

MEMORANDUM

DATE: January 31, 2020

TO: Potential applicants for Marihuana Facilities Permits in Laingsburg

FROM: Peter J. Preston, AICP, MAAO
Preston Community Services, LLC

RE: Application process for Marihuana Facilities Permits in Laingsburg

On November 22, 2019, the City of Laingsburg (“City”) City Council (“City Council”) amended and approved Ordinance Number 01-2019 to authorize and permit commercial medical marihuana facilities in the City. On December 13, 2019, the City Council amended and approved Ordinance 02-2019 to authorize and permit commercial (non-medical) marihuana establishments in the City. On February 3, 2020, the City Council approved revisions to Ordinances 01-2019 and 02-2019. The purpose of this memo is to summarize these ordinances (the “Ordinances”) in Frequently Asked Questions (“FAQ”) format, and to explain certain factors that impact the Ordinances’ implementation.

How many marihuana facility permits will be available?

The maximum numbers of issued permits in existence at any given time will be as follows:

- Four (4) processor permits (two medical and two adult use)
- Four (4) safety compliance facility permits (two medical and two adult use)
- Four (4) secure transporter permits (two medical and two adult use)
- Two (2) provisioning center permits
- Two (2) retailer permits
- Two (2) microbusiness permits

What is the general application process?

The general application procedure is as follows:

1. The applicant obtains a Special Use Permit from the City of Laingsburg Planning Commission (“Planning Commission”) and City Council to operate the marihuana facility (or facilities) at a particular location.
2. The applicant obtains a Marihuana Facilities Permit from the City as described in this memo.
3. The applicant obtains a marihuana facility license (for medical, adult use, or both) from the State of Michigan.

Note that each of the above steps involves the payment of application fees. Note also that obtaining a Special Use Permit is a **prerequisite** to applying for a Marihuana Facilities Permit from the City.

What information will I need to provide on the Marihuana Facilities Permit application?

In addition to completing an official application form and paying the required non-refundable application fee, applicants will need to provide certain information and documents related to the proposed facility. The full listing of these requirements can be found in the text of the Ordinances.

What are the fees to apply for a Marihuana Facilities Permit?

The fee for a new application is \$5,000 and the fee for a renewal application is \$3,500. Also note the following:

1. The above-stated application fees are **in addition to and separate from** any licensing-related fees due to the State of Michigan or any costs due to the City related to acquiring the required Special Use Permit.
2. You may apply for a medical facility permit and an adult use facility permit at the same time, using the same application form. The fee for an initial application of this type would be $\$5,000 \times 2 = \$10,000$.
3. You may apply for two types of facility permits (*e.g.*, a retailer permit and a processor permit) at the same location, but you will need to use a separate application form for each type of facility.

How long is a permit good for?

Permits last for one (1) year and must be renewed not less than ninety (90) days before the permit's expiration date.

How long does the City Council have to approve or deny an application?

The Ordinances give the City Council ninety (90) days to approve or deny a complete application. This time may be extended for good cause upon written notice by the City, and the City's failure to meet this processing time shall not result in the automatic granting of any permit.

When will the City start accepting Marihuana Facility Permit applications?

The City will begin accepting Marihuana Facility Permit applications no sooner than June 1, 2020. It has been determined that such a period of time is reasonable for all interested applicants to apply for a special use permit and for the Planning Commission and City Council to render a

decision. Again, a special use permit must be obtained prior to application for a Marihuana Facility Permit.

For a period of thirty (30) days following June 1, 2020, City Council will accept Marihuana Facility Permit applications. The City Council will then suspend accepting Marihuana Facility Permit applications so that those applications may be reviewed and considered. The City Council will provide notice when Marihuana Facility Permit applications will be accepted again.

As it concerns the Marihuana Facility Permit applications received after June 1, 2020 and before the expiration of thirty (30) days, the City will review in accordance with the licensing Ordinances as approved. City Council is under no obligation to approve any Marihuana Facility Permit application. City Council also may, at its sole discretion, choose to approve any Marihuana Facility Permit application over another application for a limited number of licenses.