CHARTER TOWNSHIP OF ORION
ORDINANCE NO. 154 LICENSED MARIHUANA FACILITIES
APPLICATION POLICY

I. Purpose & Intent

The purpose of this document is to inform and provide guidance to Charter Township of Orion (“Township”) staff of the process for intake and review of Ordinance No. 154 Licensed Marihuana Facilities Applications (“Ordinance No. 154 Applications”).

The review of Ordinances No. 154 Applications involves coordination between multiple Township Departments. Therefore, this Policy shall delineate each department’s specific responsibilities related to the review of such Applications to provide guidance and streamline the process for each respective department. This Policy shall govern intake and review of Ordinance No. 154 Applications from the time such Applications are submitted to the Township through issuance of a permit to an Applicant. It shall also address renewals of Ordinance 154 Applications.

II. Clerk’s Office Review

Pursuant to Ordinance No. 154, the Clerk’s Office is responsible for the initial intake of all Ordinance 154 Applications. The review of the Application by the Clerk’s Office shall be limited to the “completeness” of the applications. The Clerk’s Office may appoint an employee within its Office to be responsible for intake and review of Ordinance No. 154 Applications. Upon receipt of an Ordinance No. 154 Application, the Clerk’s Office shall complete the following:

A. Confirm the facility type is authorized under Ordinance No. 154. The following facilities are prohibited within the Township by Ordinance:

- All Retail Facilities (i.e., “Dispensaries”)
- Designated Consumption Establishment License
- Marihuana Event Organizer License
- Temporary Marihuana Event License

The receipt of an Ordinance No. 154 Application for any of the above-named facilities should be rejected. All other facilities are allowed within the Township, and the Clerk’s Office shall accept an Application for any facility type other than those specifically named above.

B. Upon receipt of the Ordinance No. 154 Application, the Clerk’s Office shall ensure the Applicant has paid the Initial Application fee, Annual Permit fee, and has applied any fee reductions as may be applicable.
C. Upon intake, the Clerk’s Office shall fill out page 14 of the Ordinance No. 154 Application (labeled “For-Office Use Only”).

D. The Clerk’s Office shall then have three (3) business days after an Ordinance No. 154 Application is submitted to ensure the application’s completeness. Incorporated herein is a Checklist to assist the Clerk’s Office in ensuring completeness of all Ordinance 154 Applications.

E. If the Ordinance No. 154 Application is incomplete, the Clerk’s Office shall notify Applicant in writing within five (5) business days of submission whether the Application is complete or requires additional information. The Applicant shall have thirty (30) calendar days from receipt of the written notice of any defect from the Clerk’s Office to supplement the Ordinance No. 154 Application to cure any defect.

F. If an Applicant notes in its “Orion Ordinance 154 Initial Permit Application” that it will supplement certain information at a later date, the Clerk’s Office shall make a note within the file of all outstanding information and the date upon which Applicant has stated it will supplement its Application. The Clerk’s Office shall be responsible for reviewing an Applicant’s file when they apply for an Ordinance No. 154 permit renewal and shall require any outstanding information to be submitted as a condition to permit renewal. If the Applicant is still unable to supply such information, the Applicant shall provide a letter stating an updated date for which it shall supplement its Application.

G. If the Clerk’s Office receives any documents provided by an Applicant for purposes of supplementing a previously submitted Ordinance No. 154 Application, it shall update the file with the documents provided and make a note within the file of the date and content of the supplementation.

H. If the Ordinance No. 154 Application is complete, within three (3) business days of receiving the Application, the Clerk shall forward the complete Application for review to the Township’s Planning and Zoning Director. However, if the Clerk’s Office is unable to complete its review within a three-day period or the Clerk’s Office determines a legal review is necessary, the Clerk’s Office may seek an extension of up to eight (8) business days after receipt of the Application. The Clerk’s Office shall provide notice of such extension by informing the Applicant in writing within three (3) business days of receipt of an Application that an extension is necessary to ensure completeness of the Application and/or because a legal review of the Application is being sought.

I. If the Clerk’s Office determines a legal review of the Ordinance No. 154 Application is necessary, it may, within three (3) business days of receipt of an Application, forward the full Application materials to the Township Attorney for review. The Clerk’s Office shall follow the notification procedures as to the Applicant as set forth in Section H above.

Upon receipt of an Ordinance No. 154 Application from the Clerk’s Office, the department receiving the Application shall assume the Application is complete. Further reviews shall be limited to department-specific issues as further set forth herein.
III. Planning and Zoning Department Review

Upon receipt of an Ordinance No. 154 Application from the Clerk’s Office, the Planning and Zoning Department’s review shall be limited to confirming the proposed facility complies with Article V’s requirements (Location Requirements) under Ordinance No. 154. It shall have twenty (20) calendar days after receipt of an Application to make a recommendation to the Planning Commission with regard to whether the proposed Facility complies with the location requirements as set forth under Ordinance No. 154. If the Planning and Zoning Department is unable to complete its review within a 20-day period and/or there is no Planning Commission meeting scheduled during the 20-day period, the Planning and Zoning Department may seek an extension of up to ten (10) business days by providing the Applicant notice in writing within three (3) business days of receipt of an Application from the Clerk’s Office.

If the Ordinance No. 154 Application is complete, the Planning and Zoning Department shall assign the Application a Planning Commission file number and then forward the entire file to the Building Department and Fire Department for review. Once all reviews have been completed, the Planning and Zoning Department shall submit the completed Application and all Department reviews to the Planning Commission for its review.

IV. Building Department Review

Upon receipt of an Ordinance No. 154 Application, the Building Department shall confirm the existing building for the proposed facility has a valid Certificate of Occupancy or shall recommend approval to the Township Planning Commission based on the site plan and building plans submitted by the Applicant and conditioned on the future permitting and construction of all structures for the facility in accordance with the Orion Township Building Code and Ordinances.

The Building Department shall have twenty (20) calendar days after receipt of an Ordinance No. 154 Application to make its recommendation to the Planning Commission. The Building Department may seek an extension of up to ten (10) business days by giving notice to the Township Planning and Zoning Director and following the procedure set forth in Section III above.

V. Fire Department Review

Upon receipt of an Ordinance No. 154 Application, the Fire Department shall issue a report and guidance to the Planning Commission regarding any material issues concerning the specific location of the proposed facility and any impact on the health and safety of Township residents. It shall have twenty (20) calendar days after receipt of an application to make its recommendation to the Planning Commission.

The Fire Department may seek an extension of up to ten (10) business days by giving notice to the Township Planning and Zoning Director and following the procedure set forth in Section III above.
VI. After Planning Commission Approval

If the Planning Commission approves the Ordinance No. 154 Application, the Township Planning and Zoning Director shall notify the Clerk’s office within 24 hours of approval. The Clerk’s Office shall issue and mail the physical permit to the Applicant/Permittee within seven (7) days of the Planning Commission’s decision via first-class mail to the address given on the license application. The Supervisor’s Office shall be authorized to sign the Attestation of Section 205 Compliance.

VII. Renewals

At the time an Ordinance No. 154 Application is renewed, the Clerk’s Office shall ensure the Applicant has paid the Annual Permit Renewal Fee. It shall only review the Application for completeness. If the Application is complete and the Renewal Fee is paid, and there are no outstanding Ordinance violations or violations of State law by the Applicant, the Clerk shall approve the renewal.

At the time of renewal, the Clerk’s Office shall also review the original Ordinance No. 154 Application for deficiencies. If an Applicant notes in its “Orion Ordinance 154 Initial Permit Application” that it will supplement certain information at a later date, the Clerk’s Office shall note whether the information has been received as of the renewal date. The Clerk’s Office may, when appropriate, condition renewal upon outstanding information being submitted to the Township in a timely manner. If the Applicant is still unable to supply such information at the time of renewal for reasons beyond its control, the Clerk’s Office may still approve the Application contingent upon the Applicant providing a letter stating an updated date for which it shall supplement its Application.
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APPLICATION INTAKE CHECKLIST

1. Section A - Applicant
   □ Name, address, phone number, and email address are filled out and complete.
   □ Applicant has indicated whether it is a sole proprietor, partnership, corporation or limited liability company.
   □ Applicant has listed the name, address, and date of birth of all owners and provided photo identification and ownership percentage for each owner.
   □ The information listed on each photo identification matches each owner’s legal name and birthdate provided to the Township.
   □ The Applicant has responded to Sections 5 and 6 below.

2. Section B – Facility Location
   □ Name and location of the facility have been filled out.
   □ Preliminary floor plan sketch has been provided showing the location of all facility operations within an existing building or a site plan for a new construction and attached same as Exhibit “A.”
   □ Applicant has attached an explanation of the exact location, address, suite number, and location of the facility within a building, distance from the property lines, and attached same as Exhibit “B.”
   □ Applicant has provided evidence of the Applicant’s property interest in the proposed location. Evidence shall be in the form of a deed showing ownership of the property or a lease and attach same as Exhibit “C.”
   □ The name on the provided document showing property interest matches the name of the applicant/business applying for an Ordinance No. 154 permit. If the provided document is a Lease Agreement, the Landlord shall be considered the property owner of record.
   □ In response to Section 12 of the Application, Applicant has filled out all required information (a through f) to show the proposed facility will comply with the Township’s Zoning Ordinance and attached same as Exhibit “D.”
   □ Applicant has responded to Section 13 of the Application.

3. Section C- Facility Requirements.
   □ If available, Applicant has attached to its Ordinance No. 154 Application as Exhibit “E” a copy of its Application for license(s) applied for through the State. If not available, Applicant has provided information regarding why it is not attached and when it expects to provide a copy of same to the Township.
   □ Applicant has filled out Sections 15 through 17 of the Application.
Applicant has provided an operations statement, plan or outline in accordance with Section 18 of the Application and attached as Exhibit “F.”

Applicant has filled out Section 19 of the Application.

Applicant has submitted all permits required under Section 20 of the Application and attached same as Exhibit “G.”

Applicant has filled out Sections 21 and 22 of the Application.

Applicant has provided the requested litter and waste plan and information in accordance with Section 23 (a through e) of the Application and attached same as Exhibit “H.” If not attached, Applicant has provided a date for when it will supplement same to Township.

Applicant has filled out Section 24 of the Application and provided information on its intent to avoid excessive noise, dust, vibrations, glare, fumes, odors, etc., and attached same as Exhibit “I.” If not attached, Applicant has provided a date for when it will supplement same to Township.

Applicant has filled out Section 26 of the Application and attached a security and safety plan as “Exhibit K.” If not attached, Applicant has provided a date for when it will supplement same to Township.

Applicant has filled out Section 27 of the Application and attached signage information as Exhibit “L.” If not attached, Applicant has provided a date for when it will supplement same to Township.

4. **Section D – Business Operations and Security**

Applicant has filled out Sections 28 through 30 of the Application.

5. **Section E – Background**

Applicant has filled out Sections 31 through 35 of the Application.

6. **List of Documents to Provide with Application**

Applicant has submitted all of the documents required under the “List of Documents to Provide with Application,” including Exhibits “A” through “L” and the documents set forth under the “additional documents” section of the Application.