

ORDINANCE NO. _____

Zoning, Article XXXII, ~~Medical~~ Marihuana Facilities, shall apply.

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 12, Business and Occupations Generally; Article XVI, Medical Marihuana Facilities, Section 12-95.

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

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 12, Business and Occupations Generally; amending Article XVI, Section 12-95, Medical Marihuana Facilities, by changing the references to Medical Marihuana Facilities to Marihuana Facilities, consistent with the licenses and standards set forth in Chapter 50, Zoning, Article XXXII, Section 50-183, Marihuana Facilities Opt In Ordinance, which shall read in its entirety as follows:

ARTICLE XVI. ~~MEDICAL~~-MARIHUANA FACILITIES.

§12-95. STANDARDS FOR ~~MEDICAL~~ MARIHUANA FACILITIES.

(a) All ~~Medical~~ Marihuana Facilities shall be subject to any other applicable provisions of the Flint City Code. ~~Medical~~ Marihuana Facilities shall also comply with the Michigan Medical Marihuana Act (MCL 333.26421 et seq.) as amended ("MMMA"), the Medical Marihuana Facilities Licensing Act, MCL 333.2701, et seq., (MMFLA), the Marihuana Tracking Act (MTA), MCL 333.27901, et seq., **THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT ("THE MRTMA"), 2018 IL 1, MCL 333.27951 ET SEQ.**, the general rules of the Michigan Department of Community Health, the rules of the Michigan Department Of Licensing And Regulatory Affairs (LARA) **AND THE MARIJUANA REGULATORY AGENCY (MRA)**, and other applicable State laws.

(b) *DEFINITIONS.* For the purpose of the code, the definitions set forth in Chapter 50,

(c) No person shall operate a ~~medical~~ marijuana facility without the Facility having first obtained and being in possession of a valid ~~medical~~ marijuana facility license(s) issued by the City of Flint and the State of Michigan.

- (1) A ~~medical~~-marijuana facility license application shall be made annually on forms provided by the City of Flint consistent with the terms set forth in Chapter 50, Zoning, Article XXXII, ~~Medical~~ Marihuana Facilities.
- (2) The Chief of Police may conduct a criminal background check of the applicant, and a ~~medical~~-marijuana facility license shall not be issued to any person who has been convicted of any felony involving illegal drugs, or for other reasons identified by the Chief of Police to protect the health, safety and welfare of the community. Drug related felony offenses does not include a conviction for activity allowed under the Michigan Medical Marihuana Act, even if the activity occurred before the enactment of the Michigan Medical Marihuana Act.
- (3) The applicant shall submit an affidavit of the property owner declaring that the owner is aware of the proposed ~~medical~~-marijuana facility. The affidavit form will be provided by the City of Flint.
- (4) The applicant shall submit a tax clearance form demonstrating that city taxes are current. The form will be provided by **THE** City of Flint.
- (5) The applicant shall obtain a special regulated use permit before applying for a ~~medical~~-marijuana facility license, and submit the permit along with the application.

- (6) The non-refundable fee to submit an application for a ~~medical~~-marijuana facility license shall be one thousand, five hundred (\$1500.00) dollars.
 - (7) The annual fee for a ~~Provisioning Center~~ **MARIJUANA FACILITY** license shall be five thousand (\$5,000.00) dollars (with the application fee deducted from that amount).
 - (8) A license is valid only for the location identified on the license and cannot be transferred to another location within the city without a new application. The process for otherwise transferring Licenses is set forth in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities.
 - (9) Compliance with all applicable laws, as enforced, is a condition of maintenance of a license.
 - (10) Each day that a person shall conduct a ~~medical~~-marijuana facility without a license shall constitute a separate offense.
- (d) No person shall act as an employee or volunteer of a ~~medical~~-marijuana facility without compliance with the terms set forth in Chapter 50, Zoning, Article XXXII, ~~Medical~~ Marihuana Facilities.
- (1) The non-refundable annual employee license application fee shall be one hundred fifty (\$150.00) dollars.
 - (2) A license is valid only for the location identified on the license and cannot be transferred to another location within the City without a new application.
- (3) Compliance with all applicable laws, as enforced, is a condition of maintenance of a license.
 - (4) Each day that a person shall work as an employee of a ~~medical~~-marijuana facility without a license shall constitute a separate offense.
 - (e) The following additional standards shall apply to ~~medical~~-marijuana facilities
 - (1) All ~~medical~~ marihuana shall be contained within an enclosed, locked facility, inaccessible on all sides and equipped with locks that permit access only by the licensed ~~medical~~—marijuana facility employee.
 - (2) All transfers and deliveries of ~~medical~~ marihuana must occur within a structure.
 - (3) Provisioning Centers, **RETAIL FACILITIES, AND MICROBUSINESSES**, as defined in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities, shall be limited to operating between 8:00 a.m. and 7:00 p.m. Monday through Saturday and 12:00 noon and 6:00 p.m. Sunday. No other ~~Medical~~ Marijuana Facility shall be open to the public at any time.
 - (4) Persons under the age of eighteen (18) years of age are not permitted to be on the premises of any Provisioning Center unless they possess a valid registry card and parent or legal guardian.
 - (5) **PERSONS UNDER THE AGE OF TWENTY ONE (21) ARE NOT PERMITTED TO BE ON THE PREMISES OF ANY MICROBUSINESS OR RETAIL FACILITY.**

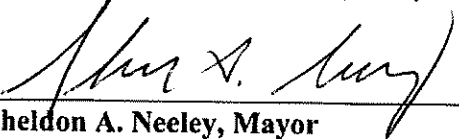
(6) Marihuana shall not be smoked, eaten, or otherwise consumed at any ~~medical~~-marijuana facility.

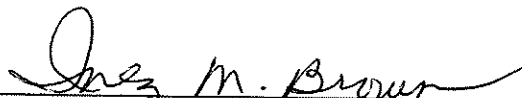
(f) An inspection of the building out of which a ~~provisioning~~-center **MARIJUANA FACILITY** operates shall be required every year. The inspection fee shall be established by resolution of the City Council.

(g) Every ~~medical~~-marijuana facility shall provide immediate access to the premises where business is conducted or property is stored, to any police officer, the building inspector or the fire marshal, without warrant, during regular hours of business, or at any time the ~~medical~~-marijuana facility license holder or his employee or agent are on the premises.

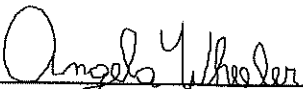
Sec. 2. This ordinance shall become effective immediately upon adoption.

Adopted this 8th day of
February 2021, A.D.


Sheldon A. Neeley, Mayor


Inez M. Brown, City Clerk

APPROVED AS TO FORM:


Angela Wheeler, Chief Legal Officer