



Medical Marihuana Facilities Permit Application
Frequently Asked Questions

Dated: January 4, 2019

Dear prospective applicant for a medical marihuana facilities permit:

First, thank you for your interest in providing medical marihuana to the residents and visitors of Traverse City.

The purpose of this letter is to provide you with some basic information regarding the process and some anticipated questions as they relate to how the City of Traverse City processes applications for medical marihuana facilities permits. Respectfully, please understand that this document in no way is meant to be an exhaustive review. You should thoroughly review the City of Traverse City's ordinances which regulate medical marihuana as well as state and federal regulations and rules and consult with your own experts and legal counsel.

The following are anticipated frequently asked questions:

1. Where should applications for these permits be submitted?

All applications must be submitted to:

Benjamin Marentette, MMC
City Clerk – City of Traverse City
400 Boardman Avenue – First Floor
Traverse City, MI 49684

2. What needs to be submitted with the application?

The non-refundable application fee as well as all required submittals outlined within the application – please review it carefully.

3. When will applications be accepted?

With the exception of applications for provisioning centers, the City Clerk will accept applications for all other facility types on an ongoing basis.

For provisioning centers, the initial lottery will be conducted by the City Clerk on May 3, 2019; and all steps to be eligible for entrance into the lottery must be completed by that

time. Therefore, if submitting an application for a provisioning center, it is strongly encouraged that you submit your application no later than April 3, 2019, although that may not even guarantee enough time for appropriate reviews and corrections of application deficiencies. We recommend an application be submitted as far in advance as possible in case there are issues with your application that must be resolved in order to be eligible for the lottery.

4. Can I submit multiple applications for different locations and facility types?

A separate application must be submitted for each facility type and location. With the exception of applications for provisioning centers, one individual or business may submit multiple applications.

The city prohibits more than one “duplicative application” for a provisioning center facility that is submitted by or on behalf of the same person. An application is deemed duplicative if the true party of interest for more than one application overlaps. Refer to city ordinance and Michigan statute and rules for the definition of “true party of interest”

5. Where can facilities be located?

As a general reference, please see the map titled “Medical Marihuana Facility Zoning” dated January 2, 2019. However, to make certain, please email the city’s Zoning Administrator, Dave Weston (dweston@traversecitymi.gov) the address for the proposed facility, along with the facility type, to determine if the proposed address and facility type are permissible under the city’s zoning rules. Please note, however, that any response from the City’s Zoning Administrator neither guarantees nor implies that a permit will be issued – permits are only issued by the City Clerk.

Please note that any proposed medical marihuana facility shall not be within a 1,000 foot radius of any school; for those facilities that are located within a building with multiple suites or separate storefronts, the actual "suite" or storefront where the facility is located shall not be within such radius, provided that each suite/storefront is separated entirely from the other suites/storefronts in the building.

6. Is there a limit on the number of facility permits the city will issue?

The City will issue a maximum of thirteen permits for Medical Marihuana Provisioning Center Facilities; there is no maximum for the other four facility types (grower, processor, secure transporter and safety compliance facility).

7. Is the application fee refundable?

The fee must be submitted with the initial application and the fee is non-refundable once submitted. Under no circumstances will the City Clerk refund the fee.

8. Once I submit my application, what happens and what is the process for approval?

Step A. Review of application, including all required submittals.

Once your application is submitted, the City Clerk's Office will conduct an initial review for completeness. If, upon initial review of the application, the City Clerk's Office will, notify you by email and in writing to the address of the individual listed on the "contact information" section of the application. You will have ten (10) business days from the mailing date to provide the incomplete or missing information to the City Clerk.

Once an application has passed the initial review by the City Clerk's Office, it will be forwarded to various City departments for their review – these departments include: The Fire Department, Police Department, Municipal Utilities Department and Traverse City Light and Power. It is possible that these departments may identify missing information – and in such instances, will notify the City Clerk's Office who will then notify the applicant as provided above. Again, you will have ten (10) business days to provide the incomplete or missing information to the City Clerk.

If your application is denied at this step, the City Clerk will notify the individual listed under the "contact information" section of the application by mail and email. The applicant may appeal to the City Manager as outlined in the ordinance. The City Manager may overrule the decision of the City Clerk – and in such instances, the application will move on to the next step. If the appeal is denied by the City Manager, the application will not proceed.

Step B. Issuance of a Provisional Permit.

A provisional permit does not authorize the operation of a facility; it is an intermediary step that signals it is time to complete the required inspections. If Step A is successfully completed (meaning the City Clerk's Office and all appropriate departments have reviewed your application and required submittals), with the exception of an application for a provisioning center, a provisional permit will be issued.

For provisioning centers, those applications that are accepted by the City Clerk will be known as "Qualified Applicants" and will be entered into a lottery. The first lottery will be conducted on May 3, 2019, with the lottery drawing conducted publicly and with all entrants into the lottery advised in advance of the date, time and location of the lottery.

A provisional permit is lapsed and void 6 months from the date it has been issued by the City Clerk if a state operating license, or all inspections and other permits and approvals required by the City's ordinance are not obtained, or if the applicant is denied a state operating license. The City Clerk may extend a provisional permit upon showing of a

good cause during this time. On-site inspections will be done by departments such as the Police Department, Fire Department, Department of Municipal Utilities and others as requested by the City Clerk.

Step C. Issuance of a Medical Marihuana Facilities Permit.

A medical marihuana facilities permit authorizes the operation of a medical marihuana facility. These permits are issued by the City Clerk to applicants who hold a valid provisional permit, have passed all required inspections and completed other steps outlined by the ordinance or as may be required by the City.

9. What do I do if something changes in terms of operation of my facility or the information I provided on my application, including any application for annual renewal?

Nothing represented in your application materials may be changed until specifically authorized in writing by the City Clerk. If you make such a change without prior written approval of the City Clerk, your permit may be suspended or revoked. Any proposed changes must be submitted in writing to the City Clerk at least ten (10) calendar days in advance.

10. How do I add or delete owners of the permit?

You will need to submit another application, completing only the sections that apply to ownership and submit a letter explaining the ownership change. No change in ownership may occur until approved in writing by the City Clerk.

11. Once a Medical Marihuana Facilities Permit has been issued by the City Clerk, how long is it valid for and what is the process for renewal?

These permits are valid for one year from the date of issuance by the City Clerk. The same application procedure, including the non-refundable fee, that applies to the submission of a new permit application applies to a renewal.

Again, thank you for your interest in locating your business within the City of Traverse City. Please feel free to contact my team if you have any questions.

Sincerely,



Benjamin Marentette, MMC
City Clerk