

**ARLINGTON TOWNSHIP
VAN BUREN COUNTY, MICHIGAN
FOURTH AMENDMENT TO ORDINANCE 2021-01
ADOPTED JULY 21, 2021**

AN ORDINANCE AMENDING A PORTION OF ORDINANCE 2020-01 - THE MARIHUANA BUSINESS ORDINANCE, RESOLUTION 2019-619-01M, AND THE SECOND AMENDMENT TO ORDINANCE 2021-01, BY ELIMINATING THE EXISTING MORATORIUM ON THE ISSUANCE OF MARIJUANA BUSINESS LICENSES, BY DECLARING THAT EXCESS GROWER LICENSES USED IN THE TOWNSHIP MUST BE ISSUED BY THE TOWNSHIP AND SHALL COUNT AGAINST THE MAXIMUM NUMBER OF LICENSES TO BE ISSUED BY THE TOWNSHIP, AND BY MODIFYING THE MAXIMUM NUMBER OF TOWNSHIP GROWER LICENSES TO BE ISSUED.

THE PEOPLE OF THE TOWNSHIP OF ARLINGTON ORDAIN:

Purpose

The purpose of this Ordinance is to amend Ordinance 2020-01, Resolution 2019-619-01M, the Second Amendment to Ordinance 2021-01, and the Third Amendment to Ordinance 2021-01 by replacing Article V of Ordinance 2020-01 and by establishing a standardized renewal cycle for all Marijuana Business Licenses and Special Use Permits for property on which Marijuana business Licenses are used.

Amendment:

Article V of Ordinance 2020-01 is rescinded and replaced with the following Article V.

Article V
License renewal

The purpose of this Article is to establish a standardized renewal cycle for all marijuana business licenses ("MBL") issued by the Township and Special Use Permits ("SUP") for any property on which a MBL is used. This renewal cycle and the procedure described in this Article shall be effective immediately. Administrative fees shall be prorated to the standardized renewal cycle. All information, documents, and other materials supporting a request for the renewal of a MBL and a request for renewal of a SUP for property on which one or more MBLs are used shall be submitted to the Township no later than November 15 of the calendar year immediately preceding the year in which the MBL shall be used, beginning with November 15, 2021. An applicant is solely responsible to submit all information, documents, and other materials, regardless of whether the information was previously provided to the Township. The failure to timely file an application for renewal of a MBL or a SUP and all other

documentation required by this ordinance is sufficient grounds to deny renewal of a MBL or SUP. Any denial of a renewal request is not subject to appeal.

The Township shall make reasonable efforts to review and process timely filed renewal applications by March 31 of the calendar year following the year in which the application is filed. The Township shall have the sole discretion to determine whether renewal of a MBL or a SUP is appropriate. The Township's failure to approve a renewal request by March 31 does not create any property or other right in the applicant.

The Township may, in its sole discretion, approve renewal of a MBL renewal application and supporting SUP if the application and supporting materials establish: 1) that there are no changes to the marijuana business operation using the license, 2) that there are no additional buildings or structures on the SUP property, 3) that the applicant has paid all administrative fees and has not violated any Township ordinance, 4) that the applicant has not violated any state or federal law during the preceding year, and 5) that no other reason exists supporting denial of the application. Any such approval shall be certified by the Township Marijuana Coordinator, Township Engineer, and Township Attorney and shall be presented to the Township Board for consideration. The Township Board shall have the sole authority to approve such an application. No renewal application shall be approved based on this procedure if any MBL or SUP condition remains incomplete or unsatisfied. All other applications shall be considered by the Planning Commission and Township Board pursuant to the Township procedures for evaluating MBL and SUP renewal requests.

CERTIFICATION

I certify that trustee _____ moved for adoption of Ordinance No. _____, and that trustee _____ seconded the motion.

I further certify that the following members voted for adoption of the Ordinance: _____ and that the following members voted against the Ordinance: _____.

I further certify that the Ordinance has been recorded in the Ordinance Book of the Township of Arlington and shall be posted on the Township website.

I further certify that a synopsis of this Ordinance was published in accordance with law.



Douglas De Leo
Arlington Township Clerk