

INITIATION OF LEGISLATION AMENDMENT TO THE CHARTER

To the Clerk of the City of the Village of Clarkston: We, the undersigned qualified and registered electors, residents in the city of the Village of Clarkston, state of Michigan, respectively petition for initiation of a charter amendment to end the City's prohibition of medical marihuana facilities and establish a local licensing system and regulatory provisions for medical marihuana facilities to operate within the City. We respectfully request that this proposed amendment be submitted to a vote of the electors of the City of the Village of Clarkston for the November 8, 2022 General Election.

The amendment, if adopted, would add CHAPTER XVI to the Charter and would alter or abrogate CHAPTER IV SECTION 4.26, and CHAPTER V SECTION 5.4, as follows (new language capitalized and bolded, deleted language struck out with a line):

CHAPTER IV THE CITY COUNCIL

LICENSES AND PERMITS Section 4.26 EXCEPT AS PROVIDED FOR BY CHAPTER XVI OF THIS CHARTER, The Council shall by ordinance prescribe the terms and conditions upon which licenses and permits may be granted, suspended, or revoked; and may require an exact payment of such reasonable sums for any licenses and permits as it may deem proper.

CHAPTER V THE ADMINISTRATIVE SERVICE

CITY CLERK Section 5.4 The Clerk shall: (a) Be the clerical officer of the Council; (b) Attend all meetings of the Council, and keep its journal; (c) Keep a record of all actions of the Council at its regular and special meetings; (d) Have the power to administer all oaths required by law and by the ordinances of the City; (e) Be the custodian of the city seal, and affix the same to documents required to be sealed, also be custodian of this Charter, all city ordinances, resolutions, papers, documents, treasurer's bond, and records pertaining to the City, the custody of which is not otherwise provided by this charter; (f) Give to the proper officials ample notice of the expiration or termination of any official bonds, franchises, contracts or agreements to which the City is a part; (g) Notify the Council of the failure of any officer or employee required to take an oath of office or to furnish any bond required; (h) Certify all ordinances and resolutions adopted by the Council; (i) Perform all duties required of clerks by law and the ordinances of the City; (j) Be responsible for the conduct of elections in the City as required by law; (k) Perform such other duties in connection with the office as may be required by law, the ordinances or resolutions of the Council; (l) Maintain a current inventory of city owned property; ~~and~~ (m) Provide and maintain a supply of forms for all petitions required to be filed for any purpose by the provisions of this Charter; AND (N) FULFILL THE REQUIREMENTS ASSIGNED TO THE CLERK IN CHAPTER XVI OF THIS CHARTER.

CHAPTER XVI MEDICAL MARIHUANA

SECTION 1. PURPOSE

THE PURPOSE OF THIS ARTICLE IS TO END THE CITY'S PROHIBITION OF MARIHUANA FACILITIES, AND AUTHORIZE AND REGULATE SUCH FACILITIES WITHIN THE CITY CONSISTENT WITH THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, 2016 PA 281, MCL 333.27101 ET SEQ, AND TO PROVIDE QUALIFYING PATIENTS LOCAL ACCESS TO MEDICAL MARIHUANA FOR CONDITIONS SUCH AS EPILEPSY, MULTIPLE SCLEROSIS, COLITIS, ARTHRITIS, CROHN'S DISEASE, CEREBRAL PALSY, CHRONIC PAIN, PARKINSON'S DISEASE, POST TRAUMATIC STRESS DISORDER, AND OTHER MEDICAL CONDITIONS FOR WHICH MARIHUANA HAS BEEN DEEMED AN APPROVED MEDICAL USE BY THE STATE OF MICHIGAN. NOTHING CONTAINED WITHIN THIS ARTICLE, OR WITHIN ANY LOCAL APPROVAL ISSUED BY THE CITY, SHALL BE CONSTRUED TO RELIEVE A PERSON OF THE DUTIES AND OBLIGATIONS IMPOSED UNDER STATE LAWS AND REGULATIONS. NOTWITHSTANDING THE FOREGOING, IT IS NOT THE INTENT OF THIS ARTICLE TO DIMINISH, ABROGATE OR RESTRICT PROTECTIONS FOR THE MEDICAL USE OF MARIHUANA PROVIDED IN THE MICHIGAN MEDICAL MARIHUANA ACT, 2008 IL 1, MCL 333.26421 ET SEQ. NOTHING IN THIS ARTICLE IS INTENDED TO GRANT INDIVIDUALS IMMUNITY FROM THE ENFORCEMENT OF FEDERAL LAWS PROHIBITING MARIHUANA ACTIVITY. THE PROVISIONS OF THIS ARTICLE ARE REGULATORY IN NATURE AND NOT INTENDED TO BE INTERPRETED AS ZONING LAWS. THE PROVISIONS OF THIS ARTICLE ARE SEVERABLE AND SELF-EXECUTING. THIS ARTICLE IS HEREBY DECLARED NECESSARY TO PRESERVE THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE OF THE PEOPLE OF THE CITY, TO ADVANCE THE INTERESTS OF THE CITY AND THE GOOD GOVERNMENT AND PROSPERITY OF THE CITY AND ITS INHABITANTS THROUGH THE CITY'S REGULARLY CONSTITUTED AUTHORITY TO PASS ALL LAWS RELATING TO ITS MUNICIPAL CONCERNS, TO REGULATE OCCUPATIONS AND TRADES IN THE CITY IN ACCORDANCE WITH STATE LAW, AND TO REGULATE MARIHUANA FACILITIES WITHIN THE CITY PURSUANT TO ITS AUTHORITY TO ALTER, AMEND OR REPEAL ANY SPECIAL ACT AFFECTING ANY MUNICIPAL CONCERN.

SECTION 2. DEFINITIONS

(A) ALL DEFINITIONS PROVIDED IN THE MMFLA ARE HEREBY INCORPORATED BY REFERENCE INTO THIS ARTICLE, AND THE TERM "MARIJUANA" SHALL BE SYNONYMOUS WITH THE TERM "MARIHUANA."

(B) "BUSINESS FACILITY ADDRESS" IS DEFINED AS THE SINGULAR UNITED STATES POSTAL ADDRESS, FOR A BUILDING STRUCTURE LOCATED ATOP A LAND PARCEL, WHERE A MARIHUANA FACILITY IS PROPOSED TO BE LOCATED FOR A LICENSE TYPE LISTED IN AN APPLICATION TO THE CITY. THE EXISTING SQUARE FOOTAGE OF THE ENCLOSED BUILDING STRUCTURE AT THE BUSINESS FACILITY ADDRESS AT THE TIME OF THE APPLICATION'S SUBMISSION SHALL SOLELY BE USED FOR DETERMINING THE SQUARE FOOTAGE OF THE BUSINESS FACILITY ADDRESS.

(C) "BUSINESS FACILITY ADJACENT ADDRESS" IS DEFINED AS THE SINGULAR UNITED STATES POSTAL ADDRESS OF A BUILDING STRUCTURE WHICH IS PHYSICALLY ADJOINING OR DIRECTLY PHYSICALLY TOUCHING THE BUILDING STRUCTURE OF A BUSINESS FACILITY ADDRESS. PHYSICALLY ADJOINING SHALL, FOR THE PURPOSES OF THIS DEFINITION, REFER TO THE PHYSICAL CONNECTION THROUGH WALLS, ADJACENT WALLS, OR A COMMON BUILDING STRUCTURE, THOUGH THIS DEFINITION SHALL NOT INCLUDE ANY COMMON ROAD, FOUNDATION, OR SURFACE THAT THE BUILDING STRUCTURE SITS ON.

(D) "CITY" SHALL REFER TO THE CITY OF THE VILLAGE OF

CLARKSTON.

(E) "CITY FULL LICENSE AUTHORIZATION" SHALL BE DEFINED AS THE FULL LOCAL APPROVAL THAT THE CITY OF THE VILLAGE OF CLARKSTON AUTOMATICALLY GRANTS A LOCAL APPLICANT TO OPERATE A MARIHUANA FACILITY AT A BUSINESS FACILITY ADDRESS WHEN THE LOCAL APPLICANT HAS RECEIVED A STATE OPERATING LICENSE PURSUANT TO THE MMFLA. A CITY FULL LICENSE AUTHORIZATION SHALL NOT BE CONSIDERED A MUNICIPAL LICENSE.

(F) "CLERK" IS DEFINED AS THE CITY CLERK OF THE CITY OF THE VILLAGE OF CLARKSTON.

(G) "COUNCIL" IS DEFINED AS THE CITY COUNCIL OF THE CITY OF THE VILLAGE OF CLARKSTON.

(H) "LAND PARCEL" OR "PARCEL" SHALL BE DEFINED AS A LAND PARCEL, WITH AN ASSOCIATED TAX IDENTIFICATION NUMBER, ALLOCATED BY THE APPROPRIATE GOVERNMENTAL BODY, WHOSE OFFICIAL RECORDS ARE HELD BY THE CLERK, THE REGISTER OF DEEDS, OR OTHER APPROPRIATE GOVERNMENTAL BODY, FOR THE PURPOSES OF TRACKING THE USE OF LAND WITHIN THE CITY.

(I) "LICENSE TYPE" IS DEFINED AS A SINGLE CATEGORY OF A LICENSE THAT A LOCAL APPLICANT CAN APPLY FOR, SUCH AS A PROVISIONING CENTER LICENSE, A GROWER LICENSE, OR ANY OTHER LICENSE THAT A LOCAL APPLICANT CAN APPLY FOR THROUGH THE PROCESSES SET FORTH IN THIS ARTICLE.

(J) "LOCAL APPLICANT" IS DEFINED AS AN INDIVIDUAL, ENTITY, PERSON, OR PERSONS WHO SUBMITS AN APPLICATION FOR A LICENSE TYPE TO THE CITY.

(K) "MMFLA" IS DEFINED AS THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, 2016 PA 281, MCL 333.27101 ET SEQ.

(L) "MMMA" IS DEFINED AS THE MICHIGAN MEDICAL MARIHUANA ACT, 2008 IL 1, MCL 333.26421 ET SEQ.

(M) "MRTMA" IS DEFINED AS THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT, 2018 IL 1, MCL 333.27951 ET SEQ.

(N) "PROVISIONAL LICENSE" IS DEFINED AS A PROVISIONAL LOCAL AUTHORIZATION ISSUED BY THE CITY FOR A LOCAL APPLICANT, CONTINGENT UPON APPROVAL OF A STATE OPERATING LICENSE BY THE AGENCY, TO OPERATE A MARIHUANA FACILITY AT A BUSINESS FACILITY ADDRESS, PROVIDED THAT THE PROVISIONAL LICENSE SHALL BECOME A CITY FULL LICENSE AUTHORIZATION UPON THE LOCAL APPLICANT RECEIVING A STATE OPERATING LICENSE PURSUANT TO THE MMFLA. A LOCAL APPLICANT SHALL BE PROHIBITED FROM OPERATING A MARIHUANA FACILITY WITHOUT A STATE LICENSE ISSUED BY THE AGENCY.

(O) "PERCENTAGE OCCUPANCY" SHALL BE DEFINED AS THE OCCUPANCY PERCENTAGE OF A BUSINESS FACILITY ADDRESS FOR THE CALENDAR YEAR IMMEDIATELY PRIOR TO THE APPLICATION DATE OR, IF APPLICABLE, FOR THE CALENDAR YEAR ENDING NO EARLIER THAN THREE (3) MONTHS PRIOR TO THE APPLICATION DATE IF THE REQUIREMENTS OF SECTION 2(O)(4) ARE MET, AND SHALL CONSIST OF THE OCCUPANCY PERCENTAGE OF ANY BUILDINGS, STRUCTURES, OR UNITS CONTAINED WITHIN THE PARCEL UPON WHICH THE BUSINESS FACILITY ADDRESS SITS FOR THE CALENDAR YEAR IMMEDIATELY PRIOR TO THE APPLICATION DATE. THE PERCENTAGE OCCUPANCY SHALL BE CALCULATED USING THE AVERAGE SQUARE FOOTAGE OF ANY BUILDINGS, STRUCTURES, OR UNITS CONTAINED WITHIN THE PARCEL UPON WHICH THE BUSINESS FACILITY ADDRESS SITS THAT IS OCCUPIED DURING THE CALENDAR YEAR IMMEDIATELY PRIOR TO THE APPLICATION DATE, UTILIZING A METHOD DETERMINED BY THE CITY CLERK. THE METHOD OF DETERMINING PERCENTAGE OCCUPANCY SHALL BE SUBJECT TO THE FOLLOWING REQUIREMENTS OF THIS ARTICLE:

(1) CONSTRUCTION ACTIVITY, RENOVATION ACTIVITY, OR STORAGE ACTIVITY IN THE BUILDINGS, STRUCTURES, OR UNITS CONTAINED WITHIN THE PARCEL UPON WHICH THE BUSINESS FACILITY ADDRESS SITS SHALL NOT BE CONSIDERED OCCUPANCY OR COUNTED AS PART OF THE PERCENTAGE OCCUPANCY OF A BUSINESS FACILITY ADDRESS. HOWEVER, STORAGE UNITS WHICH ARE PART OF COMMERCIAL STORAGE BUSINESSES WHERE RENT IS PAID FOR THE USE OF A STORAGE SPACE SHALL BE CONSIDERED OCCUPANCY AND SHALL COUNT TOWARDS PERCENTAGE OCCUPANCY, AND STORAGE ACTIVITY RELATING TO INVENTORY AND/OR EQUIPMENT THAT PERTAINS TO THE OPERATION OF A BUSINESS OR OTHER ORGANIZATION THAT IS OTHERWISE OCCUPYING ANY BUILDINGS, STRUCTURES, OR UNITS CONTAINED WITHIN THE PARCEL UPON WHICH THE BUSINESS FACILITY ADDRESS SITS SHALL BE CONSIDERED OCCUPANCY AND SHALL COUNT TOWARD PERCENTAGE OCCUPANCY.

(2) THE DETERMINATION OF PERCENTAGE OCCUPANCY SHALL REQUIRE AN OCCUPANCY AFFIDAVIT AND, IF POSSIBLE, PROVIDE SUPPORTING DOCUMENTATION ATTESTING TO THE OCCUPANCY OF ANY BUILDINGS, STRUCTURES, OR UNITS CONTAINED WITHIN THE PARCEL UPON WHICH THE BUSINESS FACILITY ADDRESS SITS FOR THE CALENDAR YEAR IMMEDIATELY PRIOR TO THE APPLICATION DATE, OR, IF APPLICABLE, FOR THE CALENDAR YEAR ENDING NO EARLIER THAN THREE (3) MONTHS PRIOR TO THE APPLICATION DATE IF THE REQUIREMENTS OF SECTION 2(O)(4) ARE MET.

(3) FOR THE PURPOSES OF ISSUING A PROVISIONAL LICENSE, THE CITY SHALL VERIFY THE PERCENTAGE OCCUPANCY OF THE BUSINESS FACILITY ADDRESS THROUGH AN OCCUPANCY AFFIDAVIT AND, IF POSSIBLE, OTHER SUPPORTING DOCUMENTATION WHICH MAY INCLUDE, BUT NOT BE LIMITED TO, LEASE DOCUMENTS, PURCHASE AGREEMENTS, CERTIFICATES OF OCCUPANCY, UTILITY BILLS, AND OTHER DOCUMENTATION THAT CAN SHOW THE OCCUPANCY LEVEL OVER THE TIME PERIOD.

(4) NOTWITHSTANDING THE REQUIREMENTS OF THIS SECTION, IF A LOCAL APPLICANT SUBMITS AN OCCUPANCY AFFIDAVIT THAT IS DATED NO EARLIER THAN THREE (3) MONTHS PRIOR TO THE APPLICATION DATE ATTESTING TO THE PERCENTAGE OCCUPANCY OF THE BUSINESS FACILITY ADDRESS, THE LOCAL APPLICANT WILL BE DEEMED TO MEET THE REQUIREMENTS OF THE "CALENDAR YEAR IMMEDIATELY

PRIOR TO THE APPLICATION DATE" PERCENTAGE OCCUPANCY DEFINITION.

(P) "STAND ALONE BUSINESS FACILITY ADDRESS" IS DEFINED AS A BUSINESS FACILITY ADDRESS THAT DOES NOT HAVE A BUSINESS FACILITY ADJACENT ADDRESS AND WHERE THE PROPOSED BUSINESS FACILITY ADDRESS IS PHYSICALLY SEPARATED FROM AREAS WHERE SMOKING OR THE USE OF CANNABIS IS PROHIBITED, NOT INCLUDING THE BUSINESS FACILITY ADDRESS IN QUESTION, AND WHERE SMOKE OR THE SMELL OF CANNABIS DOES NOT INFILTRATE INTO NONSMOKING AREAS OR BUILDINGS THAT ARE NOT PART OF THE BUSINESS FACILITY ADDRESS.

SECTION 3. AUTHORIZATION OF MEDICAL MARIHUANA FACILITIES

(A) PURSUANT TO THE MMFLA, THE CITY SHALL IMMEDIATELY UPON ENACTMENT OF THIS ARTICLE AUTHORIZE THE FOLLOWING NUMBER OF MARIHUANA FACILITIES TO OPERATE WITHIN ITS BOUNDARIES:

- (1) MARIHUANA SAFETY COMPLIANCE FACILITY - ZERO (0) LICENSES
- (2) MARIHUANA SECURE TRANSPORTER - ZERO (0) LICENSES
- (3) MARIHUANA PROVISIONING CENTER - TWO (2) LICENSES ISSUED AT A MINIMUM, MAXIMUM OF TWO (2) LICENSES ALLOWED
- (4) MARIHUANA PROCESSOR - ZERO (0) LICENSES
- (5) CLASS A MARIHUANA GROWER - ZERO (0) LICENSES
- (6) CLASS B MARIHUANA GROWER - ZERO (0) LICENSES
- (7) CLASS C MARIHUANA GROWER - ZERO (0) LICENSES

(B) WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS ARTICLE, THE CITY COUNCIL SHALL ENACT ALL ORDINANCES AND RESOLUTIONS NECESSARY TO FACILITATE OPERATION OF THIS ARTICLE, BUT NO ORDINANCE OR RESOLUTION SHALL LIMIT OR RESTRICT THE APPLICATION OF THE PROVISIONS OF THIS ARTICLE.

SECTION 4. ADMINISTRATION OF MEDICAL MARIHUANA

THE CITY SHALL BE RESPONSIBLE FOR THE ADMINISTRATION AND REGULATION OF MARIHUANA FACILITIES WITHIN THE CITY, SUBJECT TO THE LAWS OF THE STATE OF MICHIGAN AND THE PROVISIONS OF THE CITY CHARTER. THE CITY CLERK SHALL BE RESPONSIBLE FOR TASKS ASSOCIATED WITH PROCESSING, SCORING, AND RENEWALS OF MEDICAL MARIHUANA LICENSING IN THE CITY.

THE TERMS CITY AND CLERK AND OFTEN USED INTERCHANGEABLY IN THIS ARTICLE AND THE INCLUSION OF ONE SHOULD NOT BE INTERPRETED TO MEAN THE EXCLUSION OF THE OTHER.

THE CITY SHALL:

(A) AUTHORIZE MARIHUANA FACILITIES TO OPERATE BETWEEN THE HOURS OF 9:00 AM TO 9:00 PM, MONDAY THROUGH SUNDAY, THOUGH ANY MARIHUANA PROCESSOR OR GROWER FACILITY MAY OPERATE TWENTY-FOUR (24) HOURS PER DAY, SEVEN (7) DAYS PER WEEK.

(B) ON THE TENTH DAY AFTER THE EFFECTIVE DATE OF THIS ARTICLE, BEGIN TO ACCEPT APPLICATIONS FOR PROVISIONAL LICENSES. THIS INITIAL APPLICATION WINDOW SHALL CLOSE AT 5:00 PM ON THE TENTH DAY AFTER IT OPENS. IF THE CITY FAILS TO MAKE AN APPLICATION FORM AVAILABLE UPON THE OPENING OF THIS INITIAL APPLICATION WINDOW, LOCAL APPLICANTS MAY SUBMIT THEIR OWN APPLICATION ENTITLED "MARIHUANA FACILITY APPLICATION," WHICH SHALL CONFORM TO THE REQUIREMENTS OF THIS ARTICLE, TO THE CITY CLERK, WHO SHALL RECEIVE IT. THE CITY CLERK SHALL ACCEPT ANY AND ALL "MARIHUANA FACILITY APPLICATION(S)" SUBMITTED DURING THE INITIAL APPLICATION WINDOW.

(C) REQUIRE AN AFFIDAVIT FROM ALL LOCAL APPLICANTS ATTESTING TO THE VERACITY OF THEIR APPLICATION AT THE TIME OF THE APPLICATION'S SUBMISSION, AND VERIFY THAT THE INFORMATION CONTAINED WITHIN THE APPLICATIONS SUBMITTED BY ALL LOCAL APPLICANTS IS TRUE TO THE EXTENT THAT SUCH INFORMATION CAN BE VERIFIED BY THE CITY. THIS AFFIDAVIT SHALL NOT BE USED TO DISQUALIFY A LOCAL APPLICANT WITH PLANS TO ENGAGE IN A JOINT VENTURE WITH ANOTHER ENTITY OR TO POTENTIALLY TRANSFER A PROVISIONAL LICENSE TO ANOTHER ENTITY WITH AT LEAST EQUAL QUALIFICATIONS TO THE LOCAL APPLICATION.

(D) CHARGE AN APPLICATION FEE NO GREATER THAN ONE HUNDRED DOLLARS (\$100), AND CHARGE A FEE NO GREATER THAN FIVE THOUSAND DOLLARS (\$5,000) FOR THE RENEWAL OF EITHER A PROVISIONAL LICENSE OR A CITY FULL LICENSE AUTHORIZATION. THIS ARTICLE DOES NOT CONTEMPLATE THE CITY EXPENDING ADDITIONAL FUNDS FOR THE IMPLEMENTATION OF THIS ARTICLE.

(E) DEVELOP AN APPLICATION PROCESS FOR LOCAL APPLICANTS TO APPLY FOR PROVISIONAL LICENSES. THIS APPLICATION PROCESS SHALL CONFORM TO AND BE LIMITED TO THE FOLLOWING PROVISIONS OF THIS ARTICLE:

(1) APPLICATIONS SHALL BE SCORED USING THE FOLLOWING TRANSPARENT SCORING PROCEDURE. ONLY ONE LICENSE TYPE CAN BE SCORED PER APPLICATION. NO MORE THAN ONE APPLICATION PER LICENSE TYPE MAY BE SUBMITTED FOR ANY BUSINESS FACILITY ADDRESS. THE FOLLOWING SCORING PROCEDURE IS INTENDED TO ENSURE THE FAIR, JUST, AND PROPER IMPLEMENTATION OF THIS ARTICLE AND TO PROMOTE THE GENERAL WELFARE OF THE CITY.

(2) APPLICATIONS SHALL BE SCORED ON A SCALE FROM 0 TO 100 POINTS, WITH 100 BEING THE HIGHEST POSSIBLE SCORE, USING THE FOLLOWING SCORING PROCEDURE:

(I) LOCAL APPLICANT QUALIFICATION: THIS CATEGORY ALLOCATES POINTS BASED ON THE DEGREE TO WHICH THE LOCAL APPLICANT HAS BEEN FOUND QUALIFIED FOR LICENSURE BY THE AGENCY. A MAXIMUM OF FIFTY (50) POINTS MAY BE AWARDED FOR THIS CATEGORY. POINTS IN THIS CATEGORY SHALL BE AWARDED AS FOLLOWS: IF THE LOCAL

APPLICANT HOLDS A STATE OPERATING LICENSE PURSUANT TO THE MMFLA OR THE MRTMA, FIFTY (50) POINTS SHALL BE AWARDED FOR THIS CATEGORY; OR, IF THE LOCAL APPLICANT HOLDS A STATE PRE-QUALIFICATION APPROVAL FROM THE AGENCY PURSUANT TO THE MMFLA OR THE MRTMA, THIRTY (30) POINTS SHALL BE AWARDED FOR THIS CATEGORY. A LOCAL APPLICANT CAN ONLY EARN POINTS FOR EITHER A STATE OPERATING LICENSE OR A STATE PRE-QUALIFICATION APPROVAL IN THIS CATEGORY. DOCUMENTATION OF STATE OPERATING LICENSE OR STATE PRE-QUALIFICATION APPROVAL MUST BE PROVIDED IN THE LOCAL APPLICANT'S APPLICATION AT THE TIME OF THE APPLICATION'S SUBMISSION IN ORDER TO BE CONSIDERED FOR SCORING BY THE CITY.

(II) STRUCTURAL SUITABILITY: THIS CATEGORY ALLOCATES POINTS BASED ON WHETHER THE BUSINESS FACILITY ADDRESS IS LIKELY TO BE IN COMPLIANCE WITH THE MMFLA, THE TIME IT WILL TAKE FOR THE BUSINESS FACILITY ADDRESS TO COME INTO COMPLIANCE WITH THE MMFLA, THE SAFETY RISK POSED BY BUILDING STRUCTURES THAT ARE NOT WELL SUITED TO OPERATE AS MARIHUANA FACILITIES, AND THE NEED TO MINIMIZE THE IMPACT OF MARIHUANA FACILITIES TO SURROUNDING BUSINESSES. A MAXIMUM OF TWENTY (20) POINTS MAY BE AWARDED FOR THIS CATEGORY. POINTS IN THIS CATEGORY SHALL BE AWARDED AS FOLLOWS: IF THE BUSINESS FACILITY ADDRESS IS A STAND ALONE BUSINESS FACILITY ADDRESS AT THE TIME OF THE APPLICATION'S SUBMISSION, TEN (10) POINTS SHALL BE AWARDED TOWARD THIS CATEGORY. WHETHER THE BUSINESS FACILITY ADDRESS IS A STAND ALONE BUSINESS FACILITY ADDRESS AT THE TIME OF THE APPLICATION'S SUBMISSION SHALL BE DEMONSTRATED BY A SITE PLAN OR PRELIMINARY SKETCH SUBMITTED BY THE LOCAL APPLICANT, THE ACCURACY OF WHICH SHALL, IF POSSIBLE, BE VERIFIED BY THE CLERK. FURTHER, IF THE APPLICATION IS FOR A PROVISIONING CENTER LICENSE TYPE AND THE BUSINESS FACILITY ADDRESS CONTAINS A MINIMUM OF TWO THOUSAND (2,000) SQUARE FEET AND NO MORE THAN SEVEN THOUSAND FIVE HUNDRED (7,500) SQUARE FEET, TEN (10) ADDITIONAL POINTS SHALL BE AWARDED TOWARD THIS CATEGORY, OR IF THE APPLICATION IS FOR ANY OTHER LICENSE TYPE AND THE BUSINESS FACILITY ADDRESS CONTAINS A MINIMUM OF FIVE THOUSAND (5,000) SQUARE FEET, TEN (10) ADDITIONAL POINTS SHALL BE AWARDED TOWARD THIS CATEGORY.

(III) COMMITMENT TO COMMUNITY: THIS CATEGORY ALLOCATES POINTS BASED ON THE LOCAL APPLICANT'S COMMITMENT TO ADVANCE THE BROADER INTEREST AND GOALS OF THE COMMUNITY THROUGH INVESTMENT IN THE PEOPLE OF THE COMMUNITY AND IN THE COMMUNITY'S TAX BASE. THIS IS DEMONSTRATED THROUGH THE FOLLOWING CRITERIA: COMMITMENT TO THE HIRING OF LOCAL RESIDENTS AND HIRING OF LOCAL CONTRACTORS FOR WORK AND IMPROVEMENTS TO THE BUSINESS FACILITY ADDRESS, AND ITS COMMITMENT TO LONG-TERM INVESTMENT IN THE COMMUNITY THROUGH THE REDEVELOPMENT OF VACANT, BLIGHTED, OR ABANDONED PROPERTY IN THE COMMUNITY. A MAXIMUM OF THIRTY (30) POINTS MAY BE AWARDED FOR THIS CATEGORY. POINTS IN THIS CATEGORY SHALL BE AWARDED AS FOLLOWS: IF THE LOCAL APPLICANT MAKES A COMMITMENT, CONDITIONAL UPON RECEIVING A CITY FULL LICENSE AUTHORIZATION, TO HIRING A MINIMUM OF TEN (10) PERCENT OF ITS EMPLOYEES FROM RESIDENTS OF THE CITY, FIVE (5) POINTS SHALL BE AWARDED TOWARD THIS CATEGORY. IF THE LOCAL APPLICANT MAKES A COMMITMENT, CONDITIONAL UPON RECEIVING A CITY FULL LICENSE AUTHORIZATION, TO HIRING LOCAL CONTRACTORS FOR WORK AND IMPROVEMENTS TO THE BUSINESS FACILITY ADDRESS, FIVE (5) ADDITIONAL POINTS SHALL BE AWARDED TOWARD THIS CATEGORY. POINTS FOR LONG-TERM COMMUNITY INVESTMENT AND RE-DEVELOPMENT IN THIS CATEGORY SHALL BE AWARDED BASED ON THE PERCENTAGE OCCUPANCY OF THE BUSINESS FACILITY ADDRESS. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY OF ZERO (0) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED FIFTEEN (15) ADDITIONAL POINTS TOWARD THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY GREATER THAN ZERO PERCENT AND LESS THAN OR EQUAL TO TWENTY-FIVE (25) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED TEN (10) ADDITIONAL POINTS TOWARD THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY GREATER THAN TWENTY-FIVE (25) PERCENT AND LESS THAN OR EQUAL TO FIFTY (50) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED FIVE (5) ADDITIONAL POINTS TOWARD THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS HAS A PERCENTAGE OCCUPANCY GREATER THAN FIFTY (50) PERCENT, THE LOCAL APPLICANT SHALL BE AWARDED ZERO (0) ADDITIONAL POINTS TOWARD THIS CATEGORY. IF THE BUSINESS FACILITY ADDRESS CONSISTS OF NO COMMERCIAL VIABLE BUILDING STRUCTURES OR IS A VACANT LAND PARCEL, THE LOCAL APPLICANT SHALL BE AWARDED ZERO (0) ADDITIONAL POINTS TOWARD THIS CATEGORY. IN ADDITION, IF THE LOCAL APPLICANT MAKES A LEGALLY BINDING COMMITMENT, CONDITIONAL UPON RECEIVING A CITY FULL LICENSE AUTHORIZATION, TO DONATE TEN THOUSAND DOLLARS (\$10,000) PER YEAR TO A COMMUNITY ORGANIZATION THAT PROVIDES FOOD TO FOOD-INSECURE FAMILIES WHO LIVE WITHIN THE MUNICIPALITY, FIVE (5) ADDITIONAL POINTS SHALL BE AWARDED TOWARD THIS CATEGORY.

(IV) GENERAL REGULATORY COMPLIANCE: A LOCAL APPLICANT SHALL HAVE FORTY (40) POINTS SUBTRACTED FROM THEIR APPLICATION'S SCORE IF, AT THE TIME OF THE APPLICATION'S SUBMISSION, ANY OF THE FOLLOWING ARE TRUE OF THE LOCAL APPLICANT OR ANY STAKEHOLDER WITH AN OWNERSHIP INTEREST OF GREATER THAN 10 PERCENT IN THE LOCAL APPLICANT OR ANY ENTITY IN WHICH A STAKEHOLDER WITH AN OWNERSHIP INTEREST OF GREATER THAN 10 PERCENT IN THE LOCAL APPLICANT HAS AN OWNERSHIP INTEREST: (I) THE AFOREMENTIONED HAVE ENTERED INTO A "CONSENT ORDER AND STIPULATION AND FORMAL COMPLAINT" OR OTHER DISCIPLINARY-RELATED AGREEMENT WITH THE AGENCY RELATED TO THE MARIHUANA INDUSTRY IN MICHIGAN; (II) THE AFOREMENTIONED HAVE BEEN SUBJECT TO ANY DISCIPLINARY ACTION RELATED TO ACTIVITY AS A MEDICAL MARIHUANA CAREGIVER BY ANY MUNICIPALITY OR GOVERNMENT AGENCY IN THE STATE OF MICHIGAN OR ELSEWHERE; (III) THE AFOREMENTIONED HAVE BEEN SUBJECT

TO ANY DISCIPLINARY ACTION RELATED TO ACTIVITY CONCERNING A CONTROLLED SUBSTANCE OR MARIHUANA PRODUCT IN MICHIGAN, INCLUDING ALCOHOL OR CIGARETTES, IN THE STATE OR MICHIGAN OR ELSEWHERE; OR (IV) MULTIPLE MARIHUANA PRODUCTS PRODUCED BY THE AFOREMENTIONED HAVE BEEN RECALLED BY THE AGENCY AS A RESULT OF GROSS NEGLIGENCE OR WILLFUL MISCONDUCT ON THE PART OF THE AFOREMENTIONED. THE LOCAL APPLICANT SHALL PROVIDE INFORMATION CONCERNING ALL OF THESE PROVISIONS IN ITS APPLICATION. THE LOCAL APPLICANT SHALL ALSO PROVIDE INFORMATION IN ITS APPLICATION CONCERNING THE LOCATIONS OF ANY CAREGIVER ACTIVITIES OWNED BY THE LOCAL APPLICANT OR ANY STAKEHOLDER WITH AN OWNERSHIP INTEREST OF GREATER THAN 10 PERCENT IN THE LOCAL APPLICANT OR ANY ENTITY IN WHICH A STAKEHOLDER WITH AN OWNERSHIP INTEREST OF GREATER THAN 10 PERCENT IN THE LOCAL APPLICANT HAS AN OWNERSHIP INTEREST, ALONG WITH SWORN ATTESTATIONS FROM THE MUNICIPALITIES IN WHICH ANY SUCH CAREGIVER ACTIVITIES HAVE OPERATED STATING THAT SUCH CAREGIVER ACTIVITIES HAVE BEEN IN COMPLIANCE WITH ALL MUNICIPAL REGULATIONS.

(3) THE CITY SHALL SUM THE POINTS AWARDED TO LOCAL APPLICANTS, AND, IF APPLICABLE, SUBTRACT POINTS FROM, EACH APPLICATION SUBMITTED WITHIN THE INITIAL APPLICATION WINDOW AND AWARD PROVISIONAL LICENSES TO THE LOCAL APPLICANTS WHO ARE AWARDED THE HIGHEST NUMBER OF POINTS. IN THE EVENT OF A TIE IN THE SCORING FOR TWO OR MORE PROVISIONAL LICENSE APPLICATIONS, THE CITY SHALL HOLD A LOTTERY, WHICH SHALL BE MADE OPEN TO THE PUBLIC, AS A TIEBREAKER TO DECIDE AMONG SUCH LOCAL APPLICANTS.

(4) APPLICATIONS SHALL INCLUDE DOCUMENTATION OF OWNERSHIP, LEASE AGREEMENT, OR OTHER LEGAL ARRANGEMENT PERMITTING THE LOCAL APPLICANT TO APPLY FOR A LICENSE OR ANY AND ALL MUNICIPAL PERMITS OR APPROVALS NEEDED FOR THE BUSINESS FACILITY ADDRESS AT THE TIME OF THE APPLICATION'S SUBMISSION PURSUANT TO THE TERMS OF THIS ARTICLE.

(5) APPLICATIONS SHALL INCLUDE A SWORN OATH FROM AN AUTHORIZED REPRESENTATIVE OF THE LOCAL APPLICANT STATING THAT ALL INFORMATION CONTAINED WITHIN THE APPLICATION IS TRUE TO THE BEST OF THEIR KNOWLEDGE AND THAT THEY HAVE THE AUTHORITY TO APPLY FOR A LICENSE TYPE AT THE BUSINESS FACILITY ADDRESS.

(6) APPLICATIONS SHALL INCLUDE AN AFFIDAVIT AFFIRMING AND ATTESTING THAT NEITHER THE LOCAL APPLICANT NOR ANY STAKEHOLDER OF THE LOCAL APPLICANT IS IN DEFAULT TO THE CITY.

(7) APPLICATIONS SHALL INCLUDE THE FULL NAME, DATE OF BIRTH, PHYSICAL ADDRESS, EMAIL ADDRESS, AND TELEPHONE NUMBER OF THE LOCAL APPLICANT IN THE CASE OF AN INDIVIDUAL, OR, IN THE CASE OF AN ENTITY, ALL STAKEHOLDERS WITH AN OWNERSHIP INTEREST OF GREATER THAN 10 PERCENT IN THE LOCAL APPLICANT.

(8) ALL APPLICATIONS FOR PROVISIONAL LICENSES SUBMITTED DURING THE INITIAL APPLICATION WINDOW FOR A BUSINESS FACILITY ADDRESS SHALL BE CONSIDERED AND SCORED.

F) REVIEW AND SCORE ALL APPLICATIONS SUBMITTED ACCORDING TO THE REQUIREMENTS HEREIN WITHIN A THIRTY DAY PERIOD AFTER THE CLOSE OF THE INITIAL APPLICATION WINDOW. UPON THE THIRTY-FIRST DAY AFTER THE CLOSING OF THE INITIAL APPLICATION WINDOW, THE CITY SHALL AWARD PROVISIONAL LICENSES TO LOCAL APPLICANTS IN ORDER FROM HIGHEST-SCORING TO LOWEST-SCORING APPLICATIONS. IF NO PROVISIONAL LICENSES ARE AWARDED UPON THE THIRTY-FIRST DAY AFTER THE CLOSING OF THE INITIAL APPLICATION WINDOW, ALL LOCAL APPLICANTS WHO SUBMITTED PROVISIONAL LICENSE APPLICATIONS DURING THE INITIAL APPLICATION WINDOW PURSUANT TO THE REQUIREMENTS HEREIN SHALL HAVE THE ABILITY TO OPERATE BY RIGHT CONDITIONAL UPON RECEIVING A LICENSE FROM THE AGENCY TO OPERATE AT THE BUSINESS FACILITY ADDRESS, BEGINNING ON THE THIRTY-SECOND DAY AFTER THE CLOSING OF THE INITIAL APPLICATION WINDOW. NO APPLICATION MATERIALS SHALL BE SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 ET SEQ, EXCEPT AS REQUIRED BY STATE LAW.

G) PROMULGATE RULES THAT CONFORM TO, AND DO NOT CONFLICT WITH, THE PROVISIONS OF THIS ARTICLE, INCLUDING THE FOLLOWING:

(1) LICENSEES OR PROVISIONAL LICENSE HOLDERS OR CITY FULL LICENSE AUTHORIZATION HOLDERS MAY TRANSFER A CITY FULL LICENSE AUTHORIZATION OR PROVISIONAL LICENSE TO A LOCATION AT A DIFFERENT BUSINESS FACILITY ADDRESS UPON RECEIVING WRITTEN APPROVAL FROM THE CITY WHICH SHALL NOT BE WITHHELD UNLESS THE NEW PROPOSED BUSINESS FACILITY ADDRESS WOULD BE IN VIOLATION OF A LOCAL ZONING ORDINANCE. IN ORDER TO REQUEST CITY APPROVAL TO TRANSFER A CITY FULL LICENSE AUTHORIZATION OR PROVISIONAL LICENSE TO A NEW BUSINESS FACILITY ADDRESS, THE LICENSEE OR PROVISIONAL LICENSE HOLDER OR CITY FULL LICENSE AUTHORIZATION HOLDER MUST MAKE A WRITTEN REQUEST TO THE CITY, INDICATING THE CURRENT LOCATION OF THE MARIHUANA FACILITY PROVISIONAL LICENSE OR CITY FULL LICENSE AUTHORIZATION AND THE NEW PROPOSED BUSINESS FACILITY ADDRESS. THE CITY MUST RESPOND TO A LOCATION TRANSFER REQUEST WITHIN FIVE (5) DAYS OF RECEIPT OF THE REQUEST.

(2) LICENSEES OR PROVISIONAL LICENSE HOLDERS OR CITY FULL LICENSE AUTHORIZATION HOLDERS MAY TRANSFER A CITY FULL LICENSE AUTHORIZATION OR PROVISIONAL LICENSE TO A DIFFERENT INDIVIDUAL OR ENTITY, AND THE LICENSEE OR CITY FULL LICENSE AUTHORIZATION HOLDER OR PROVISIONAL LICENSE HOLDER SHALL NOTIFY THE CITY OF THE TRANSFER. THE TRANSFER SHALL NOT REQUIRE APPROVAL BY THE AGENCY OR THE CLERK. THE CITY SHALL BE PROHIBITED FROM INTERFERING WITH SUCH TRANSFERS PROVIDED THAT THE NEW OWNER NOTIFY THE CITY OF THE TRANSFER BY FILING AN APPLICATION WITH THE CITY UPON A FORM PROVIDED BY THE CITY OR, IF SUCH A FORM IS UNAVAILABLE, SUBMITTING THE SAME INFORMATION REQUIRED FOR AN APPLICATION FOR THE TRANSFERRED MARIHUANA FACILITY PROVISIONAL LICENSE AND FILING SUCH INFORMATION WITH THE CITY. IN

EITHER CASE, THE CITY SHALL RESPOND TO SUCH A TRANSFER REQUEST WITHIN FIVE (5) DAYS OF RECEIPT OF THE REQUEST. THE CITY SHALL GRANT THE NEW LICENSEE OR PROVISIONAL LICENSE HOLDER OR CITY FULL LICENSE AUTHORIZATION HOLDER THE SAME RIGHTS AS THE PREVIOUS LICENSEE OR CITY FULL LICENSE AUTHORIZATION HOLDER OR PROVISIONAL LICENSE HOLDER.

(3) A PROVISIONAL LICENSE AND A CITY FULL LICENSE AUTHORIZATION SHALL EACH BE CONSIDERED A VESTED PROPERTY RIGHT BY THE CITY AND TREATED AS SUCH, AND MAY NOT BE REVOKED UNLESS THE ACCOMPANYING STATE OPERATING LICENSE ISSUED BY THE AGENCY FOR THE LICENSE TYPE AT THE BUSINESS FACILITY ADDRESS IS PERMANENTLY REVOKED (NOT SUSPENDED) BY THE AGENCY. PROVISIONAL LICENSES SHALL BE VALID FOR ONE (1) CALENDAR YEAR FROM THE DATE THEY ARE ISSUED. A PROVISIONAL LICENSE OR CITY FULL LICENSE AUTHORIZATION SHALL AUTOMATICALLY BE RENEWED EACH YEAR FOR ONE (1) CALENDAR YEAR, AND SUCH RENEWALS MAY OCCUR IN PERPETUITY. EACH LOCAL APPLICANT SHALL PAY A FIVE THOUSAND DOLLAR (\$5,000) ANNUAL RENEWAL FEE, WHICH MAY OCCUR IN PERPETUITY, AND NEITHER A PROVISIONAL LICENSE RENEWAL NOR A CITY FULL LICENSE AUTHORIZATION RENEWAL MAY BE DENIED FOR FAILURE TO PROMPTLY PAY AN ANNUAL RENEWAL FEE.

(4) IN ANY CIRCUMSTANCE IN WHICH THE CITY HAS REFUSED TO ISSUE A PROVISIONAL LICENSE OR CITY FULL LICENSE AUTHORIZATION OR GRANT RENEWAL OF A PROVISIONAL LICENSE OR CITY FULL LICENSE AUTHORIZATION, OR HAS REVOKED A CITY FULL LICENSE AUTHORIZATION, THE CITY SHALL NOTIFY THE LOCAL APPLICANT OR PROVISIONAL LICENSE HOLDER OR LICENSEE OR CITY FULL LICENSE AUTHORIZATION HOLDER OF THE REASONS FOR DENIAL, SUSPENSION OR NONRENEWAL OF AN APPLICATION FOR A LICENSE TYPE OR OF A CITY FULL LICENSE AUTHORIZATION RENEWAL OR FOR REVOCATION OF A PROVISIONAL LICENSE OR CITY FULL LICENSE AUTHORIZATION OR ANY ADVERSE DECISION UNDER THIS ARTICLE AND SHALL PROVIDE THE LOCAL APPLICANT OR LICENSEE OR CITY FULL LICENSE AUTHORIZATION HOLDER OR PROVISIONAL LICENSE HOLDER WITH THE OPPORTUNITY TO BE HEARD. ANY LOCAL APPLICANT OR LICENSEE OR CITY FULL LICENSE AUTHORIZATION HOLDER OR PROVISIONAL LICENSE HOLDER AGGRIEVED BY ANY SUCH DENIAL, SUSPENSION, OR REVOCATION OR ANY OTHER ADVERSE DECISION UNDER THIS ARTICLE MAY APPEAL TO THE CITY, WHO SHALL APPOINT A HEARING OFFICER TO HEAR AND EVALUATE THE APPEAL AND MAKE A RECOMMENDATION TO THE CITY. SUCH AN APPEAL SHALL BE TAKEN BY FILING WITH THE CITY, WITHIN TEN (10) DAYS AFTER NOTICE OF THE DENIAL, SUSPENSION, REVOCATION OR OTHER ADVERSE DECISION HAS BEEN MAILED TO THE LAST KNOWN ADDRESS OF THE LOCAL APPLICANT OR LICENSEE OR PROVISIONAL LICENSE HOLDER OR CITY FULL LICENSE AUTHORIZATION HOLDER ON THE RECORDS OF THE CITY, A WRITTEN STATEMENT SETTING FORTH FULLY THE GROUNDS FOR SUCH APPEAL. THE CITY SHALL REVIEW THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER AND MAKE A DECISION ON THE MATTER WITHIN TEN (10) DAYS. UPON SUCH TIME, THE CITY'S DECISION MAY NOT BE FURTHER APPEALED WITH THE CITY AND ANY DECISION BY THE COUNCIL ON AN APPEAL SHALL BE SUBJECT TO ALL REMEDIES AVAILABLE TO THE LOCAL APPLICANT OR LICENSEE OR PROVISIONAL LICENSE HOLDER OR CITY FULL LICENSE AUTHORIZATION HOLDER UNDER THE LAWS OF THE STATE OF MICHIGAN.

SECTION 5. REPEALER

ANY OTHER PROVISION OR PROVISIONS OF ARTICLES, CITY REGULATIONS, CITY RESOLUTIONS AND ORDINANCES THAT CONFLICT WITH THIS ARTICLE ARE INAPPLICABLE TO CONDUCT AUTHORIZED UNDER THIS ARTICLE. THE CITY COUNCIL SHALL PASS ALL ORDINANCES, REGULATIONS, AND RESOLUTIONS NECESSARY TO GIVE FULL EFFECT TO THIS ARTICLE.

SECTION 6. EFFECTIVE DATE

THIS ARTICLE SHALL BECOME EFFECTIVE IMMEDIATELY UPON CERTIFICATION BY THE OAKLAND COUNTY BOARD OF CANVASSERS OR THE APPROPRIATE CONTROLLING BODY FOR CERTIFICATION OF ELECTION RESULTS UNDER STATE LAW.

SECTION 7. SEVERABILITY AND EXECUTION

THE VARIOUS PARTS, SECTIONS AND CLAUSES OF THIS ARTICLE ARE HEREBY DECLARED TO BE SEVERABLE AND SELF-EXECUTING. IF ANY PART, SENTENCE, PARAGRAPH, SECTION OR CLAUSE IS ADJUDGED UNCONSTITUTIONAL OR INVALID AS TO ANY PERSON OR CIRCUMSTANCE BY A COURT OF COMPETENT JURISDICTION, THE REMAINDER OF THE ARTICLE SHALL NOT BE AFFECTED THEREBY AND THAT INVALIDITY OR UNENFORCEABILITY SHALL NOT AFFECT THE VALIDITY, ENFORCEABILITY, OR APPLICATION OF ANY OTHER PORTION OF THIS ARTICLE. OTHER ARTICLES MAY BE ENACTED TO FACILITATE OPERATION OF THIS ARTICLE. THE CITY SHALL ZEALOUSLY ADVOCATE FOR AND DEFEND THIS ARTICLE FROM ANY AND ALL LEGAL CHALLENGES AND SHALL USE BEST EFFORTS TO DEFEND THIS ARTICLE FROM ANY AND ALL LEGAL CHALLENGES THAT MAY ARISE. THIS SUBSECTION SHALL BE LIBERALLY CONSTRUED IN FAVOR OF VOTERS' RIGHTS IN ORDER TO EFFECTUATE ITS PURPOSE. IF ANY PORTION OF THIS SUBSECTION IS HELD TO BE INVALID OR UNENFORCEABLE AS TO ANY PERSON OR CIRCUMSTANCE, THAT INVALIDITY OR UNENFORCEABILITY SHALL NOT AFFECT THE VALIDITY, ENFORCEABILITY, OR APPLICATION OF ANY OTHER PORTION OF THIS ARTICLE.

FORM OF THE PROPOSED BALLOT LANGUAGE:

MEDICAL MARIHUANA PROPOSAL

This proposed charter amendment, if adopted, would end the City's prohibition of medical marihuana facilities and establish a local licensing system and regulatory provisions for medical marihuana facilities to operate within the City.

SHALL THE PROPOSAL BE ADOPTED?

[] YES [] NO