



City of Pontiac Medical Marihuana Facilities Ordinance

The ordinance provides that the City Clerk is responsible for overseeing the Medical Marihuana Facility Application and Permit Processes. Relevant section of the ordinance:

Section 9. Medical Marihuana Facility Application Process.

(c) *"After this ordinance becomes effective, the clerk shall begin accepting medical marihuana facility applications within 60 days. Within 7 days of the date, the clerk begins accepting medical marihuana facility permit applications, the clerk must set a 21-day application period during which applicants may apply for a permit to operate a provisioning center."*

(d) *"The clerk shall award a permit to any applicant for a permit to operate a grower, processor, secure transporter, or safety compliance facility who submits a completed application, receives the approvals required in this section, and meets the requirements of this ordinance."*

(e) *"The clerk shall assess, evaluate, score and rank all applications for permits to operate a provisioning center submitted during the twenty-one (21) day application period set forth in this section."*

(j) *"The clerk may engage professional expert assistance in performing the clerk's duties and responsibilities under this ordinance."*

Application and Permit Processes Update January 2019

- 1. When was the Medical Marihuana Facilities ordinance approved?** The majority of voters who voted in the Pontiac Primary Election on August 7, 2018 voted in favor of the ordinance (Proposal 1). On August 27, 2018, the Oakland County Clerk accepted a recount petition for Proposal 1. The recount occurred on September 12, 2018. The results of the recount were 3,896 yes votes to 3,895 no votes. The ordinance was approved.
- 2. What does the ordinance do?** The ordinance requires the City Clerk to begin accepting medical marihuana facility applications within 60 days of the ordinance becoming effective.
- 3. Why did the City Clerk not begin accepting applications on November 12, 2018, which was 60 days after the ordinance became effective?** On November 8, 2018, the Pontiac City Council adopted a resolution that established a three month moratorium on the acceptance of applications for medical marihuana facilities.
- 4. When will the City Clerk begin accepting applications?** The moratorium will end on February 8, 2019. The City Clerk will begin accepting applications on February 8, 2019 for growers, processors, safety compliance and secure transporters.
- 5. When will the City Clerk begin accepting applications for provisioning centers?** Within seven days after February 8, 2019, the clerk must set a 21-day application period during which applicants may apply for a permit to operate a provisioning center.
- 6. Who issues Medical Marihuana licenses and facility permits on behalf of the the City of Pontiac?** The ordinance requires the City Clerk to issue licenses and permits.
- 7. Will the City Clerk select a professional expert to assist in performing duties and responsibilities under the ordinance?** Yes. Section 9(j) of the ordinance allows the clerk to "engage professional expert assistance in performing the clerk's duties and responsibilities under this ordinance."



City of Pontiac Medical Marihuana Facilities Application and Permit Processes Update (cont.)

8. What type of licenses are available?

- **Grower** - A commercial entity that cultivates, dries, trims, or cures and packages marihuana for sale to a processor or provisioning center. A grower includes a Class A grower [no more than 500 marihuana plants], Class B grower [no more than 1,000 marihuana plants], and Class C grower [no more than 1,500 plants].
- **Processor** - A commercial entity that purchases marihuana from a grower and extracts resin from the marihuana or creates a marihuana-infused product for sale and transfer in packaged form to a provisioning center.
- **Safety Compliance [testing]** - A commercial entity that receives marihuana from a marihuana facility or registered primary caregiver, tests it for contaminants, tetrahydrocannabinol [THC] and other cannabinoids, returns test results and may return the marihuana to the facility.

- **Secure Transporter** - A commercial that stores marihuana and transports it between marihuana facilities for a fee.
- **Provisioning Center [selling]** - A commercial entity that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through registered, primary caregivers for specified medical conditions.

9. **Is there a limit to the number of licenses that can be issued by the City Clerk on behalf of the City of Pontiac?** There is no limit of licenses issued by the City of Pontiac for growers, processors, secure transporters, or safety compliance facilities. The city could issue twenty [20] provisioning center licenses or a number of provisioning center licenses equal to the number of complete provisioning center license applications that meet the requirements of Pontiac's Medical Marihuana ordinance.

Roles & Responsibilities in the Application Process for City Offices & Departments

	Clerk	Fire	Buildings & Safety	Planning
Access, Evaluate, Score & Rank applications.	√			
Confirm location complies with zoning.				√
Inspect the proposed location for compliance with state & local fire requirements.		√		
Inspect the proposed location for compliance with state & local building, electrical, mechanical and plumbing code requirements.			√	
Ensure consistency with land use.				√
Issue Certificate of Occupancy		√	√	
Issue Building Permit (if necessary)			√	