

CITY OF WESTLAND

MARIJUANA BUSINESS APPLICATION AMENDMENT CONSIDERATION POLICY

This Marijuana Business Application Amendment Consideration Policy (“Amendment Policy”) is adopted on January 3, 2022, pursuant to Sections 27-12(c) and (d) of the Westland City Code and Sections 2.6 and 8.2 of the Marijuana Business Application Consideration Policy, to create rules for the submission and consideration of applications for the amendment of Marijuana Business Licenses.

ARTICLE I – GENERAL MATTERS

- 1.1. Terms used herein correspond to the Westland Uniform Marijuana Business Ordinance.
- 1.2. Licensees must complete an application attached hereto as Exhibit A (an “Amendment Application”) to be considered for amendment of the License. The City reserves the right to administratively make changes to the form Application attached hereto as Exhibit A for amendment of Licenses and conditional Licenses as it sees fit from time to time.
- 1.3. In the event that the City of Westland denies a Licensee’s amendment application for any reason, Licensee may continue to operate under its license as long as the proposed amendment is not implemented and the licensee is otherwise in compliance with all requirements necessary to continue operation under the license.
- 1.4. Licensees applying for an amendment 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.
- 1.5. All attachments should be organized in numerical order and placed at the end of the Application.
- 1.6. Any attachment to an application should be marked and tabbed as an attachment to the particular question.
- 1.7. No changes contemplated in an amendment to a License or conditional License may take effect until approved as provided in this Policy.
- 1.8. An amended application does not by itself extend the term of the License.

ARTILE II – TIMING AND COSTS OF APPLICATION AND APPROVAL PROCESS

- 2.1. A Licensee must amend an application any time there is a change in any information in the original application, any amendment or renewal application, or in any information the Licensee provided to the City or the State of Michigan’s Marijuana Regulatory Agency in the most recent application on file with the City or the Agency, as applicable.
- 2.2. Each Amended application shall be submitted to the Selection Committee c/o the Planning Director. Amended Applications shall require a fee of \$25.00. Amendment application fees are nonrefundable.
- 2.3. There shall be no fee if documentation is submitted in response to a request from the Selection Committee for additional information in connection with an application or amendment on file with the City for which the required fee has already been paid.

2.4. Fees for amendments 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.

2.5. The Planning Director shall deliver the amendment application and fee to the Selection Committee for consideration and recommendation.

2.6. Amendments, along with all applicable supporting documents and approvals, shall be considered by the Selection Committee. Based on the requirements of this Policy, the Selection Policy, the Ordinance, and review and comment from pertinent City departments, the Selection Committee shall recommend the approval or denial of the amendment. If approval is recommended, then the City Council shall make a final decision as provided in 2.12 – 2.15.

2.7 The Committee shall notify the 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. A Licensee who does not file a timely appeal waives the right to an appeal.

2.8 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 Selection Committee pertaining to the appellant at the time that the Selection Committee issued its recommendation.

2.9 The Marijuana Business Review Board (the “Board”) will consider an Applicant’s written appeal at a public hearing. The Board may have a representative from any pertinent City department present at the hearing.

2.10 The Applicant will be provided an opportunity to advocate its appeal orally for no longer than 10 minutes. The Selection 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.

2.11 After hearing the appeal, the Board shall issue a written recommendation that either upholds or modifies the recommendation of the Selection Committee. The City Administration shall forward the Board’s written recommendation and reasoning to the City Council to be placed on an agenda of a regular or special meeting.

2.12 The City Council shall consider the recommendations and reasoning of the Selection Committee and the Board and will make a final decision regarding the proposed amendment. The City Council may approve or deny the amendment in whole or in part. The City Council may impose conditions on the approval as the Council determines. The decision of the City Council as to the amendment shall be final.

2.13. Amendment appeals are not adverse license proceedings as contained in Sections 27-20 and 27-21 of the Westland City Code.

2.14. The Licensee must indicate its acceptance of the decision regarding the amendment and any conditions of such amendment in writing to the Planning Director within 10 business days of the City Council’s approval, which may be in the form of a letter or email to the Planning Director.

2.11. If the 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 conditional Licensee may continue to operate as provided in Section 27-13(b)(3) of the Ordinance.

ARTICLE III - RESERVED RIGHTS

3.1. The City of Westland reserves all rights to amend, revise, or revoke this Policy at any time for any reason in its sole discretion.

3.2. Applications and amendments are subject to the rules then in place at the time of submission of that application and amendment including in the event of a change in policy at a later date.

EXHIBIT A

AMENDMENT APPLICATION