

Official Ballot

Presidential Primary Election, Tuesday, February 27, 2024

Oakland County, Michigan
Pontiac

Proposal Section

City

Proposal 1

City of Pontiac Ordinance No. 2424 an Ordinance to Amend the Adult-Use Marihuana Business Ordinance

Shall the City of Pontiac, Oakland County, Michigan adopt Ordinance No. 2424 an Ordinance to Amend the City of Pontiac Adult-Use Marihuana Business Ordinance 2406 which allows adult-use marihuana establishments to operate in the City of Pontiac to Include:
Section 03. Definitions: to Amend definition of "Applicant" to deem an Applicant to include any person or entity who holds a direct or indirect ownership interest of 6% or more in the applicant and any person or entity who exercises control over or participates in the management of the applicant.
Section 03. Definitions: to Amend definition of "Person" to include a partnership and a limited liability partnership.
Section 03. Definitions: to Amend definition of "Social Equity-Qualified Business" to include franchisees and to require the business to document 51% or more ownership by social equity qualifying applicants and to identify the ownership percentage held by each stakeholder.
Section 03. Definitions: to Amend definition of "Stakeholder" to include all owners of a business entity, whether profit or non-profit, with a direct or indirect ownership interest greater than 6%.
Section 12(b)(2) General Permit Application Requirements: to Amend the disclosure requirements so that each applicant entity is required to disclose in the application the ownership structure of the applicant entity and the identity of every person or entity having a direct or indirect ownership interest in the applicant entity greater than 2.5% by providing the entity or individual name, the ownership percentage, email address, mailing address and if applicable, the date of birth; and for the purpose of these disclosure requirements, the term "applicant entity" shall only refer to the person or entity applying for a permit from the City, and not to the owners or managers of such entity.
Section 12(b)(6) General Permit Application Requirements: to Amend that the affirmation that the applicant and every stakeholder is at least 21 years of age shall be made by the applicant.
Section 12(b)(7) General Permit Application Requirements: to Amend that the required criminal history background report of the applicant's criminal history include any managerial employee of the applicant and any person who exercises control over or participates in the management of the applicant.
Section 13(d) Marihuana Business Permit Application Process: to Amend by moving the phrase "and obtains a permit from the City and an operating license from the Department within 18 months after the conditional permit is granted" to the end of the sentence: The Clerk will grant a final permit if the applicant obtains final site plan approval and special land use approval within 6 months of receiving a conditional permit, enters into a written agreement with the City confirming that the marihuana establishment will operate in accordance with the business plans, building plans, design standards, social equity plans and all other operational standards described by the applicant in the application materials submitted, and obtains a permit from the City and an operating license from the Department within 18 months after the conditional permit is granted; and to make a grammatical correction in the 13th line of the Second Reading of the Ordinance to delate an "n" and add "a" before the word "permit."
Section 13(e) Marihuana Business Permit Application Process: to Amend the time for the Clerk to set the 21-day application window period to thirty (30) days from the effective date of this ordinance.
Section 13(f)(3) Marihuana Business Permit Application Process: to Amend the Neighborhood Communication/Education Plan of the proposed Marihuana Business to require the meetings with neighborhood organizations, residents and the public to include written notice to all property owners within 1500 feet of the marihuana business location.
Section 13(f)(8) Marihuana Business Permit Application Process: to Amend by deleting the reference to a \$1,000 amount for possible donations to a fund administered by the City for planned philanthropic initiatives and community improvement programs aimed at the City.
Section 13(f)(9) Marihuana Business Permit Application Process: to Amend the maximum number of scoring points from 20 points to 30 points for applicants who have current and final conditional approval for a medical marihuana provisioning center permit; to Amend that these scoring points do not apply to those applicants for a medical provisioning center permit who were initially one of the five highest scoring applicants in the zoning district where they applied but are no longer one of the five highest scoring applicants in the zoning district where they applied; to Amend that the medical applicant entity who has current and final conditional approval for a medical marihuana provisioning center permit shall be awarded the 30 points whether they apply for a retailer permit or a social equity retailer permit as long as the applicant entity was qualified as a Social Equity Qualified Business when it was conditionally approved for a medical marihuana provisioning center; and to Amend that applicants with current and final conditional approval for a medical marihuana provisioning center permit may apply for recreational licenses at a different location in any of the four districts allowed under Zoning Ordinance #2407, not only in the zoning district where they were awarded their conditionally approved medical license.
Section 13(f)(11) Marihuana Business Permit Application Process: to Amend by requiring that a building that an applicant has rehabilitated and/or redeveloped within three (3) years before the submittal of the application under this ordinance meets the definition of blighted or dangerous as such term is defined in the City's Code of Ordinances and deleting the requirement that the building be cited by the City as blighted or dangerous.
Section 13(f)(14) Marihuana Business Permit Application Process: to Amend by adding Section 13 (f)(14) to provide for a maximum number of 10 scoring points if an applicant was the highest scoring conditionally approved medical provisioning center applicant in the zoning district in which the applicant applied, including all those applicants tied for the highest score in that zoning district, whether an applicant was applying for a retailer or social equity retailer permit.
Section 13(g) Marihuana Business Permit Application Process: to Amend that the scoring and ranking of applications conducted by the Clerk shall be on the basis of assigned points from zero (0) points to one hundred and eighty five (185) points with the lowest overall total score as zero (0) points and the highest possible total score being one hundred and eighty five (185) points.
Section 13(h) Marihuana Business Permit Application Process: to Amend that the 17 conditional permits awarded to the highest scoring applicants for permits to operate retailer establishments is limited by the applicable overlay zoning districts.
Section 13(i) Marihuana Business Permit Application Process: to Amend that the 5 conditional permits awarded to the highest scoring applicants for permits to operate Class A Microbusinesses is limited by the applicable overlay zoning districts.
Section 13(l) Marihuana Business Permit Application Process: to Amend that the 6 conditional permits awarded to the highest scoring applicants for permits to operate Social Equity Retailer establishments is limited by the applicable overlay zoning districts.
Section 20(a) Transfer of Location Prohibited; Transfer of Ownership and Assets: to Amend to allow conditionally approved medical marihuana permit holders to apply for adult-use permits at a different location than the location applied for under the Medical Marihuana Facilities Ordinance, Article XXX, Section 26.1491 et seq. in any of the four zoning districts allowed under Zoning Ordinance #2407, not only in the zoning district where the applicant was awarded a conditionally approved medical marihuana permit; to Amend to allow current and final conditionally approved medical marihuana applicants for provisioning center permits who choose to apply at a different location to receive the 30 scoring points under Section 13(f)(9) of this ordinance for the location that had been conditionally approved under the Medical Marihuana Facilities Ordinance Article XXX, Section 26.1491 et seq.; and to Amend to provide that no conditionally approved medical marihuana permit holder shall receive the application scoring points in Section 13(f)(9) for more than one application apiece in a zoning district allowed under Ordinance #2407, whether the application is for a retailer permit or a social equity retailer permit.
A full copy of the proposed Ordinance No. # 2424 is available in the City Clerk's Office during normal business hours for review.

[ ] Yes

[ ] No

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