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www.cityofhartfordmi.org

August 31, 2022

Mr. Brian Toma
BT Holdings
222 E. Merrill Street, Suite 102
Birmingham, MI 48009.

Dear Mr. Toma:

SUBJECT: ADULT USE RECREATIONAL MARIHUANA FACILITY LICENSE, 210 W. MAIN STREET, HARTFORD, MI 49057.

It has been over a year since the City approved your application for an Adult Use Recreational Marihuana Facility. The City is very concerned about the lack of the progress of this project. The building is still vacant; the lawn is not maintained and is in violation of the Tall Grass Ordinance.

At the end of one year, the City expected a substantial completion of the project if not completed. We are seriously concerned about the status of your application with the State of Michigan and the current condition of the building. There are two licenses tied up on this building without any information on when you can activate either of them. These licenses shall be deemed forfeited; if we do not hear from you within thirty days of this letter and if there is no reasonable explanation for the delay. I have also enclosed Section F of Ordinance#320-2020 for your reference. Should you have any questions, please feel free to contact me.

I look forward to hearing from you soon.

Sincerely,

A handwritten signature in black ink, appearing to read 'Yemi Akinwale', written over a horizontal line.

Yemi Akinwale
City Manager

Cc: File Copy

Encl: (1)

establishment or other regulated activity authorized by the Rules promulgated by the State license whose term shall run concurrent with the State license for the establishment or other regulated activity authorized by the Rules promulgated by the State.

3. Maintaining a valid recreational marihuana establishment or other regulated activity authorized by the Rules promulgated by the State license issued by the State is a condition for the issuance and maintenance of the City recreational marihuana establishment or other regulated activity authorized by the Rules promulgated by the State operating license issued under this Ordinance and continued operation of any recreational marihuana establishment or other regulated activity authorized by Rules promulgated by the State.
4. The City of Hartford will authorize approved recreational establishment or other regulated activity authorized by the Rules promulgated by the State license(s) to entities in the following order and on the condition that a license and location are available in the City per the City's Zoning Ordinance:
 - a. On or after promulgation of State approved operating standards, the proposed recreational marihuana establishment or other regulated activity authorized by the Rules promulgated by the State has completed and received approvals as outlined in this Ordinance as verified by the City Clerk or designee; and
 - b. Paid all licensing fees to the City of Hartford; The entity holds and
 - c. The entity(ies) holds and can produce an approved and fully authorized State of Michigan; Department of Licensing and Regulatory Affairs approved Recreational Marihuana Establishment or other regulated activity authorized by the Rules promulgated by the State License to the City Clerk; and
 - d. An approved certificate of occupancy from the City of Hartford Fire Chief and Building Inspector.
 - e. All marihuana establishments or other regulated activity authorized by the Rules promulgated by the State shall obtain a State license and all other required permits of licenses related to the operation of the recreational marihuana establishment or other regulated activity authorized by the Rules promulgated by the State, including, without limitation, any development approvals or building permits required by any applicable code or ordinance prior to opening to the public; including but not limited to an approved Special Land Use permit (if applicable) from the City of Hartford Planning Commission as well as any approved Building Permits (as required for any construction/deconstruction) by the City of Hartford Building Inspector.
 - f. Proof of Insurance. A licensee shall at all-time maintain full force and effect for duration of the license, worker's compensation as required by State law, and general liability insurance with a minimum of \$1,000,000 per occurrence and \$2,000,000 aggregate limit issued from a company licensed to do business in Michigan having an AM Best rating of at least A-.
The policy shall name the City of Hartford and its official and employees as additional insureds to the limit required by this section. A licensee or its insurance broker shall notify the City of any cancellation or reduction in coverage within seven (7) days of receipt of insurer's notification to that effect. The licensee, permittee, or lease shall forthwith obtain and submit proof of substitute insurance to the City Clerk within five (5) days in the event of expiration or cancellation of coverage.
 - g. An acknowledgement and consent that the City, including the Hartford Police Department, may conduct a background investigation, including a criminal history check, and that the City may be entitled to full and complete disclosure of all financial records of the marihuana entity, which may include any/all records of deposit, withdrawal, balances and loans upon request; and
 - h. Any additional information that the City Clerk, Police Chief, Fire Chief, Public Works Director, Building Inspector, City Manager and/or City Attorney or their designees reasonably determines to be necessary in connection with the investigation and review of the application.

F. License Forfeiture

In the event that a recreational marihuana establishment or other regulated activity authorized by the Rules promulgated by the State does not commence operations within one (1) year of issuance of a City operating license, the license shall be deemed forfeited; the business may not commence operation, unless extended by a majority vote of the full City Commission.