

From: Kidzcubes Dallas Party Playgrounds <kidzcubes@gmail.com>
Sent: Wednesday, April 14, 2021 12:26 PM
To: Markee, Kimberly <kmarkee@waterfordmi.gov>
Subject: Change Med Marijuana Application Address/property

Kim Markee,

Is it possible/acceptable to amend an application to change the physical address of the property? IE. change an application to a different qualified address. Is there time to do so before the final licenses are granted? Has there been a date/deadline set for the awarding of licenses?

I'm aware that this question/response will be seen publicly.

Thank you in advance for your response

Joseph Beverly
Farmington Mi.
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TOWNSHIP RESPONSES

As stated in response to a question by M. Stein from 1-4-2021 and posted on the Township website:

"The Ordinance does not provide for or prohibit previously filed Applications being supplemented or amended. Although a supplement or amendment may be filed, as explained in this response, doing so will be treated as changing the filing date and time of the original Application to the date and time the supplement/amendment is accepted for filing.

To be accepted, a supplement or amendment must be filed in the same manner as specified in Ordinance Sections 10-301(a) and (b), meaning by personal delivery of a paper original and electronic version to the Township Clerk's office. If one or more additional licenses are requested, the application fee for those would also have to be paid before the supplement/amendment would be accepted by the Clerks' office.

The date and time a supplement/amendment is accepted for filing would be documented by the Clerk's office as provided in Ordinance Section 10-301(c). That date and time would then be considered to be the date and time the Application was filed for purposes of all Township reviews and times allowed to perform them, including for administrative completeness and distribution by the Clerk's office and reports by Township personnel under Ordinance Section 10-302.

If a supplement/amendment is filed, any Township personnel reviews and reports on the original Application will not be finalized. They will be stopped and suspended until

all reviews and reports on other pending Applications have been completed. The practical result of supplementing or amending an Application may be that it is not considered by the Township Board at the same meeting as other applications for the same type of facility license."

The above response was provided before Ordinance No. 2021-001 was adopted with immediate effect on April 12, 2021. Under the new Section 10-301(g) of the Medical Marihuana Facility Licensing Ordinance added by that Ordinance, applications for provisioning center and grower facility licenses are no longer being accepted for filing by the Township Clerk's office.

With at least 14 of the 24 license application requirements specified in Section 10-301(b) of the Ordinance being specific to the location of the property for which a license is applied for, an amended application that changed that location could be considered as a new application that should not be accepted for filing. However, upon the advice of the Township Attorney, the new Ordinance will not be applied to amendments of applications filed before the Ordinance took effect and the prior Township Response to M. Stein may be relied on.

There has been no date or deadline set for the Township board to award licenses. It is not possible to provide an answer on whether there is time to submit an administratively complete amendment to a license application to change the proposed facility location before final licenses are granted.