FIVE (5) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS CONTAINS A MINIMUM OF FIVE THOUSAND (5,000) SQUARE FEET, FIVE (5) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY.

(6) ——— COMMITMENT TO COMMUNITY: THIS CATEGORY ALLOCATES POINTS BASED ON THE LOCAL APPLICANT'S COMMITMENT TO ADVANCE THE BROADER INTEREST AND GOALS OF THE COMMUNITY THROUGH INVESTMENT IN THE PEOPLE OF THE COMMUNITY AND IN THE COMMUNITY'S TAX BASE. THIS IS DEMONSTRATED THROUGH THE FOLLOWING CRITERIA: COMMITMENT TO THE HIRING OF LOCAL RESIDENTS AND HIRING OF LOCAL CONTRACTORS FOR WORK AND IMPROVEMENTS TO ITS BUSINESS FACILITY ADDRESS, AND COMMITMENT TO LONG-TERM INVESTMENT IN THE COMMUNITY THROUGH THE REDEVELOPMENT OF VACANT, BLIGHTED, OR ABANDONED PROPERTY IN THE COMMUNITY. THE MAXIMUM NUMBER OF SCORING POINTS IN THIS CATEGORY SHALL BE SEVEN (7) POINTS. POINTS IN THIS CATEGORY SHALL BE AWARDED AS FOLLOWS: IF THE LOCAL APPLICANT, AS PART OF THE COMMITMENT TO COMMUNITY CATEGORY IN ITS APPLICATION, COMMITS TO HIRING A MINIMUM OF TEN (10) PERCENT OF ITS EMPLOYEES FROM LOCAL RESIDENTS OF THE CITY, ONE (1) POINT SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT, AS PART THE COMMITMENT TO COMMUNITY CATEGORY OF ITS APPLICATION COMMITS TO HIRING LOCAL CONTRACTORS FOR WORK AND IMPROVEMENTS TO ITS BUSINESS FACILITY ADDRESS, ONE (1) ADDITIONAL POINT SHALL BE AWARDED FOR THIS CATEGORY. POINTS FOR LONG-TERM COMMUNITY INVESTMENT AND RE-DEVELOPMENT SHALL BE AWARDED BASED ON THE PERCENTAGE OCCUPANCY OF THE BUSINESS FACILITY ADDRESS. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY OF ZERO (0) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED FIVE (5) ADDITIONAL POINTS FOR THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY GREATER THAN ZERO (0) PERCENT AND LESS THAN OR EQUAL TO TWENTY-FIVE (25) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED THREE (3) ADDITIONAL POINTS FOR THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY GREATER THAN TWENTY-FIVE (25) PERCENT AND LESS THAN OR EQUAL TO FIFTY (50) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED TWO (2) ADDITIONAL POINTS FOR THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY GREATER THAN FIFTY (50) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED ZERO (0) ADDITIONAL POINTS FOR THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS CONSISTS OF NO COMMERCIAL VIBLY BUILDING STRUCTURES OR IS A VACANT LAND PARCEL, THE LOCAL APPLICANT SHALL BE AWARDED ZERO (0) ADDITIONAL POINTS FOR THIS CATEGORY.

(7) ——— SOCIAL EQUITY: THIS CATEGORY ALLOCATES POINTS BASED ON WHETHER THE LOCAL APPLICANT HAS MADE A COMMITMENT TO HIRE INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIHUANA PROHIBITION. A MAXIMUM OF SIX (6) POINTS SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT COMMITS TO HIRE A MINIMUM OF TWENTY-FIVE (25) PERCENT OF ITS WORKFORCE CONSISTING OF INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIHUANA PROHIBITION, THREE (3) POINTS SHALL BE AWARDED FOR THIS CATEGORY; OR, IF THE LOCAL APPLICANT COMMITS TO HIRING A MINIMUM OF TEN (10) PERCENT OF ITS WORKFORCE CONSISTING OF INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIHUANA PROHIBITION, ONE (1) POINT SHALL BE AWARDED FOR THIS CATEGORY. IF THE LOCAL APPLICANT INCLUDES A COMMUNITY BENEFITS AGREEMENT IN THEIR APPLICATION THAT MEETS THE REQUIREMENTS OF SEC. 19.5(10) OF THIS CHAPTER, THREE (3) ADDITIONAL POINTS SHALL BE AWARDED FOR THIS CATEGORY.

(I) ——— AT THE CLOSING OF THE FIRST THIRTY (30) DAY INITIAL APPLICATION WINDOW, THE CLERK SHALL PROCESS AND SCORE APPLICATIONS FOR MARIHUANA ESTABLISHMENT LICENSE TYPES, STARTING WITH MARIHUANA DESIGNATED CONSUMPTION ESTABLISHMENTS, WHICH SHALL BE AWARDED PROVISIONAL LICENSES FOR MARIHUANA ESTABLISHMENTS FIRST, THEN MARIHUANA RETAILERS, WHICH SHALL BE AWARDED PROVISIONAL LICENSES FOR MARIHUANA ESTABLISHMENTS SECOND, THEN MARIHUANA MICROBUSINESSES, WHICH SHALL BE AWARDED PROVISIONAL LICENSES FOR MARIHUANA ESTABLISHMENTS THIRD, AND THE REMAINDER OF THE AVAILABLE MARIHUANA ESTABLISHMENT LICENSE TYPES SHALL BE AWARDED IN ORDER OF THE HIGHEST SCORING LOCAL APPLICANT.

(J) ——— IF, AT ANY TIME AFTER PROVISIONAL LICENSES FOR DESIGNATED CONSUMPTION ESTABLISHMENTS HAVE BEEN AWARDED, PURSUANT TO THE LIMITATIONS OF SEC. 19.4(C) OF THIS CHAPTER, THERE ARE NO BUSINESS FACILITY ADDRESS LOCATIONS AVAILABLE FOR A

MARIHUANA RETAILER FOR A BUSINESS FACILITY ADDRESS THAT DOES NOT ALREADY HAVE AND WILL NOT RECEIVE A PROVISIONAL LICENSE OR A CITY FULL LICENSE AUTHORIZATION FOR A DESIGNATED CONSUMPTION ESTABLISHMENT AT THE BUSINESS FACILITY ADDRESS, THE CLERK SHALL AWARD PROVISIONAL LICENSES FOR MARIHUANA RETAILERS ONLY TO THOSE BUSINESS FACILITY ADDRESSES THAT ALREADY HAVE RECEIVED OR WILL RECEIVE PROVISIONAL LICENSES OR CITY FULL LICENSE AUTHORIZATIONS FOR DESIGNATED CONSUMPTION ESTABLISHMENTS IN ORDER OF THE HIGHEST SCORING LOCAL APPLICANT.

(K) ——— IF THE CLERK FAILS TO AWARD SIX (6) PROVISIONAL LICENSES FOR MARIHUANA RETAILERS, MARIHUANA MICROBUSINESSES, AND/OR DESIGNATED CONSUMPTION ESTABLISHMENTS WITHIN THIRTY (30) DAYS AFTER THE CLOSURE OF THE INITIAL APPLICATION WINDOW, ALL FULLY QUALIFIED PROVISIONAL LICENSE APPLICATIONS SHALL BE DEEMED TO HAVE LOCAL APPROVAL UNDER THIS CHAPTER TO OPERATE A MARIHUANA ESTABLISHMENT CONTINGENT UPON APPROVAL OF A STATE MARIHUANA ESTABLISHMENT LICENSE BY THE AGENCY. NOTWITHSTANDING ANYTHING ELSE CONTAINED IN THIS CHAPTER, UNDER THIS CIRCUMSTANCE, AND IF THE CITY HAS ADOPTED AN ORDINANCE THAT MEETS THE REQUIREMENTS OF SEC. 19.3 OF THIS CHAPTER, THE CITY SHALL NOT NOR SHALL ANY OF ITS REPRESENTATIVES NOTIFY THE AGENCY THAT A PROPOSED MARIHUANA ESTABLISHMENT IS NOT OR WAS NOT IN COMPLIANCE WITH AN ORDINANCE CONSISTENT WITH THE MRTMA AND IN EFFECT AT THE TIME OF THE LOCAL APPLICANT'S APPLICATION TO THE AGENCY, AND ANY MARIHUANA ESTABLISHMENT AT A BUSINESS FACILITY ADDRESS FOR A FULLY QUALIFIED PROVISIONAL LICENSE APPLICATION SHALL BE AUTHORIZED TO OPERATE IN THE CITY IN ACCORDANCE WITH STATE LAW WITHOUT ANY CITY MARIHUANA ESTABLISHMENT PERMIT, LICENSE, PROVISIONAL LICENSE, OR CITY FULL LICENSE AUTHORIZATION AS LONG AS THEY OPERATE PURSUANT TO THE RULES AND REGULATIONS PROMULGATED BY THE AGENCY. IF THE REQUIREMENTS FOR ONE OR MORE FULLY QUALIFIED PROVISIONAL LICENSE APPLICATIONS TO AUTOMATICALLY RECEIVE LOCAL APPROVAL TO OPERATE PURSUANT TO A STATE OPERATING LICENSE HAVE BEEN MET, THIS NUMBER OF FULLY QUALIFIED PROVISIONAL LICENSE APPLICATIONS SHALL CONTROL THE NUMBER OF MARIHUANA ESTABLISHMENTS ALLOWED IF THE NUMBER IS GREATER THAN THE NUMBER SET IN SEC. 19.4 OF THIS CHAPTER.

(L) ——— IF A LOCAL APPLICANT IS GRANTED A PROVISIONAL LICENSE FOR A FULLY QUALIFIED PROVISIONAL LICENSE APPLICATION THROUGH A WRIT OF MANDAMUS TO THE CITY OR BY COMPELLING THE CITY TO ACT THROUGH A COURT ORDER BECAUSE THE CITY HAS FAILED TO AWARD SIX (6) PROVISIONAL LICENSES FOR MARIHUANA RETAILERS, MICROBUSINESSES, AND/OR DESIGNATED CONSUMPTION ESTABLISHMENTS WITHIN THIRTY (30) DAYS AFTER THE CLOSURE OF THE INITIAL APPLICATION WINDOW, SUCH A LOCAL APPLICANT SHALL NOT BE REQUIRED TO PAY MORE THAN A MAXIMUM ANNUAL AMOUNT OF FIVE-HUNDRED DOLLARS (\$500) FOR THE NEXT TEN (10) CALENDAR YEARS FOR ITS CITY FULL LICENSE AUTHORIZATION ANNUAL RENEWAL FEE.

(M) ——— A PROVISIONAL LICENSE MAY BE USED TO SATISFY THE LICENSING REQUIREMENTS FOR A LOCAL APPLICANT GOING THROUGH THE AGENCY'S LICENSING PROCESS FOR A MARIHUANA ESTABLISHMENT. A PROVISIONAL LICENSE SHALL AUTOMATICALLY BECOME A CITY FULL LICENSE AUTHORIZATION WHEN THE AGENCY ISSUES A LICENSE TO THE MARIHUANA ESTABLISHMENT AT THE BUSINESS FACILITY ADDRESS.

SEC. 19.8. LICENSE REQUIREMENTS

(A) ——— A CITY FULL LICENSE AUTHORIZATION UNDER THIS CHAPTER SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) ——— COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER
- (2) ——— COMPLIANCE WITH THE PROVISIONS OF THE MRTMA AND ANY RULES PROMULGATED THEREUNDER
- (3) ——— COMPLIANCE WITH ANY ORDINANCES AUTHORIZING AND REGULATING MARIHUANA ESTABLISHMENTS THAT DO NOT CONFLICT WITH THE PROVISIONS OF THIS CHAPTER

SEC. 19.9. LICENSES GENERALLY

(A) ——— A CITY FULL LICENSE AUTHORIZATION THAT IS ISSUED UNDER THIS CHAPTER SHALL BE POSTED AT ALL TIMES INSIDE THE MARIHUANA ESTABLISHMENT IN A CONSPICUOUS LOCATION NEAR THE ENTRANCE.

(B) ——— EXCEPT AS PROVIDED IN THIS CHAPTER, THE TERM OF A CITY FULL LICENSE AUTHORIZATION SHALL BE FOR ONE (1) CALENDAR YEAR SUBJECT TO RENEWAL BY THE CLERK UPON CONTINUED COMPLIANCE WITH THIS CHAPTER AND ANY APPLICABLE ORDINANCE THAT DOES NOT CONFLICT WITH THE PROVISIONS OF THIS CHAPTER.

(C) ——— LICENSEES OR PROVISIONAL LICENSE HOLDERS MAY TRANSFER A CITY FULL LICENSE AUTHORIZATION OR PROVISIONAL LICENSE ISSUED UNDER THIS CHAPTER TO A LOCATION AT A DIFFERENT BUSINESS FACILITY ADDRESS UPON RECEIVING WRITTEN APPROVAL FROM THE CLERK AND PURSUANT TO ANY APPLICABLE REQUIREMENTS UNDER THE MRTMA, AND RELEVANT RULES PROMULGATED BY THE AGENCY. IN ORDER TO REQUEST CITY APPROVAL TO TRANSFER A CITY FULL LICENSE AUTHORIZATION OR PROVISIONAL LICENSE TO A NEW BUSINESS FACILITY ADDRESS, THE LICENSEE OR PROVISIONAL LICENSE HOLDER MUST MAKE A WRITTEN REQUEST TO THE CLERK, INDICATING THE CURRENT LOCATION OF THE MARIHUANA ESTABLISHMENT AND THE PROPOSED NEW BUSINESS FACILITY ADDRESS. NOTWITHSTANDING THIS SECTION, A MICROBUSINESS LICENSE MAY NOT BE TRANSFERRED TO ANY OTHER BUSINESS FACILITY ADDRESS WITHIN THE CITY.

(D) ——— LICENSEES OR PROVISIONAL LICENSE HOLDERS MAY TRANSFER A CITY FULL LICENSE AUTHORIZATION OR PROVISIONAL LICENSE ISSUED UNDER THIS CHAPTER TO A DIFFERENT INDIVIDUAL OR ENTITY, AND THE LICENSEE OR PROVISIONAL LICENSE HOLDER SHALL NOTIFY THE CLERK OF THE TRANSFER. THE TRANSFER MUST COMPLY WITH THE MRTMA AND ANY APPLICABLE RULES PROMULGATED THEREUNDER, AND SHALL NOT REQUIRE APPROVAL BY THE AGENCY. THE CITY SHALL BE PROHIBITED FROM INTERFERING WITH A CITY FULL LICENSE AUTHORIZATION OR PROVISIONAL LICENSE TRANSFER PROVIDED THAT THE NEW LOCAL APPLICANT OR INDIVIDUAL OWNER MUST NOTIFY THE CITY OF THE TRANSFER BY FILING AN APPLICATION WITH THE CLERK UPON A FORM PROVIDED BY THE CITY OR, IF SUCH A

FORM IS UNAVAILABLE, SHALL COMPLETE THE INFORMATION REQUIRED IN SEC. 19.5 OF THIS CHAPTER FOR THE TRANSFERRED MARIJUANA ESTABLISHMENT PROVISIONAL LICENSE AND FILE SUCH INFORMATION WITH THE CLERK. THE CLERK SHALL GRANT THE NEW LICENSEE OR PROVISIONAL LICENSE HOLDER OR CITY FULL LICENSE AUTHORIZATION HOLDER/OWNER THE SAME RIGHTS AS THE PREVIOUS LICENSEE OR CITY FULL LICENSE AUTHORIZATION OWNER OR PROVISIONAL LICENSE OWNER. THE LOCAL APPLICANT THAT RECEIVES THE TRANSFER OF THE PROVISIONAL LICENSE OR CITY FULL LICENSE AUTHORIZATION OR LICENSE SHALL REMAIN LEGALLY BOUND BY ANY COMMITMENTS MADE IN THE ORIGINAL APPLICATION TO THE CITY THAT GOVERNED THE ORIGINAL ISSUANCE OF THE PROVISIONAL LICENSE OR CITY FULL LICENSE AUTHORIZATION OR LICENSE IT IS RECEIVING BY TRANSFER, INCLUDING COMMITMENTS MADE IN THE COMMITMENT TO COMMUNITY AND SOCIAL EQUITY CATEGORIES OF THE ORIGINAL APPLICATION

(E) NOTWITHSTANDING THE REQUIREMENTS OF SEC. 19.9(A), (B), (C), OR (D), NEITHER A MARIJUANA MICROBUSINESS PROVISIONAL LICENSE NOR A MARIJUANA MICROBUSINESS CITY FULL LICENSE AUTHORIZATION MAY BE TRANSFERRED TO ANYONE WITH AN OWNERSHIP PERCENTAGE BY INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIJUANA PROHIBITION THAT IS LESS THAN THE OWNERSHIP PERCENTAGE OF THE LOCAL APPLICANT WHO WAS ORIGINALLY AWARDED THE PROVISIONAL LICENSE OR CITY FULL LICENSE AUTHORIZATION TO BE TRANSFERRED. FURTHERMORE, NOTWITHSTANDING THE REQUIREMENTS OF SEC. 19.9(A), (B), (C), OR (D), NO PROVISIONAL LICENSE OR LICENSE OR CITY FULL LICENSE AUTHORIZATION MAY BE TRANSFERRED TO A LOCAL APPLICANT THAT DOES NOT HAVE A "COMMITMENT TO COMMUNITY" APPLICATION CATEGORY SCORE OF EQUAL OR GREATER TO THE LOCAL APPLICANT THAT IS TRANSFERRING THE PROVISIONAL LICENSE OR LICENSE OR CITY FULL LICENSE AUTHORIZATION, AND NO PROVISIONAL LICENSE OR CITY FULL LICENSE AUTHORIZATION OR LICENSE MAY BE TRANSFERRED TO A LOCAL APPLICANT THAT DOES NOT HAVE A "SOCIAL EQUITY" APPLICATION CATEGORY SCORE OF EQUAL OR GREATER THAN THE LICENSE HOLDER THAT IS TRANSFERRING THE PROVISIONAL LICENSE OR LICENSE OR CITY FULL LICENSE AUTHORIZATION.

(F) NOTWITHSTANDING THE REQUIREMENTS OF THIS CHAPTER, THE PROVISIONS OF THIS CHAPTER DEPENDENT UPON OCCUPANCY PERCENTAGE SHALL NOT APPLY TO ANY RENEWAL APPLICATIONS OR TO ANY TRANSFER APPLICATIONS FOR A LICENSE OR PROVISIONAL LICENSE OR CITY FULL LICENSE AUTHORIZATION

SEC. 19.10. RENEWALS

(A) PROVISIONAL LICENSES SHALL BE VALID FOR ONE (1) CALENDAR YEAR FROM THE DATE THEY ARE ISSUED

(B) APPLICATION FOR A CITY FULL LICENSE AUTHORIZATION RENEWAL SHALL BE MADE IN WRITING TO THE CLERK AT LEAST NINETY (90) DAYS PRIOR TO THE EXPIRATION OF AN EXISTING LICENSE. LICENSES SHALL BE RENEWED ANNUALLY. A PROVISIONAL LICENSE MAY AUTOMATICALLY BE RENEWED FOR ONE (1) CALENDAR YEAR BY A LOCAL APPLICANT UPON PAYING A FIVE THOUSAND DOLLAR (\$5,000) ANNUAL RENEWAL FEE PROVIDED THAT IT ADHERES TO THE REQUIREMENTS IN SEC. 19.12 OF THIS CHAPTER. NOTWITHSTANDING THE REQUIREMENTS OF SEC. 19.6 OF THIS CHAPTER, THERE IS AN EXCEPTION TO THE FIVE THOUSAND DOLLAR (\$5,000) ANNUAL RENEWAL FEE FOR ANY LOCAL APPLICANT THAT IS GRANTED A PROVISIONAL LICENSE FOR A FULLY QUALIFIED PROVISIONAL LICENSE APPLICATION BY ORDER OF A COURT BECAUSE THE CITY HAS FAILED TO AWARD SIX (6) PROVISIONAL LICENSES FOR MARIJUANA RETAILERS, MARIJUANA MICROBUSINESSES, AND/OR DESIGNATED CONSUMPTION ESTABLISHMENTS WITHIN THIRTY (30) DAYS AFTER THE CLOSURE OF THE INITIAL APPLICATION WINDOW, OR FOR A LOCAL APPLICANT THAT IS GRANTED THE ABILITY TO OPERATE BY RIGHT BY A COURT ORDER BECAUSE THE CITY FAILS TO AWARD SIX (6) PROVISIONAL LICENSES FOR MARIJUANA RETAILERS, MARIJUANA MICROBUSINESSES, AND/OR DESIGNATED CONSUMPTION ESTABLISHMENTS WITHIN THIRTY (30) DAYS AFTER THE CLOSURE OF THE INITIAL APPLICATION WINDOW. SUCH A LOCAL APPLICANT SHALL NOT BE REQUIRED TO PAY AN ANNUAL LICENSING OR CITY FULL LICENSE AUTHORIZATION RENEWAL FEE EXCEEDING THE TOTAL ANNUAL AMOUNT OF FIVE HUNDRED DOLLARS (\$500) FOR THE NEXT TEN (10) CALENDAR YEARS OF THE CITY FULL LICENSE AUTHORIZATION ANNUAL RENEWAL FOR ANY LICENSE TYPE AT ANY APPROVED BUSINESS FACILITY ADDRESS WITHIN THE CITY

(C) AN APPLICATION FOR A PROVISIONAL LICENSE RENEWAL OR A CITY FULL LICENSE AUTHORIZATION RENEWAL REQUIRED BY THIS CHAPTER SHALL BE MADE UNDER OATH ON FORMS PROVIDED BY THE CLERK. THIS RENEWAL FORM SHALL BE DEVELOPED BY AND MADE AVAILABLE BY THE CLERK.

(D) AN APPLICATION FOR A PROVISIONAL LICENSE RENEWAL OR A CITY FULL LICENSE AUTHORIZATION RENEWAL SHALL BE ACCOMPANIED BY A RENEWAL FEE, WHICH SHALL BE SET BY RESOLUTION OF THE CITY COUNCIL, BUT SHALL NOT EXCEED FIVE THOUSAND DOLLARS (\$5,000).

(E) A RENEWAL SHALL BE DEEMED APPROVED IF THE CITY HAS NOT ISSUED A FORMAL NOTICE OF DENIAL WITHIN SIXTY (60) DAYS OF THE RENEWAL DATE.

(F) AFTER A MICROBUSINESS LICENSE HOLDER HAS BEEN OPERATING FOR SIX (6) MONTHS AT A BUSINESS FACILITY ADDRESS, ONE OR MORE DIFFERENT LOCAL APPLICANT(S) MAY REQUEST AND SHALL BE APPROVED BY THE CITY FOR AN ADDITIONAL MICROBUSINESS PROVISIONAL LICENSE(S) AT A DIFFERENT BUSINESS FACILITY ADDRESS ON THE SAME LAND PARCEL AS THE ORIGINAL BUSINESS FACILITY ADDRESS WHICH HAS BEEN OPERATING FOR AT LEAST SIX (6) MONTHS. THIS PROVISION SHALL CONTROL THE NUMBER OF MARIJUANA MICROBUSINESS ESTABLISHMENTS AUTHORIZED IN SEC. 19.4 OF THIS CHAPTER.

SEC. 19.11. LICENSE REVOCATION OR SUSPENSION.

EACH MARIJUANA ESTABLISHMENT WITHIN THE CITY FOR WHICH A CITY FULL LICENSE AUTHORIZATION IS GRANTED SHALL BE OPERATED AND MAINTAINED IN ACCORDANCE WITH ALL APPLICABLE LAWS, RULES, AND REGULATIONS IN THE CITY AND STATE. UPON ANY MATERIAL VIOLATION OF THIS CHAPTER THAT A LOCAL APPLICANT HAS FAILED TO REMEDY AFTER BEING PROVIDED WITH SUFFICIENT TIME TO MAKE THE

CORRECTION, THE CLERK MAY, AFTER A NOTICE AND HEARING, REVOKE OR SUSPEND SUCH LICENSE AS HEREINAFTER PROVIDED.

SEC. 19.12. CRITERIA FOR NONRENEWAL, SUSPENSION, OR REVOCATION OF LICENSE

IN ADDITION TO ANY OTHER REASONS SET FORTH IN THIS CHAPTER, THE CITY MAY REFUSE TO ISSUE A LICENSE OR GRANT RENEWAL OF THE LICENSE OR SUSPEND OR REVOKE THE LICENSE FOR ANY OF THE FOLLOWING REASONS:

(A) A MATERIAL VIOLATION OF ANY PROVISION OF THIS CHAPTER THAT A LICENSE HOLDER HAS FAILED TO REMEDY AFTER BEING PROVIDED WITH SUFFICIENT TIME TO MAKE THE CORRECTION. FAILURE TO MEET THE REQUIREMENTS OF SEC. 19.12(C) OF THIS CHAPTER SHALL BE CONSIDERED A MATERIAL VIOLATION OF THIS CHAPTER.

(B) THE INABILITY OF THE LICENSEE OR PROVISIONAL LICENSE HOLDER TO OBTAIN OR MAINTAIN A LICENSE FROM THE AGENCY PURSUANT TO THE MRTMA WITHIN TWO (2) CALENDAR YEARS AFTER THE ISSUANCE OF A PROVISIONAL LICENSE, SUBJECT TO REASONABLE EXTENSIONS FOR CAUSE BY THE CLERK.

(C) FAILURE OF THE LICENSEE TO DEMONSTRATE TO THE CITY THAT IT HAS COMPLIED WITH A COMMUNITY BENEFITS AGREEMENT IT HAS COMMITTED TO AND THE SOCIAL EQUITY PLAN PROVIDED IN ITS APPLICATION, INCLUDING ANY COMMITMENTS IT MAY HAVE MADE TO HIRE INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIJUANA PROHIBITION IN ORDER TO RECEIVE ITS PROVISIONAL LICENSE OR LOCAL APPROVALS. THE CLERK SHALL NOTIFY A LOCAL APPLICANT OR LICENSEE OF THE REASONS FOR DENIAL OR SUSPENSION OR NONRENEWAL OF AN APPLICATION FOR A LICENSE TYPE OR OF A CITY FULL LICENSE AUTHORIZATION RENEWAL OR FOR REVOCATION OF A LICENSE OR ANY ADVERSE DECISION UNDER THIS CHAPTER AND PROVIDE THE LOCAL APPLICANT OR LICENSEE WITH THE OPPORTUNITY TO BE HEARD. ANY LOCAL APPLICANT OR LICENSEE AGGRIEVED BY THE DENIAL OR REVOCATION OF A LICENSE OR ADVERSE DECISION UNDER THIS CHAPTER MAY APPEAL TO THE CLERK, WHO SHALL APPOINT A HEARING OFFICER TO HEAR AND EVALUATE THE APPEAL AND MAKE A RECOMMENDATION TO THE CLERK. SUCH AN APPEAL SHALL BE TAKEN BY FILING WITH THE CLERK, WITHIN FOURTEEN (14) DAYS AFTER NOTICE OF THE VIOLATION HAS BEEN MAILED TO THE LOCAL APPLICANT OR LICENSEE'S LAST KNOWN ADDRESS ON THE RECORDS OF THE CLERK, A WRITTEN STATEMENT SETTING FORTH FULLY THE GROUNDS FOR THE APPEAL. THE CLERK SHALL REVIEW THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER AND MAKE A DECISION ON THE MATTER. THE CLERK'S DECISION MAY BE FURTHER APPEALED TO THE CITY COUNCIL IF APPLIED FOR IN WRITING TO THE COUNCIL NO LATER THAN THIRTY (30) DAYS AFTER THE CLERK'S DECISION. THE REVIEW ON APPEAL OF A DENIAL OR REVOCATION OR ADVERSE ACTION SHALL BE BY THE COUNCIL PURSUANT TO THE REQUIREMENTS OF THIS CHAPTER. ANY DECISION BY THE COUNCIL ON AN APPEAL SHALL BE SUBJECT TO ALL REMEDIES AVAILABLE TO THE LOCAL APPLICANT UNDER THE LAWS OF THE STATE OF MICHIGAN.

SEC. 19.13. COMMUNITY BENEFITS PROGRAM

THE CITY MAY ESTABLISH A COMMUNITY BENEFITS PROGRAM FOR THE PURPOSE OF ECONOMIC DEVELOPMENT WITHIN THE CITY AND TO ASSIST INDIVIDUALS DISPROPORTIONATELY IMPACTED BY MARIJUANA PROHIBITION IN THE CREATION OF WORKER-OWNED COOPERATIVES, GAINING EMPLOYMENT IN THE MARIJUANA INDUSTRY WITHIN THE CITY, AND STARTING LICENSED MARIJUANA BUSINESSES IN THE CITY, THOUGH NOT EVERY ONE OF THESE GOALS NEED BE ACCOMPLISHED SIMULTANEOUSLY THROUGH THE ACTIONS OF THE COMMUNITY BENEFITS PROGRAM. THIS PROGRAM, IF ESTABLISHED BY THE CITY, SHALL BE SUBJECT TO RULES DEVELOPED BY THE CITY AND SHALL BE SUBJECT TO THE FOLLOWING REQUIREMENTS:

(A) ALL FUNDS CONTRIBUTED PURSUANT TO COMMUNITY BENEFITS AGREEMENTS FROM MARIJUANA ESTABLISHMENTS IN THE CITY SHALL GO TO A REGISTERED 501C3 NONPROFIT ORGANIZATION DESIGNATED BY THE CITY, WHICH SHALL WORK TO EFFECTUATE THE GOALS OF THE PROGRAM ON BEHALF OF THE CITY AND PROVIDE AN ANNUAL REPORT TO THE CITY ON ITS ACTIVITIES

(B) THE CITY SHALL DEVELOP AN APPLICATION PROCESS FOR SELECTING A 501C3 NONPROFIT ORGANIZATION TO MANAGE THE COMMUNITY BENEFITS PROGRAM. CRITERIA FOR THE 501C3 NONPROFIT ORGANIZATION SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, ORGANIZATIONS THAT HAVE AT LEAST FIVE (5) YEARS OF EXPERIENCE WORKING TO DEVELOP WORKER-OWNED COOPERATIVES, AND THE NONPROFIT SHALL HAVE AT LEAST ONE MEMBER OF ITS STAFF OR ITS BOARD OF DIRECTORS WITH AT LEAST TWO YEARS OF EXPERIENCE WORKING WITH THE LICENSED CANNABIS INDUSTRY IN MICHIGAN, WHICH MAY INCLUDE LEGAL OR OTHER MUNICIPAL GOVERNANCE EXPERIENCE WITH THE LICENSED CANNABIS INDUSTRY IN MICHIGAN

(C) THE NONPROFIT SELECTED BY THE CITY SHALL NOT BE A RELIGIOUS ORGANIZATION, AND SHALL NOT HAVE MEMBERS OF ITS BOARD OF DIRECTORS OR STAFF WHO ARE RELATIVES OR FAMILY MEMBERS OF CITY EMPLOYEES OR STAFF OR ANYONE RECEIVING COMPENSATION IN ANY CAPACITY FROM THE CITY. THE NONPROFIT SELECTED BY THE CITY SHALL NOT HAVE ANY MEMBERS OF ITS BOARD OF DIRECTORS HOLD OFFICER POSITIONS WITHIN THE CITY OR SEATS ON THE CITY COUNCIL. NO EMPLOYEE, MEMBER OF THE CITY COUNCIL, OR FAMILY MEMBER OR RELATIVE OF ANY CITY EMPLOYEE OR MEMBER OF THE CITY COUNCIL SHALL RECEIVE ANY DIRECT OR INDIRECT PAYMENT FROM THE NONPROFIT. NONPROFITS APPLYING TO BE CONSIDERED TO MANAGE THE COMMUNITY BENEFITS PROGRAM SHALL DISCLOSE ALL MEMBERS OF THEIR BOARD OF DIRECTORS AND STAFF AND THE CITY SHALL CONFIRM THAT THE NONPROFIT IS IN COMPLIANCE WITH THESE REQUIREMENTS

(D) THE NONPROFIT SELECTED BY THE CITY SHALL USE FUNDS CONTRIBUTED PURSUANT TO COMMUNITY BENEFITS AGREEMENTS IN THE CITY TO ASSIST INDIVIDUALS DISPROPORTIONATELY IMPACTED BY

MARIHUANA PROHIBITION IN STARTING WORKER-OWNED COOPERATIVES WITHIN THE CITY, GAINING EMPLOYMENT IN THE MARIHUANA INDUSTRY WITHIN THE CITY, AND/OR TO START MARIHUANA BUSINESSES WITHIN THE CITY

(E) NO MORE THAN TWENTY (20) PERCENT OF FUNDS THE NONPROFIT RECEIVES FROM COMMUNITY BENEFITS AGREEMENTS IN THE CITY MAY BE USED FOR ADMINISTRATIVE PURPOSES BY THE NONPROFIT. THE REMAINING FUNDS SHALL BE ALLOCATED THROUGH GRANT-MAKING IN ORDER TO ACHIEVE THE GOALS OF THE COMMUNITY BENEFITS PROGRAM

(F) THE CITY MAY SET UP ADDITIONAL PROCEDURES, RULES, OR REGULATIONS THAT IT DEEMS NECESSARY TO IMPLEMENT THE COMMUNITY BENEFITS PROGRAM

SEC. 19.14. SEVERABILITY AND EXECUTION

THE VARIOUS PARTS, SECTIONS AND CLAUSES OF THIS CHAPTER ARE HEREBY DECLARED TO BE SEVERABLE AND SELF-EXECUTING. IF ANY PART, SENTENCE, PARAGRAPH, SEC. 19 OR CLAUSE IS ADJUDGED UNCONSTITUTIONAL OR INVALID AS TO ANY PERSON OR CIRCUMSTANCE BY A COURT OF COMPETENT JURISDICTION, THE REMAINDER OF THE CHAPTER SHALL NOT BE AFFECTED THEREBY AND THAT INVALIDITY OR UNENFORCEABILITY SHALL NOT AFFECT THE VALIDITY, ENFORCEABILITY, OR APPLICATION OF ANY OTHER PORTION OF THIS CHAPTER. ORDINANCES MAY BE ENACTED TO FACILITATE OPERATION OF THIS CHAPTER, BUT NO ORDINANCE SHALL LIMIT OR RESTRICT THE APPLICATION OF THIS CHAPTER. THIS SUBSECTION 19 SHALL BE LIBERALLY CONSTRUED IN FAVOR OF VOTERS' RIGHTS IN ORDER TO EFFECTUATE ITS PURPOSES. IF ANY PORTION OF THIS SUBSECTION 19 IS HELD INVALID OR UNENFORCEABLE AS TO ANY PERSON OR CIRCUMSTANCE, THAT INVALIDITY OR UNENFORCEABILITY SHALL NOT AFFECT THE VALIDITY, ENFORCEABILITY, OR APPLICATION OF ANY OTHER PORTION OF THIS CHAPTER. IN CASES WHERE THERE IS A CONFLICT BETWEEN THE MMFLA AND THE MRTMA, THE MRTMA SHALL CONTROL.

SEC. 19.15. EFFECTIVE DATE

CITY ORDINANCES OR REGULATIONS THAT CONFLICT WITH THIS CHAPTER ARE HEREBY REPEALED. THIS CHAPTER SHALL BECOME EFFECTIVE UPON CERTIFICATION OF THE RESULTS OF VOTER ENACTMENT.