

The Village of Webberville, Michigan

An Ordinance amending the Zoning Ordinance for the Village of Webberville to permit and regulate Medical Marijuana Grow Operations, Processing Facilities, Safety Compliance Facilities, and Secure Transporters by Special Use in certain parts of the Village, and to prohibit Medical Marijuana Provisioning Centers throughout the Village:

The Village Council of Webberville hereby ordains:

SECTION 1. Section 153.003.B, Definitions, shall be amended to add the following text between the definition of “Massage Parlor” and the definition of “Minor Street”

“Medical Marijuana Grow Operation: A commercial facility licensed under Public Act 281 of 2016 that cultivates, dries, trims, or cures marijuana for sale to a processor or provisioning center.

Medical Marijuana Processing Facility: A commercial facility licensed under Public Act 281 of 2016 that purchases marijuana from a licensed grow operation and extracts resin from the marijuana or creates a marijuana-infused product for sale and transfer in packaged form to a provisioning center.

Medical Marijuana Safety Compliance Facility: A commercial facility licensed under Public Act 281 of 2016 that receives marijuana from a licensed grow operation, licensed processing facility, or licensed caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marijuana to the marijuana facility.

Medical Marijuana Secure Transporter: A commercial facility licensed under Public Act 281 of 2016 that stores marijuana and transports marijuana between marijuana facilities for a fee.

Medical Marijuana Provisioning Center: A commercial facility licensed under Public Act 281 of 2016 that purchases marijuana from a licensed grower or processor and sells, supplies, or provides marijuana to registered qualifying patients, directly, or through the patients’ registered primary caregivers. The term “provisioning center” shall include any commercial property where marijuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department’s marijuana registration process in accordance with the Michigan Medical Marijuana Act is not a provisioning center for purposes of this Ordinance.”

SECTION 2. Section 153.055, Zoning Districts, Zoning Map, and Schedule of Regulations – General Provisions, shall be amended to add the following text to the table of uses, under the “Industrial Uses” category.

Use	R-1A	R-1B	R-M1	B-1	B-2	VC	HC	M-1	Additional Information
Industrial Uses									
Medical Marijuana Grow Operation								S	Section 153.135
Medical Marijuana Processing Facility								S	Section 153.135
Medical Marijuana Safety Compliance Facility								S	Section 153.135
Medical Marijuana Secure Transporter								S	Section 153.135
Medical Marijuana Provisioning Center									Prohibited in all Zoning Districts

SECTION 3. Section 153.062, M-1 Industrial District, shall be amended to add a new section 153.062.D.11, reading as follows:

11) Medical Marijuana Uses, as listed below, in M-1 districts west of Elm Road, provided that they are licensed by the State of Michigan under Public Act 281 of 2016 and that the standards of Section 153.135 are met.

- a) Medical Marijuana Grow Operation
- b) Medical Marijuana Processing Facilities
- c) Medical Marijuana Safety Compliance Facilities
- d) Medical Marijuana Secure Transporters

SECTION 4. Article 7, Uses Authorized by Special Use Permit, shall be amended to add a new Section 153.135, reading as follows:

153.135 *Medical Marijuana Facilities*

A) *Pursuant to Section 205(1) of Public Act 281 of 2016, the Village authorizes the following state-licensed medical marijuana facilities for operation within the municipality: Growers, Processors, Safety Compliance Facilities, and Secure Transporters. A Special Use Permit may be granted for the following Medical Marijuana Uses, if they are located in an M-1 zoning district and west of Elm Road:*

- 1) *Medical Marijuana Grow Operations*
- 2) *Medical Marijuana Processing Facilities*
- 3) *Medical Marijuana Safety Compliance Facilities*
- 4) *Medical Marijuana Secure Transporters*

- B) *Medical Marijuana Provisioning Centers shall be prohibited in all zoning districts.*
- C) *All Special Use Permits granted to the Medical Marijuana Uses listed above shall be conditioned on the licensing of the facility by the State of Michigan. Facilities must meet all State requirements, including but not limited to those of LARA and the MDEQ. Facilities must maintain an active license from the State of Michigan under Public Act 281 of 2016 at all times in order to operate.*
- D) *The following shall apply to Grow Operations, Processing Facilities, and Safety Compliance Facilities:*
- 1) *All facilities must be designed and operated to minimize the amount of pesticides, fertilizers, nutrients, marijuana, and other potential contaminants discharged into the public wastewater and/or stormwater systems.*
 - 2) *All facilities must be designed to minimize odors emanating from the marijuana plants.*
 - 3) *All facilities must maintain a secure, closed, clean environment in the room where marijuana is to be stored, grown, processed, or tested, in order to prevent outside contamination and prevent the inadvertent and/or unauthorized removal of marijuana from the facility. All facilities must provide shower and locker room facilities for employees to ensure the provision of a clean environment.*
 - 4) *All facilities must have adequate security to prevent access to the marijuana by non-authorized personnel, including unauthorized removal. All rooms that contain marijuana, in any form, must be individually locked and accessible only to authorized personal.*
 - 5) *All drying, soil mixing, testing, processing, and other non-growing activities must take place in a separate room from any growing activities.*
 - 6) *All facilities must be in compliance with the standards of this Ordinance, including but not limited to the standards in Section 153.062.5, at all times.*
- E) *The following shall apply to Secure Transporters:*
- 1) *All facilities, vehicles, and processes must be designed and operated to minimize the amount of pesticides, fertilizers, nutrients, marijuana, and other potential contaminants discharged into the public wastewater and/or stormwater systems.*
 - 2) *All facilities, vehicles, and processes must be designed to minimize odors emanating from the marijuana plants.*

- 3) *All operations must have processes in place to prevent the contamination or pollination of the marijuana during the loading and unloading process.*
 - 4) *All facilities, vehicles, and processes must have adequate security to prevent access to the marijuana by non-authorized personnel, including unauthorized removal. All marijuana must be stored in hermetically sealed containers prior to transport.*
 - 5) *All operations must be in compliance with the standards of this Ordinance, including but not limited to the standards in Section 153.062.5, at all times.*
- F) *If approved for a Special Use, and after payment of a fee to be determined by the Village Council, Medical Marijuana Facilities shall be issued an Operating License. The Operating License must be renewed annually, through the payment of a fee to be determined by the Village Council and through compliance with the requirements of the State of Michigan and this Ordinance as demonstrated through an inspection by the Building Official or his or her designee. The Operating License and State Medical Marijuana Facility License must be displayed in plain view clearly visible to Village officials and Medical Marijuana Licensing Board authorized agents. All License Holders shall be subject to periodic inspection, and shall make their Facilities available to any and all authorized state and local building inspectors, environmental inspectors, and law enforcement personnel.*
- G) *Within 30 days after Special Use Approval, the Village shall provide the following to the Medical Marijuana Licensing Board:*
- 1) *A copy of this Ordinance*
 - 2) *A copy of any zoning regulations that apply to the Applicant Facility*
 - 3) *A description of any violation of this Ordinance or applicable zoning regulations committed by the applicant, but only if those violations related to activities licensed under Public Act 281 of 2016.*
 - 4) *No person who has opened or operated a facility doing business or purporting to do business under this Section without first obtaining a Special Use Permit and a State Operating License shall be eligible for an Operating License under this Ordinance.*
- H) *Licensed medical marijuana patients or caregivers authorized by the State of Michigan under Initiated Law 1 of 2008 shall not be required to receive Special Use Approval to conduct legal activities in any zoning district, but must comply will all applicable Village ordinances, including those governing odor, and all applicable State laws.*

l) Permit issued under this Section may be revoked by the Village Council for any of the following:

- 1) Knowing fraudulent or material misrepresentation contained in the Application*
- 2) A pattern of knowing violations of this Section, after reasonable notice and opportunity to cure*
- 3) A loss after final determination of the State Medical Marihuana Licensing Board of the Permit Holder's State Medical Marihuana Facility License*
- 4) Failure or refusal to pay the Annual Fee.*

The Village of Webberville, Michigan

An Ordinance amending the Village of Webberville Building Department Fee Schedule to add fees for Medical Marijuana Facility Licenses and Medical Marijuana Facility Annual Inspections/License Renewals

The Village Council of Webberville hereby ordains:

SECTION 1. The Village Building Department Fee Schedule shall be amended to add the following fees:

Medical Marijuana Facility License: \$5,000

Medical Marijuana Facility Annual Inspection/License Renewal: \$5,000