



Village of Pinckney

MARIJUANA BUSINESS APPLICATION CONSIDERATION, SCORING, AND RANKING POLICY

APPROVED BY THE PINCKNEY VILLAGE COUNCIL

ON _____, 2025

Pursuant to the Pinckney Marijuana Establishment Ordinance No. 152, as amended, being Sections 113.30 – 113.40 of the Pinckney Village Code of Ordinances, upon recommendation by the Village Manager, and approval of the Pinckney Village Council, the Village of Pinckney hereby adopts this policy on this ____ day of _____, 2025, to carry out certain sections of the Code pertaining to the consideration of applications, as well as handling amended applications, and renewal applications.

ARTICLE I – GENERAL MATTERS

1.1. Terms used herein correspond to the Pinckney Marijuana Establishment Code provisions, and the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27951 et seq. (hereafter referred to as the “MRTMA”),

1.2. Applicants must complete the application attached hereto as **Exhibit A** (an “Application”) in order to be considered for a Village License.

1.3. Only one Applicant may be listed on each Application. Only one Applicant is eligible for a License or Licenses at a Business Location.

1.4. Applications must include a fee of \$5,000 per requested License to help the Village defray the administrative and enforcement costs associated with the operation of Marijuana Businesses within the Village. Each stacked license and any excess grower license shall require the payment of a separate \$5,000 fee. Except as provided in Article X of this Policy, all fees are nonrefundable.

1.5. Application fees are in addition to fees for special land use approval, site plan review, certificates of occupancy, any inspections, and all other fees of general applicability.

1.6. If any Applicant is disqualified from consideration for any reason, the Applicant may be eligible to reapply when and if the Village accepts new Applications at a later time.

1.7. If an Applicant is disqualified, the Cannabis Committee, as defined in Section 1.11 of this Policy, shall have the Clerk notify the Applicant in writing of the fact of disqualification and the general reason for disqualification. The decision of the Cannabis Committee as to disqualifications is final and not subject to appeal.

1.8. Applicants may respond to questions on the Application by reference to an Attachment, provided that the Attachment is accompanied by a concise explanation of how the Attachment is responsive to the question.

1.9. All Attachments should be organized in numerical order and placed at the end of the Application.

1.10. Any Attachment to an Application should be marked and tabbed as an Attachment to the particular Rubric Section.

1.11. A Cannabis Committee is created, which shall be comprised of _____ persons appointed by the President and concurred in by Council. The Cannabis Committee shall administratively sort, review, and score applications and have other duties contained in this Policy. The Cannabis Committee shall receive administrative support from the Village Clerk to carry out its duties, and reference in this Policy to the Cannabis Committee shall be interpreted to mean "the Cannabis Committee, the Village Clerk, or their designee(s)". The Cannabis Committee is an administrative subcommittee and shall not make a final decision regarding awarding Licenses.

ARTICLE II – LIMITED WINDOW FOR APPLICATIONS

2.1. When there are available licenses under the Village Code, the Village Council may set a date to begin accepting applications and a submission deadline during which applications will be accepted.

2.2. The Village Clerk will accept Applications and the required fees in person beginning at 10:00am on the start date and ending on 4:00pm on the closing date. Any Applicant who is standing in line at 4:00pm on the closing date will be considered timely. Village Clerk shall file the same and assign it a sequential application number by establishment type based on the date and time of acceptance. The Village Clerk will deliver all Applications to the Cannabis Committee.

2.3. Application fees must be paid by cashier's check or certified check, payable to the Village of Pinckney.

2.4. Applications that are submitted without a fee will be immediately rejected by the Clerk, and the Applicant will be disqualified.

2.5. The Village will not accept any Application outside of the above time period until the next application period, if any.

2.6. All Applications submitted during the time frame in Section 2.1 and 2.2 will be considered together, and each will be assigned a number for administrative purposes.

2.7. The Applicant has a continuing duty to amend its application any time there is a change in any information the Applicant was required to provide to the Village or the State of Michigan's Marijuana Regulatory Agency ("Agency") in the most recent Application on file with the Village or the Agency, as applicable.

2.8. Each Amended application shall require a fee of \$25.00. However, there shall be no fee charged to the Applicant for responding to a request from the Village for supplemental information in connection with an Application, Amendment, or Renewal already on file with the Village for which the Application or Amendment fees have already been paid.

2.9. Amended Applications ("Amendments") shall follow the procedures in Article VIII of this policy.

2.10. Applications for renewal ("Renewals") shall follow the procedures in Article IX of this policy.

ARTICLE III – PRE-REVIEW CRITERIA

3.1. The Village Clerk and the Cannabis Committee shall conduct a pre-review of all Applications, and any incomplete Applications will be separated from those that are complete. Incomplete Applications will be disqualified from consideration.

3.2. An Application is deemed incomplete if any requested information or attachment required in Village Code Section 113.34(B), (C), and (D), and in the Village Application Sections I, II, III, IV, and V are not included; if the Application is not submitted in the proper format as required by the Application, the Ordinance, or this Policy; or for any other reason allowable by state or local marijuana laws.

3.3. Applicants must submit a copy of any Application filed with the Agency (Step 1 and Step 2 applications, as applicable) that relates to the Applicant's Pinckney Application.

3.4. Applications must contain proof of prequalification, as defined in the Ordinance.

3.5. The Cannabis Committee shall separate Applications into the allowed license categories under the Village's Code (Section 113.33) if more than one type of license is being considered by the Village and being sought by applicants.

3.6. If an Applicant applies for a License that the Agency will not issue due to the provisions of MCL 333.27959, then the Application will be disqualified and will not be considered.

3.7. The Cannabis Committee will then competitively review and score Applications as indicated below.

ARTICLE IV – CANNABIS COMMITTEE PROCEDURES

4.1 The Cannabis Committee shall administratively consider Applications and assign point values based on the Scoring Rubric, attached as **Exhibit B** to this Policy. Applications shall be scored individually, and all Applications in the same license category, as identified in Code Section 113.33, will be ranked in order of score. In considering Applications, the Cannabis Committee may request review by and input of any pertinent Village department.

4.2 As used in the Scoring Rubric, whether a location is *Blighted* shall be determined by the Cannabis Committee and the Committee may look to the factors in Section 152.02 of the Pinckney Village Code.

4.3 The Cannabis Committee may send written notice to an Applicant requesting any additional information needed by the Committee to consider the Application.

4.4 Notice shall specify a date by which the Applicant must respond with supplemental information or be disqualified.

4.5 For good cause shown, as determined by the Cannabis Committee, the Applicant may request an extension of the response time. However, the request for an extension must be received by the Cannabis Committee prior to the expiration of the response period.

4.6 The Cannabis Committee may, but need not, interview Applicants.

4.7 Meetings of the Cannabis Committee, including any interviews with Applicants will be subject to the Michigan Open Meetings Act. (MCL 15.261 *et seq*).

4.8 If any two or more Applicants within the same category are tied, they shall be ranked against other tied Applicants within their license category according to Policy Sections 4.9 - 4.13.

4.9 Applicants in the same license category whose overall scores are tied shall be ranked in order of their scores in section of the Scoring Rubric titled "*Facility*."

4.10 If the above section 4.9 of this Policy results still is a tie among Applicants in the same category, then the tied Applicants shall be then ranked in order of their scores in section of the Scoring Rubric titled "*Community Impact & Outreach.*"

4.11 Any Applicants that remain tied after Sections 4.9 to 4.10 are applied shall proceed to a blind lottery draw to determine ranking. Affected Applicants shall be notified of the lottery draw at least 5 business days before the draw. Applicants may be present during the lottery draw.

4.12 The lottery procedure shall be as follows for each category in which a tie exists: Applicant names shall be printed on separate slips of rectangular paper of the same size. The slips shall be at or near 3" x 5" in size. The paper slips shall not be folded, and all slips shall be placed into a covered box or receptacle of sufficient size to allow a mixing or randomness to the Applicant names. The paper slips shall be withdrawn one piece at a time from the box by a member of the Cannabis Committee. The order in which the names of the Applicants are drawn shall be recorded. The first name drawn shall be the most highly ranked Applicant among those tied in a license category and so on until all Applicants' names are drawn.

4.13 The Cannabis Committee shall repeat this process until all ties within the categories are resolved.

ARTICLE V – CERTIFICATION AND REVIEW OF SCORE

5.1. As soon as practical, the Cannabis Committee shall compile a list of Applicants and their scores. The list shall rank Applicants in order from highest to lowest score per category.

5.2. The Cannabis Committee shall send the list to the Village Council and to each Applicant. The Village Council shall certify the list no sooner than 60 calendar days after receipt.

5.3. Each Applicant shall also be notified of its right to appeal its score and the date, time, and method for the filing of appeals. The deadline to file an appeal shall be at least 10 business days from the date notice was sent. An Applicant who does not file a timely appeal waives the right to an appeal.

5.4. A written appeal is limited to a maximum of 10 pages of size 12 Times New Roman or similar sized font. The appeal is limited to the documents possessed by the Cannabis Committee pertaining to the appellant at the time that the Cannabis Committee issued its recommendation.

5.5. The Village Council will consider an Applicant's written appeal at a public hearing. The Council may have a representative from any pertinent Village department present at the hearing.

5.6. The Applicant will be provided an opportunity to advocate its appeal orally for no longer than 10 minutes. The Cannabis Committee may file a written response and shall also be afforded an opportunity to respond orally, subject to the same format and time limitations. In addition, any member of the public may comment for a maximum of 3 minutes.

5.7. After hearing all appeals, the Council shall issue a decision that either upholds the list or modifies the list in whole or in part. Any resulting tie shall be resolved by the Cannabis Committee pursuant to Sections 4.9 - 4.13 of this Policy. The Village Council then shall consider and certify the list with adjustments, if any, as the Council determines. The decision of the Village Council shall be final. The Village Administration shall be responsible to implement the Council's decision.

ARTICLE VI- PROVISIONAL LICENSE

6.1. Only the most highly ranked Applicant will be considered in each license category, as determined by the total number of Council allowed under Section 113.34 of the Village Code.

6.2. The Village will not maintain a waiting list; Applicants who are not the most highly ranked in their respective license categories at this phase will no longer be considered for a Village License, but they may reapply if and when the Village opens another Application window.

6.3. The most highly ranked Applicant of each license category, as determined under Section 6.1 of this Policy, may be offered a Provisional License in writing, which shall be subject to any terms and conditions approved by Village Council in addition to the terms of the Application, the Village's Ordinances, and this Policy.

6.4. The Applicant must notify the Village Manager in writing if it will accept the Provisional License and accompanying terms and conditions. The Applicant's written acceptance must be received within 10 business days from the date notice was sent by the Village.

6.5. If an acceptance is not received by the Village Manager within the 10-day period, then the Applicant will be considered to have voluntarily withdrawn its application, and the Provisional License will not issue, and the Application will not be considered any further. Any opening created by this Section of the Policy will be handled under Article VII of the Policy.

6.6. The Applicants who accept Provisional Licenses shall be deemed "Provisional Licensees", and the Village Manager shall publish a list setting forth each Provisional Licensee's name, the address of the proposed Business Location, and the types of Licenses proposed to be operated at the location.

6.7. During the provisional period, the Provisional Licensee must file an Amendment to include any information required by the Ordinance that has not already been submitted. This may include information such as a security plan, odor control plan, and sample signage.

6.8. In order to obtain a Village License at the end of the provisional period, as may be extended, the Provisional Licensee must be in compliance with all terms and conditions.

ARTICLE VII – SUBSEQUENT APPLICATION PERIODS

7.1. If an Application process results in a lesser number of licensed Business Locations than the maximum number that the Village may issue, then the Village may in its discretion reopen the process for additional Applications on any terms and conditions.

7.2. If reopened, the process for subsequent Applications shall conform to this Policy, as may be amended from time to time.

ARTICLE VIII – AMENDED APPLICATIONS

8.1. An Applicant or Licensee must amend an application (an "Amendment") any time there is a change in any information the Applicant or Licensee was required to provide to the Village or the State of Michigan's Marijuana Regulatory Agency in the most recent Application on file with the Village or the Agency, as applicable.

8.2. The Village may administratively promulgate a separate form Application for the Amendment of Applications, Licenses, and/or Provisional Licenses.

8.3. Amendments must be submitted in writing to the Village Clerk with the appropriate fee. The Village Clerk shall deliver the Amendment and fee to the Village Manager.

8.4. There shall be no fee if an Amendment is submitted in response to a request from the Village for additional information in connection with an Application, Amendment, or Renewal on file with the Village for which the required fee has already been paid. In these instances, the Amendment shall be submitted directly to the Village Manager.

8.5. No changes contemplated in an Amendment to a License or Provisional License may take effect until approved as provided in this Policy.

8.6. Amendments shall be considered by the Cannabis Committee. Based on the requirements of this Policy, the Ordinance, and review and comment from pertinent Village departments, the Cannabis Committee shall recommend the approval or denial of the Amendment. The Committee shall notify the Applicant or Licensee of its recommendation in writing and the date, time, and method for the filing of appeals. The deadline to file an appeal shall be at least 10 business days from the date notice was sent. An Applicant or Licensee who does not file a timely appeal waives the right to an appeal.

8.7. The appeal shall follow the same procedures as set forth in Article V of this Policy.

8.8. Within 10 business days after hearing the appeal, the Council shall issue a decision that either upholds or modifies the recommendation of the Cannabis Committee. The Village Council may approve the Amendment with terms and conditions or may deny the Amendment. The decision of the Village Council shall be final

8.10. The Applicant or Licensee must indicate its acceptance of the Amendment and any conditions of such Amendment in writing to the Village Manager within 10 business days of the Village Council's approval.

8.11. If the Applicant or Licensee does not respond within the 10-day period, or does not accept, then the Amendment will be considered voluntarily withdrawn, in which case the Amendment will not be considered any further. However, a Licensee or Provisional Licensee may continue to operate as previously provided without the amendment change.

8.12. The Applicant or Licensee may submit a new Amendment and appropriate fee at a later time.

ARTICLE IX – RENEWAL APPLICATIONS

9.1. Unless otherwise provided in any conditions to a License, Licenses are valid for a period of one year from the date they are issued by the Village Council.

9.2. Notwithstanding Section 9.1, a License will not be valid for any period during which the corresponding state marijuana business license issued by the Marijuana Regulatory Agency for the Business Location is suspended, revoked, expired, or otherwise invalid.

9.3. Applications for the renewal of a License or Provisional License (a "Renewal") must be submitted as provided in the Ordinance.

9.4. The Village may administratively promulgate a separate form Application for the renewal of Licenses and Provisional Licenses.

9.5. Renewals must include a non-refundable fee of \$5,000 per License to help the Village defray the administrative and enforcement costs associated with the operation of Marijuana Businesses within the Village.

9.6. Renewals shall be considered and approved or denied in the same manner as Amendments under Article VIII of this Policy.

ARTICLE X – PARTIAL REFUNDS OF FEES

10.1. This Article of the Policy is controlling for matters concerning the refundability of Application fees and shall have no effect on any other fees.

10.2. Fees for Amended and Renewal Applications are not refundable.

10.3. An Applicant who is disqualified within 30 calendar days from the date that the Application window closes shall receive a refund of \$2,500.

10.4. An Applicant who is disqualified after the 30-day period may be entitled to a refund of up to \$1,000 upon good cause shown, as determined by the Village Council.

10.5. The Village Council may establish rules and procedures for processing requests for refunds.

ARTICLE XI - RESERVED RIGHTS

11.1. The Village of Pinckney reserves all rights to amend, revise, or revoke this policy at any time for any reason in its sole discretion.

11.2. Applications, Amendments, and Renewals are subject to the rules then in place at the time of submission of that Application, Amendment, or Renewal, including in the event of a change in policy at a later date.