



Village of Pinckney

Recreational Marihuana License Application

Introduction:

Provisional and final permitting of Marihuana Businesses in the Village of Pinckney is governed by Chapter 113 of the Village of Pinckney Ordinance - Marihuana Establishments ("Ordinance") and may be viewed at <https://villageofpinckney.org/ordinances>. Applicants should familiarize themselves with the required scoring criteria, as this Application and all documents submitted therewith will be considered by the Village in scoring the Application. In scoring the Application, the Village will only consider information and documents submitted with this Application. It is understood that whether the submissions in any category are sufficient to be credited points has an element of subjectivity, and such decisions shall be in the sole discretion of the Village and its representatives. No late applications will be accepted or considered. In addition to the licensing requirements, Marihuana Businesses must also comply with applicable Village of Pinckney Zoning ordinances. The Village has the right, but not the obligation, to make any adjustments to this Application required by, or recommended for, compliance with changes in the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018, MCL 333.27951, *et seq.* ("MRTMA") and its corresponding rules and regulations.

The decision of the Village is final. It is the intention of the Village to select only applicants that have not only provided all required application materials and met all criteria required by the Ordinance and by MRTMA, but to select applicants that will, in the sole and absolute discretion of the Village, make the best community partners by demonstrating an established history of positive community partnerships, economic development, corporate responsibility and regulatory compliance that are best suited to operate in compliance with MRTMA within the Village of Pinckney. If, in the sole and exclusive opinion of the Village, no Applicants meet the rigorous criteria set forth by the Village, the Village is not obligated to issue any provisional permits.

By submitting an application for a Marihuana Business to the Village of Pinckney, the Applicant and all of its owners acknowledge that the Village is solely, exclusively and uniquely qualified and authorized to make a determination as to whether an Applicant is best suited to operate in compliance with MRTMA within the Village of Pinckney. Applicant and all of its owners further acknowledge that the submission of an application for a land use permit is not, and does not confer any property right or standing.

All words and phrases used in this Application shall have the definitions ascribed to them in MRTMA and the Ordinance. Four (4) original duplicates of the Application and one copy of the Application in digital form is required for each submission.

I. APPLICANT INFORMATION

REQUIREMENTS AND PROCEDURES FOR ISSUING MUNICIPAL LICENSES; including:

For Applicant that is an Entity:

Business Name: _____

Assumed Name(s): _____

Registered Address: _____

Phone Number: _____ Website: _____

E-mail: _____ EIN #: _____

Emergency Contact: _____ Phone: _____

✦ For all Stakeholders of the above-named Applicant, attach a page that includes the following:

Full name, residential address, any business address, phone number, e-mail, date of birth and Social Security Number, and a copy of government-issued photo identification.

For Applicants that are individuals provide a copy of a government-issued photo identification, and:

Full Legal Name: _____

Date of Birth: _____ Social Security #: _____

Phone Number: _____ E-mail: _____

Residential Address: _____

Emergency Contact: _____ Phone: _____

II. PROPOSED MARIUANA ESTABLISHMENT TYPE

A separate application and fees must be submitted for each establishment type and for each location.

☐ Retailer ☐ Processor ☐ Secure Transporter ☐ Safety Compliance ☐ Microbusiness

☐ Grower (Any Class)

III. PROPOSED BUSINESS ESTABLISHMENT LOCATION INFORMATION

Property Address: _____

Parcel Tax ID No.: _____

Zoning: _____

Legal Description (*can be attached*)

Applicant's Legal Interest in the Property: _____

(Specify the percentage of ownership in the property if owned with others: _____%)

Property Owner: _____

Property Owner Mailing Address: _____

Telephone: _____

E-mail: _____

IV. PERSON COMPLETING APPLICATION (if different from applicant)

Name: _____

Address: _____

E-mail: _____ Affiliation with Applicant: _____

Phone: _____

V. CHECKLIST OF REQUIRED APPLICATION MATERIALS

- ☐ Fully completed and executed Application with all documents required herein and by the Village's Code of Ordinances, the Village Marihuana business scoring and ranking policy, and the Village's Recreational Adult Use Marihuana Business Provisional Application Scoring Rubric.
- ☐ \$5,000.00 non-refundable application fee payable to the Village of Pinckney (certified check).
- ☐ Copy of the Special Use Permit recommended by the Village of Pinckney Planning Commission, and approved by the Village of Pinckney Village Council, and any and all municipal permits or approvals needed for the Marihuana Establishment.

- ☐ If the Applicant is an entity, a copy of the entity's filed Articles of Incorporation, Articles of Organization, Partnership Agreement, any ; assumed name registration, copy of the operating agreement of the applicant, if a limited liability company; copy of the partnership agreement, if a partnership; names and addresses of the beneficiaries, if a trust, or a copy of the bylaws or shareholder agreement, if a corporation, and other applicable organizational documents, including a copy of the Applicant's EIN Confirmation Letter and a Good Standing Certificate issued by the Corporations Division of the State of Michigan within the past ninety (90) days.
- ☐ A location area map of the marihuana establishment and surrounding area that identifies the relative locations and the distances (closest property line to the subject marihuana establishment's building) per Village Code Section 152.243 (S)(8). The map shall also indicate how far the property is from another medical or recreational marijuana facility, and from a CBD: Central Business District Zoning District.
- ☐ Documentation of ownership, lease agreement, or other legal interest in the Property authorizing the Applicant to apply for a permit on the Property, along with a property owner affidavit.
- ☐ If the Applicant, or at least one shareholder or LCC member of the Applicant, is an owner of the building where the Marijuana facility is located, or if the facility will be located in another business, owns a percentage of that business, and specify the percentage of ownership in the building and business.
- ☐ Documentation that the Applicant has received a state operating license pursuant to the Michigan Marihuana Facilities Licensing Act or Michigan Regulation and Taxation of Marihuana Act, or that the Applicant has received pre-qualification approval from the Michigan Marihuana Regulatory Agency
- ☐ A preliminary site plan of the proposed Marihuana Business facility, detailing the location of basic security features, entrances and exits, dimensions, and proposed layout of the Business Facility Address. This shall include the square footage of the Business Facility Address and the location of any shared walls, bathrooms, doors, air ventilation systems, or facilities with non-marihuana businesses and the location of any Business Facility Adjacent Addresses. The Applicant shall note if it is applying to be a vertically integrated facility by noting other license types that they are applying for at the Business Facility Address.

VI. CHECKLIST OF ADDITIONAL NECESSARY APPLICATION MATERIALS.

- ☐ The ownership structure of the establishment, including percentage ownership of each person or entity and documentation supporting such ownership; A current organizational chart that includes position descriptions and the names of each person holding each position.
- ☐ A business plan which contains, but is not limited to, the following: The applicant's experience in operating other similarly permitted or licensed businesses, including nature and type of prior businesses and years operation, and the applicant's general business management experience; planned tangible capital investment in the Village, including if multiple permits are proposed, an explanation of the economic benefits to the Village to be achieved through the award of any such permits, with supporting factual data.
- ☐ Expected job creation from the proposed marihuana establishment(s), and an estimate of the number and type of jobs that the marihuana establishment is expected to create, and the amount and type of compensation expected to be paid for such jobs.

- ☐ A written description of the training and education that the Applicant will provide to all employees, including planned continuing education for existing employees, and a written description of the method(s) for record retention of all training provided to existing and former employees.
- ☐ Whether the Applicant holds other commercial licenses, including any other recreational or medical marijuana commercial licenses and a MRTMA or MMFLA state operating license of the same type applied for in this Application.
- ☐ Whether the Owners/Business has had a permit or license revoked (including or any medical or recreational marijuana) by any state or municipality; have any history of federal, state or local complaints, have a documented history or regulatory compliance at federal, state and local levels, and whether the Owner / Business have been involved in or are is currently involved in any business litigation.
- ☐ Provide the proposed financial structure and financing plan of the proposed marihuana establishment(s), Disclosed/documentated capitalization, and attach CPA attested financial statements.
- ☐ Confirm whether Applicant, or any owners of Applicant, have filed for bankruptcy in the last seven (7) years, or have had IRS liens placed upon any financial accounts or property
- ☐ Specify any community outreach/education plans and strategies, including any plans to provide on-going public information programs to inform Village and Township residents of cannabis issues and proper/safe/legal use of cannabis products; and provide a viable plan to meet with neighborhood, organizations, crime watch and other neighborhood organization to provide contact information for questions, concerns, issues, etc. Also, identify a specific owner or employee as a liaison with the Village, with the Township and with the surrounding community
- ☐ Specify any plans for commitment to support local community programs and services, and any planned acts of volunteerism and community involvement, and any such past acts of volunteerism and community involvement in Livingston County.
- ☐ Applicant has provided rendering and/or blueprints or plans of facility as proposed to be used, including any streetscape elements, any backup power generation, the amount of improved sidewalk/pathways along the site frontage, and any planned greenbelt landscaping in addition to that that is required under the Village Zoning regulations.
- ☐ Applicant provides proposed Facility capital / real estate investment improvements, and the plans to inspect to ensure interior and exterior integrity and maintenance of the property, to keep exterior free of trash, graffiti, loiterers, etc., to prevent visibility of recreational Marijuana from facility exterior or common public are with in a building structure, and to provide any applicable material safety data sheets for hazardous compounds on the premises.

- ☐ A facility sanitation plan to protect against any marihuana being ingested by any person or animal, indicating how the waste will be stored and disposed of, and how any marihuana will be rendered unusable upon disposal. Disposal by on-site burning or introduction into the sewerage system is prohibited.
- ☐ A security plan for the facility that demonstrates the Applicant's ability to meet or exceed the requirements of MRTMA and includes, but is not limited to, a detailed description of, and location placement of, any security lighting, secure storage of recreational Marijuana, alarms and alarm systems, barriers, monitoring devices and systems and / or security guard services, video surveillance, digital archiving, any alternative security systems, and a plan to reduce the impact of any enhanced security measures on the surrounding parcels.
- ☐ A wastewater treatment plan that demonstrates the Applicant's ability to prevent wastewater from being released or discharged from the facility, which may include plans for zero discharge, recycling, collecting, storing or treating water used at the facility, and which shall include the specifications for any equipment proposed to be used in this process.
- ☐ A signed acknowledgment that the applicant is aware of and understands that all matters related to marihuana growing, cultivation, possession, testing, safety compliance and transporting, are currently subject to state and federal laws, rules and regulations, and that the approval or granting of a license hereunder does not exonerate or exculpate the applicant from abiding by the provisions and requirements and penalties associated with those laws, rules, and regulations, or exposure to any penalties associated therewith; and further, the applicant waives and forever releases any claim, demand, action, legal redress, or recourse against the Village, its elected and appointed officials, and its employees and agents for any claims, damages, liabilities, causes of action, damages, or attorney fees that the applicant may incur as a result of the violation by the applicant, its Stakeholders and agents of those laws, rules, and regulations.
- ☐ If Applicant is an entity, a resolution authorizing the signatory to this Application to sign and submit the Application.

VII. CERTIFICATION

By signing this Application, the Named Applicant and all owners or representatives of the Named Applicant acknowledge, agree, and consent to the following:

- The Village of Pinckney is authorized, through its agents or employees, to seek information and conduct an investigation to verify the statements and information in and attached to this Application.
- Applicant understands that if all required materials are not received by the Village by the deadline as set forth on the Application, the Applicant's application will be automatically denied and will not be scored.
- The Village of Pinckney ordinance, application and scoring rubric meet all of the requirements for a merit-based application process pursuant to 2018 IL 1, MCL 333.27951, *et seq.*, commonly known as the Michigan Regulation and Taxation of Marihuana Act ("MRTMA"), and that the Village is basing, and will base, its decision(s) on which applicants receive a license based on its sole and exclusive opinion as to which applicants best show they are suited to operate in compliance with MRTMA within the Village of Pinckney.

- That the decision of the Village of Pinckney is final, and that one (1) request for Administrative review of the Village's decision regarding an Application by the Named Applicant is the sole relief and remedy available for challenging a Village decision on this Application, and must be requested in writing to the Clerk within thirty (30) days of the announcement and communication to the applicants of the results of the application process.
- Applicant hereby verifies that all property taxes and assessments for the proposed facility location are current and not delinquent, and acknowledges that if this certification is false, that this Application will be denied.
- That the submission of this Application and the signing of this Application by the Named Applicant constitutes a waiver of the exemption from Freedom of Information Act disclosure of the application documents under the MRTMA [MCL 333.2727959(7)].
- A License issued under this ordinance is not transferable without the prior approval of the Village under the same terms and conditions required for the initial issuance of a license under this Ordinance.
- That the Ordinance, the Application and the Scoring Rubric adopted by the Village are not unreasonably impracticable and do not in any way conflict with MRTMA.
- That I understand that any attempt to communicate with the Village during the Application approval process other than by official Village e-mail addressed to the Village Clerk will result in my Application being disqualified from the permitting process.
- Applicant hereby verifies that neither the Applicant nor any of its Stakeholders or its Landlord, if applicable, is employed by the Village, acts as a consultant for the Village, or acts as an advisor to the Village, or is or was involved in any way in the implementation, administration or enforcement of this Ordinance.

STATE OF MICHIGAN)
) ss.
 COUNTY OF LIVINGSTON)

I, the undersigned, swear under oath that, I have the authority to sign this Application on behalf of myself or the above-named entity. I have read all the above answers and reviewed the supporting documentation, and such are true and correct to the best of my knowledge and belief.

Signature: _____

Name & Title: _____

Date: _____

NOTARY PUBLIC

On the day of _____, 20____, before me personally appeared _____ and made oath that s/he has read the foregoing and that the same is true of his/her own knowledge, except as to the matters which are therein stated to be upon his/her information and belief, and as to those matters, s/he believes them to be true.

Signature: _____

Printed name: _____

Expires: _____

VIII. ACKNOWLEDGEMENTS

This Application form has been approved for use by the Village Council, and no other form of application is acceptable. Each license and each license type must be submitted separately with a separate non-refundable fee.

Four (4) hard copies with original signatures and one (1) digital copy on a USB drive of the complete, signed application with all attachments must be submitted. The determination of whether the application is complete is at the sole and exclusive discretion of the Pinckney Village Clerk. Any questions regarding this Application or the Ordinance must be submitted in writing to the Clerk's office. Questions submitted by any other method will not be answered.

Return completed application & \$5,000.00 application fee to:

Village Clerk's Office –
Village of Pinckney 220 S. Howell
Pinckney, MI 48169

Further information or questions must be submitted via email to the Clerk or Village Manager:

Village Manager
j.buerman@villageofpinckney.org

Village Clerk's Office
clerk@villageofpinckney.org

