



## Adult-Use Marijuana License Review and Approval Process

No license to conduct an Adult-Use Marijuana Establishment shall be issued unless the Village confirms that the proposed establishment complies with the following requirements:

### I. General Requirements

- A. The proposed location is in an allowable zoning district.
- B. There shall be no entrance or exit which provides direct access to another type of business, residence or living quarters, unless allowed by Village ordinances.
- C. Hours of operation shall be no earlier than 9:00 a.m., and no later than 9:00 p.m. at any Adult-Use Marijuana Retail Center
- D. Smoking and or use of marijuana are prohibited in any Adult-Use Marijuana Establishment.
- E. Signs shall comply with the village's sign ordinance and shall not use the word marihuana/marijuana or any other word or phrase which would refer to marihuana; nor may pictures of a leaf or leaves, green cross or any other rendering which would depict marihuana/marijuana be displayed on a sign or any part of the building. Only one sign per building shall be allowed.
- F. A site plan shall be required, showing the proposed building(s) to be used, remodeled or reconstructed, along with the parking, landscaping and lighting plans.
- G. Waste disposal, chemical disposal and plant waste disposal plan is required.
- H. Residential uses within the same structure/building is prohibited.
- I. Outdoor Storage or discharge of toxic, flammable or hazardous materials into village sewer or storm drains is prohibited.
- J. A copy of premises liability and casualty damage insurance in the amount of One Million Dollars shall be submitted to the Village when the applicant has been notified that they are ready for final approval.
- K. That at the time of the application, the applicant's proposed facility is not within 500 feet of a K-12 public school building.
- L. Each establishment shall be bonded to guarantee that all accounting and taxes are paid in full according to the law and that the operation or facility performs in accordance with all government standards.

### II. Specific Requirements

#### A. Grower Facility:

- a. No marijuana shall be cultivated, grown, manufactured or processed in any manner that would emit odors beyond the interior of the structure or which is otherwise discernable to another person. The odor must be prevented by the installation of an operable filtration or ventilation and exhaust equipment and 5 odors must otherwise be effectively confined to the interior of the building from which the odor is generated.
- b. Noise shall not be emitted beyond the interior of the structure.
- c. No outdoor storage or growing of marijuana allowed.
- d. Security and floor plan for indoor storage of chemicals must be provided.

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**B. Processor Facility:**

- a. No marijuana shall be cultivated, grown, manufactured or processed in any manner that would emit odors beyond the interior of the structure or which is otherwise discernable to another person. The odor must be prevented by the installation of an operable filtration to ventilation and exhaust equipment and odors must otherwise be effectively confined to the interior of the building or dwelling from which the odor is generated.
- b. Noise shall not be emitted beyond the interior of the structure.
- c. No outdoor storage.

**C. Retailer:**

- a. The sale or dispensing of alcohol is prohibited.
- b. The applicant and each investor in the provisioning center must not have an interest in a secure transporter or safety compliance facility.
- c. Not allow a physician to conduct a medical examination or issue a medical certification document on the premises for the purpose of obtaining a registry identification card.
- d. No outdoor storage.
- e. Products and /or supplies may not be sampled in or on the premises.
- f. Security and floor plan for indoor storage must be provided.

**D. Secure Transporter Facility:**

- a. To be eligible for a secure transporter license, the applicant and each investor with an interest in the secure transporter must not have an interest in a grower, processor, provisioning center, or safety compliance facility and must not be a registered qualifying patient or a registered primary caregiver.
- b. Each driver transporting marihuana must have a Michigan Chauffeur's license.
- c. Each vehicle shall be operated by at least a 2-person crew.
- d. The secure transporting vehicle shall not bear any markings or identification that it is carrying marijuana or a marijuana infused product.
- e. No outdoor storage.

**E. Safety Compliance Facility:**

- a. Shall have a secured laboratory space that cannot be accessed by the general public.
- b. No outdoor storage.
- c. Have appropriate education, training and/or experience to comply with State regulations on testing marijuana.

**III. Operation at a same location -grower, processor and retailer.**

- A. Any combination of the following types of operating licenses may operate as separate marihuana facilities at the same location: Grower, Processor, retailer.
- B. To operate at a same location all of the following apply:
  1. The state has authorized the proposed operation at the same location;
  2. The operation at a same location shall not be in violation of any Village ordinances or regulations;
  3. Each marijuana facility shall do all of the following:
    - a. Apply for and be granted separate state and Village operating licenses;

- b. Have distinct and identifiable area with designated structures that are contiguous and specific to the operating license;
- c. Have separate entrances and exits, inventory, record keeping and point of sale operations, if applicable;
- d. Post the state and Village licenses on the wall in a distinct area and as provided in this ordinance
- e. Have the required inspections and permits for each building.

C. Operation at the same location that includes a licensed retailer shall have the entrance and exit to the licensed retailer marijuana facility and entire inventory physically separated from any of the other licensed marijuana facility or facilities so that persons can clearly identify the retail entrance and exit.

#### **IV. Application.**

Every applicant for a license to maintain, operate or conduct a Adult-Use Establishment shall file an application, under oath, with the village, using the form provided by the village. The application shall contain the following:

##### **A. General Information/License Application**

- 1. The particular license or licenses for which the applicant is applying.
- 2. An explanation of the services to be provided and a completed medical marihuana checklist, upon a form provided by the Village clerk's office.
- 3. Name and address of applicant. a. If applicant is a corporation, LLC, Partnership or Trust, the names and addresses of each officer, director, member, partner or beneficiary.
- 4. Copy of applicant's driver's license or state Identification.
- 5. Employment and/or business history of the applicant for the past three years.
- 6. Address of the proposed facility, designate whether the proposed facility will be new construction or renovation of an existing building. a. If a leased facility, an executed copy of the lease for the premises where the facility is proposed to be operated and a separate written consent from the owner of the premises authorizing the use of the premises.
- 7. List of any community involvement with the Village of Quincy.
- 8. Provide the proposed gross revenue to be generated from the facility for the ensuing year. A description of the type of marihuana facility; anticipated or actual number of employees; and projected or actual gross receipts.
- 9. The days and hours the facility is proposed to be open or in operation.
- 10. All criminal convictions, fully disclosing the jurisdiction of the conviction.
- 11. Whether the applicant applied for a license from the state.
- 12. Name and address of registered caregiver and years caregiver has been licensed.
- 13. Provide the sources and total amount of the applicant's capitalization to operate and maintain the proposed marihuana facility.
- 14. Has applicant had filed, or been served with, a complaint or other notice filed with any public body, regarding the delinquency in the payment of, or a dispute over the filings concerning the payment of, any tax required under federal, state, or local law.
- 15. Written acknowledgment that the premises and any surveillance/security camera recordings, for protection of the public safety, are subject to inspection for purposes of determining compliance with state and local laws, without a search warrant.

## B. Site Plans

Applicants shall submit to the Village two sets of sealed plans, including site management plans.

## C. Special Use Application

Applicants shall submit the application for special use in accordance with Village Ordinance #238, simultaneously with the site plan.

## **V. Application Review**

Based upon the limited availability of licenses that will be issued by the Village under the Michigan Regulation and Taxation of Marihuana Act Licenses Act and Village Ordinance #238, existing medical marihuana licensees shall have the first option at applying for a Retailer License. Existing provisioning licensees must apply by January 30, 2020, any remaining retailer licenses after February 1, 2020 will be made available based upon the following on the criteria in sections V and VI.

When reviewing plans and applications the Village shall consider each applicant's submission and rate the plans and applications on a 0 to 5 score (0 does not comply and 5 meaning exceeds compliance requirements) considering the factors as provided in Section VI and the following:

1. Capitalization
2. Originality of building design and meeting applicable design standards set forth herein.
3. Landscape Plan
4. Lighting Plan
5. Adherence to all requirements set forth in this document and each
6. Waste disposal
7. Parking lot layout
8. Interior Design
9. Designation of alternate uses for property (building)
10. Community Involvement
11. Business History with Quincy
12. Business History of Applicant
13. Stacking of other licenses
14. Economic Impact to Village

## **VI. Factors considered for granting a license**

In determining whether to grant a license to an applicant, the village may also consider all of the following:

- A. The integrity, moral character, and reputation; personal and business probity; financial ability and experience; and responsibility or means to operate or maintain a marijuana facility of the applicant.
- B. The financial ability of the applicant to purchase and maintain adequate liability and casualty insurance.
- C. The sources and total amount of the applicant's capitalization to operate and maintain the proposed marijuana facility.

- D. Whether the applicant has been indicted for, charged with, arrested for, or convicted of, pled guilty or nolo contendere to, forfeited bail concerning, or had expunged any relevant criminal offense under the laws of any jurisdiction, either felony or misdemeanor, not including traffic violations, regardless of whether the offense has been expunged, pardoned, or reversed on appeal or otherwise.
- E. Whether the applicant has filed, or had filed against it, a proceeding for bankruptcy within the past 7 years.
- F. Whether the applicant has been served with a complaint or other notice filed with any public body regarding payment of any tax required under federal, state, or local law that has been delinquent for 1 or more years.
- G. Whether the applicant has a history of noncompliance with any regulatory requirements in this state or any other jurisdiction.
- H. Whether at the time of application the applicant is a defendant in litigation involving its business practices.
- I. The security proposed for the Facility or grow operation, and safety compliance plan.
- J. Neighborhood compatibility plan.
- K. The applicant's business plan, considering the applicant's business experience within the past ten years, history of performance and profit and loss statements for each business.
- L. Community involvement, including, but not limited to, charitable contributions and involvement.
- M. Consideration of the effects of the proposed facility and/or growing operation on neighboring properties.
- N. Economic impact to the Village in terms of property taxes and application fees derived from each site.

## **VII. Denial:**

- A. The Village shall use information provided on the application as a basis to conduct a thorough background investigation on the applicant. **A false application or denial of a license at the state level is cause to deny a license.**
- B. An applicant is ineligible to receive a license if any of the following circumstances exist:
  - 1. The applicant has 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 10 years or has been convicted of a controlled substance-related felony within the past 10 years.
  - 2. Within the past 5 years the applicant has been convicted of a misdemeanor involving a controlled substance, theft, dishonesty, or fraud in any state or been found responsible for violating a local ordinance in any state involving a controlled substance, dishonesty, theft, or fraud that substantially corresponds to a misdemeanor in that state.
  - 3. The applicant has knowingly submitted an application for a license under this act that contains false information

## **VIII. Renewal**

- A. A marijuana facility license shall be valid for one year from the date of issuance, unless revoked as provided by law.
- B. A valid marijuana facility license may be renewed on an annual basis by submitting a renewal application upon a form provided by the Village and payment of the annual license fee. Application to renew a marijuana facility license shall be filed at least thirty (30) days prior to the date of its expiration.