

- Q. "Marihuana Safety Compliance Facility" means a person licensed by the State to test marihuana, including certification for potency and the presence of contaminants.
- R. "Marihuana Secure Transporter" shall mean a person licensed by the State to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.
- S. "Permittee" shall mean a person holding a Permit issued under the provisions of this ordinance.
- T. "Permit Holder" means the Person that holds a current and valid Permit issued under this Ordinance.
- U. "Permitted Premises" means the building or buildings within which the Municipal Permit Holder will be authorized to conduct the Marihuana Establishment pursuant to the provisions of this ordinance.
- V. "Permitted Property" means the real property comprised of a lot, parcel of other designated unit of real property on which the Permitted Premises is situated.
- W. "Person" shall mean an individual, corporation, limited liability company, partnership of any type, trust, or other legal entity.
- X. "Planning Commission" shall mean the City of Buchanan Planning Commission.
- Y. "Stakeholder" shall mean any shareholder of a corporation, partner in a partnership, member of a limited liability company or individual of a sole proprietorship.
- Z. "State" shall mean the State of Michigan.
- AA. "Temporary Marihuana Event" shall mean an event held by a marihuana event organizer for an event where the onsite sale or consumption of marihuana products, or both, are authorized at the location indicated on the City Permit and State license during the dates indicated on the City Permit and State License.
- BB. "Zoning Ordinance" shall mean the City of Buchanan Zoning Ordinance.

Section 3. Authorization of Marihuana Establishments and Fee

- A. The maximum number of each type of Adult Use marihuana establishments allowed in the City shall be as follows in accordance with the regulations below:

Number of Marihuana Establishments to be Permitted:

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| Marihuana Grower: | |
| Class A — not more than 100 marijuana plants | 5 |
| Class B — not more than 500 marijuana plants | 5 |
| Class C — not more than 2,000 marijuana plants | 5 |
| Excess Marihuana Grower | 2 |
| Marihuana Processor | 5 |
| Marihuana Retailer | 5 |
| Marihuana Secure transporter | 5 |
| Marihuana Safety compliance facility | 5 |

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| Designated Consumption Establishment | 2 |
| Marihuana Microbusiness | 1 |
| Temporary Marihuana Event | 1 |

- B. For twenty four months after the adoption of this Ordinance, the City shall only accept applications for marihuana establishments from persons holding both a Municipal Permit and a state operating license pursuant to the MMFLA, 2016 PA 281, MCL 333.27101 to 333.27801. This requirement shall not apply to applicants for an adult use microbusiness.
- C. Except for Growers and Processors, all Adult Use Marihuana Establishments shall be located on the same property and in the same building as the existing Medical Marihuana Facility in accordance with the requirements of this Ordinance and Ordinance 2019.11.414. A new location will be considered only for a marihuana microbusiness and a temporary marihuana event, in accordance with the requirements of this ordinance and Ordinance 2019.11/414.
- D. At least every year after adoption of this ordinance, City Commission may, review, as needed the maximum number of each type of marihuana establishments allowed and determine whether this maximum number should be changed. The review and its findings shall be recorded in the minutes of the relevant meeting of the City Commission.
- E. A nonrefundable fee shall be paid by each marihuana establishment Permitted under this ordinance in an annual amount of not more than \$5,000.00 as set by resolution of the City Commission as follows:

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| Marihuana Grower (all Classes): \$5,000. | Excess Marihuana Grower: \$1,500 |
| Marihuana Processor: \$5,000 | |
| Marihuana Retailer: \$5,000 | |
| Marihuana Secure Transporter: \$5,000 | |
| Marihuana Safety Compliance Facility: \$5,000 | |
| Designated Consumption Establishment: \$1,000 | |
| Marihuana Microbusiness: \$5,000 | |
| Temporary Marihuana Event: \$1,000 plus \$500.00 per day. | |
| Marihuana Event Organizer: \$1,000 per event. | |

Section 4. Requirements and Procedure for Issuing Marihuana Establishment Permits

- A. No person shall operate a marihuana establishment in the City without a valid marihuana establishment Permit issued by the City pursuant to the provisions of this ordinance.
- B. No Person shall be issued a Permit by the City without first having obtained from the Planning Commission a Special Use Permit authorizing the operation of the establishment pursuant to the Zoning Ordinance.
- C. No person who is employed by the City, acts as a consultant for the City or acts as an advisor to the City, and is involved in the implementation, administration or enforcement of this Ordinance shall have an interest, directly or indirectly, in a Marihuana Establishment.
- D. For twenty four months after the adoption of this Ordinance, the City shall only accept applications for marihuana establishments from persons holding both a municipal Permit and a state operating license pursuant to the MMFLA, 2016 PA 281, MCL 333.27101 to 333.27801. Upon receipt of an application, the City Clerk shall file the same and assign it a sequential application number by establishment type based on the date and time of receipt.