



**Summary of Application Steps for Marihuana  
Provisioning Centers/Retailers, Growers, Processors, Secure Transporters, & Safety Compliance  
Facilities/Establishments**

**STEP 1: Submit licensing application** (can be done concurrently with Step 2 below if a merit based review is not occurring). Application includes the following:

1. Contact info
2. Type of permit requested
3. Facility location
4. Facility/license owner
5. Facility or business manager
6. Information about each person named in the application
7. Application fee and copy of ID (ATTACHMENT A)
8. Ownership or Authorization to use Property (ATTACHMENT B)
9. Prequalification from State of Michigan (ATTACHMENT C)
10. Qualifications of Applicant (ATTACHMENT D) – **Provisioning Centers and Retailers Only**
11. Business plan (ATTACHMENT E) – **Provisioning Centers and Retailers Only**
12. Security plan (ATTACHMENT F) – **Provisioning Centers and Retailers Only**
13. Economic Impact (ATTACHMENT G) – **Provisioning Centers and Retailers Only**
14. Plans (Site Plan; Special Use Application; Other Plans) (ATTACHMENT H)

**STEP 2: Submit Site Plan for Special Land Use.** Include all info in Article 6 (Section 6.2) of the City of West Branch Zoning Ordinance. Planning Commission reviews Special Land Use using approval standards in Section 6.5 and approves Special Use/Site Plan contingent upon issuance of Marihuana License. **(Applicants participating in a merit-based review process wait until they are notified that they should proceed with this step).**

**STEP 3: Application Review and Approval.**

1. **Initial Merit Based Review for Licenses which are Capped - Provisioning Centers, Retailers, Processors, Safety Compliance Facilities and Secure Transporters:** (Growers follow #2 below)
  - a. After the Marihuana Licensing Ordinance becomes effective, the city will hold an open application period of 30 days.

- b. If more applications than there are licenses available are submitted, those applications will be review based on merit using a scoring rubric.
  - c. Individuals are notified of their placement and informed to proceed with the submission of a Special Land Use application.
2. **Review of Applications after Initial Merit Based Review (all license types):** Applications will be reviewed on a first come, first serve basis.
- a. Within 14 days of application submittal, city staff will determine if the application is complete and will notify the applicant if there are deficiencies.
  - b. After receiving notification from city staff pursuant indicating application deficiencies, the applicant shall have 14 days from the date of said notification to submit additional information.
  - c. Within 30 days of the application being determined to be complete, city staff will review the application to determine compliance with the Marihuana Facilities Licensing Ordinance (21-06) and shall notify the applicant that the applicant is approved to proceed with the next step.

**STEP 4: Building Permit.** Applicant applies for and obtains a building permit, if applicable. (Contact the Ogemaw County Building Department to determine if a building permit is required.)

**STEP 5: Inspection.** Occupancy inspection by the Ogemaw County Building Official in accordance with the Michigan Building Code. Such inspection shall occur after the premises are ready for operation, but prior to the stocking of the business with any medical and adult use marihuana and prior to the opening of the business to any patients or the public.

**STEP 6: Request for Final Information.** City Clerk notifies applicant that the application was approved and asks for the following:

1. **Licensing fee.** \$5,000 licensing fee shall be paid. Applicant will be credited \$1,500 which was paid at the time of application, so final payment is equal to \$3,500.
2. **Proof of insurance.** A licensee shall at all times maintain full force and effect for duration of the license, workers compensation as required by State law, and general liability insurance with minimum limits of \$1,000,000 per occurrence and a \$2,000,000 aggregate limit issued from a company licensed to do business in Michigan having an AM Best rating of at least A-. The policy shall name the City of West Branch and its officials and employees as additional insureds to the limits required by this Section. A licensee or its insurance broker shall notify the city of any cancellation or reduction in coverage within seven (7) days of receipt of insurer's notification to that effect. The licensee, permittee, or lessee shall forthwith obtain and submit proof of substitute insurance to the City Clerk within five (5) business days in the event of expiration or cancellation of coverage.

3. **Certificate of Occupancy.** Issued by the Ogemaw County Building Department. Upon issuance, a copy of the occupancy permit must be provided to the City Clerk.
4. **State License.** Copy of marihuana license issued by the State of Michigan Department of Licensing and Regulatory Affairs.
5. **Other.** Any other information that the City Clerk, law enforcement, Fire Chief, Public Works Supervisor, Zoning Administrator, City Manager, and/or City Attorney or their designees reasonably determines to be necessary in connection with the investigation and review of the application.

**STEP 7: License.** City Clerk issues license.

### **APPEALS PROCESS**

1. **Appeal of Licensing Decision:**
  - a. Appeals of a denial of a City of West Branch Marihuana Facilities License shall be made to the City Council within 30 days of the notification of denial.
  - b. The applicant must submit a narrative request for due process that includes detailed information and all supporting documentation for any/all points they wish to have City Council consider.
  - c. Within 30 days of notification of appeal by the applicant, a due process review shall be conducted at a public meeting of the council and a concurring vote of a majority of the members of the full City Council is necessary to reverse an order, requirement, decision or determination of an administrative official.
  - d. The applicant must be present at the designated council meeting or forfeits their right to due process.
  - e. The decision of the City Council is final.
2. **Appeal of Planning Commission Decision for Special Land Uses:** The City of West Branch Zoning Board of Appeals has no jurisdiction to hear appeals from Planning Commission decisions concerning Special Land Uses. Special Land Use appeals shall be made to the Circuit Court for Ogemaw County.