



City of White Cloud  
 12 N. Charles Street  
 White Cloud, Michigan 49319

April Storms  
 City Manager  
 citymanager@cityofwhitecloud.org  
 231-689-1194

John Wallace  
 Zoning Administrator  
 zoning@cityofwhitecloud.org  
 231-689-1194  
 231 519-5720

**Marihuana Facility Application**

**ANNUAL LICENSE APPLICATION FEE: Not to exceed \$5,000.00 (includes \$400.00 non-refundable)**

An application for a license renewal shall be accompanied by a renewal fee in an amount of \$5,000.00. The fee is established to defray the costs of the administration and enforcement expended by the City Clerk's Office, Police Department, City Attorney's Office, Treasury, Zoning Administrator and other relevant City departments.

**Section 1**

**Business Information:**

Name of Business:	Business Phone Number:		
Business Address:	City:	State:	Zip:

**Section 2**

**Application Type:** (check ONLY one type of license per application)

- Grower ( ) Class A ( ) Class B ( ) Class C  
 Microbusiness  Processor  Provisioning Center  Safety Compliance  Secure Transporter  
 Recreational  Medical  
 Individual  Corporation  LLC  Other  
 If 'Other' – specify: \_\_\_\_\_

If Individual is **NOT** checked – submit a complete and full copy of organizational documents or articles of incorporation.

**Section 3**

**Applicant Information:**

Applicant Name:	Date of Birth:		
Phone No.	Secondary Phone No.		
Applicant Address:	City:	State:	Zip
Applicant Email Address:			
Emergency Contact Information:			
Name:			
Address:			
Phone:	Email:		

Clerk Initials \_\_\_\_\_ Date \_\_\_\_\_

## Marihuana Facility Application

### Section 4

**Stakeholder Information:** Corporations, LLC's, LLP's, or Other non-individual entities as indicated in Section 2 of this application must complete this sheet for every additional Applicant or Stakeholder. One (1) Stakeholder on this sheet shall be designated as an Emergency Contact in addition to the Emergency Contact indicated in Section 3 of this application.

For each Stakeholder [all applicants], please submit a statement with respect to each person named on the application regarding whether the person has:

(1) Ever been convicted of a felony involving controlled substances as defined under the Michigan Public Health Code, MCL 333.1101, et seq., the federal law, or the law of any other state and, if so, the date of the conviction and the law under which the person was convicted; and

(2) Ever been convicted of any other type of felony under the law of Michigan, the United States, or another state, and, if so, the date of the conviction and the law under which the person was convicted.

*Please type or print legibly*

Name:	Date of Birth:		
Phone No.	Secondary Phone No.		
Address:	City:	State:	Zip:
Email Address:			
Designated Emergency Contact: <input type="checkbox"/> YES <input type="checkbox"/> NO			

Name:	Date of Birth:		
Phone No.	Secondary Phone No.		
Address:	City:	State:	Zip:
Email Address:			
Designated Emergency Contact: <input type="checkbox"/> YES <input type="checkbox"/> NO			

**Marihuana Facility Application**

**Section 5**  
**Affirmation**

I acknowledge that I, the applicant, am aware that all matters related to marihuana, growing, cultivation, possession, dispensing, testing, safety compliance, transporting, distribution, and use 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 myself, 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 myself, the applicant, waives and forever releases any claim, demand, action, legal redress, or recourse against the City of White Cloud, its elected and appointed Officials and its Employees and Agents for any claims, damages, liabilities, causes as a result of a violation by myself, the applicant, its Officials, members, partners, shareholders, employees and agent of those laws, rules and regulations and hereby waives, and assumes the risk of any such claims and damages, and lack of recourse against the City of White Cloud, its elected and appointed Officials, employees, attorneys, and agents.

I swear that neither I, the applicant, nor any stakeholder is in default to the City of White Cloud for failure to pay any property taxes, special assessments, fines, fees or other financial obligation to the City.

I agree to report any changes to any information required by any application for the operation of a Marihuana Center within the City of White Cloud to the City Clerk within ten (10) business days.

I agree that the City of White Cloud Ordinances may change from time to time and that I will be bound by those changes and amendments as applicable.

I understand that the grant of this or any license by the City of White Cloud required for the operation of a Marihuana Facility is contingent upon the granting of a license to operate a Marihuana Facility in the State of Michigan.

I swear that the statements made in this application, including all attachments thereto, are true.

Name: (printed)			Signature:
Street Address:			Date:
City:	State:	Zip:	

**CITY OF WHITE CLOUD**

**Background Check Consent and Release Waiver**

\_\_\_\_\_  
Applicant's Legal Name (printed)

\_\_\_\_\_  
Applicant's Date of Birth

\_\_\_\_\_  
Applicant Driver License/State ID Number

I, \_\_\_\_\_, authorize and give consent for the City of White Cloud to obtain information regarding myself.

I, the undersigned, authorize this information to be obtained in connection with my application. Such information will be held in confidence in accordance with the organization's guidelines.

By signing this document, I am providing the City of White Cloud my consent for an initial background check as well as any subsequent background checks deemed necessary throughout the length of my license with the City of White Cloud.

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**Office Use Only:**

Marihuana Facility License Fee:	
Check / Money Order or other instrument and No.	Type: No.
Application License No. assigned:	Application License No. MFLA -

**Marihuana Facility Application**

**Section 6**

**City of White Cloud Marihuana Licensing Board Checklist**

**Directions to Applicant:** Use the **RIGHT** hand column as **YOUR** checklist to assist the City of White Cloud Marihuana Licensing Board in reviewing this application.

**Marihuana Licensing Board Checklist**

<b>This column for City of White Cloud Marihuana Licensing Board use ONLY</b>	<b>Applicant: Use this column to present answers to the City of White Cloud Marihuana Licensing Board</b>
Has the applicant submitted a completed Marihuana Facility licensing application to the City of White Cloud? <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO <u>Note:</u>
Has the applicant paid the \$5,000.00 license fee to the City of White Cloud? <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO <u>Note:</u>
Has the applicant submitted a completed zoning application and received Special Land Use approval to operate a Marihuana Facility in the City of White Cloud? <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO <u>Note:</u>
Are ANY conditions attached to the Special Land Use approval for the operation of a Marihuana Facility in the City of White Cloud? <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO <u>Note:</u>
Has the applicant submitted a proposed business plan? <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO <u>Note:</u>
Has the applicant submitted an ownership structure and organization chart? <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO <u>Note:</u>
Has the applicant submitted an estimate of number and type of jobs expected to create along with compensation? <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO <u>Note:</u>
Has the applicant submitted a floor plan of the Marihuana operation? <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO <u>Note:</u>

**Marihuana Facility Application**

***This page is reserved for the exclusive use of the City of White Cloud MARIHUANA LICENSING BOARD***

**Marihuana Licensing Board Notes:**

---

---

---

---

---

---

---

---

**RESOLUTION OF THE CITY OF WHITE CLOUD MARIHUANA LICENSING BOARD**

Whereas the City of White Cloud Ordinance No. 2019-05 establishes a MARIHUANA LICENSING BOARD;

Whereas the MARIHUANA LICENSING BOARD has been established;

Whereas the MARIHUANA LICENSING BOARD has reviewed this application;

Whereas the MARIHUANA LICENSING BOARD is charged with proposing a RESOLUTION recommending either approval or rejection of each complete license application;

Now therefore, be it resolved that the MARIHUANA LICENSING BOARD hereby resolves to recommend this application be:

**APPROVED**

**REJECTED**

Application License No. MFLA - \_\_\_\_\_

\_\_\_\_\_  
(Signature of Marihuana Board representative) **Date:** \_\_\_\_\_

\_\_\_\_\_  
(Signature of Clerk) **Date:** \_\_\_\_\_



**CITY OF WHITE CLOUD  
NEWAYGO COUNTY, MICHIGAN  
Ordinance No. 2021-01**

At a regular meeting of the City Council for the City of White Cloud held on March 2, 2021, the following Ordinance was offered for adoption by City Council Member Dault and was seconded by City Council Member Zatalokin:

**AN ORDINANCE TO AMEND CHAPTER 2, SECTION 2.14 ENTITLED "DEFINITIONS - M;" CHAPTER 3, SECTION 3.46 ENTITLED "REGULATIONS CONCERNING THE USE OF MEDICAL MARIHUANA;" CHAPTER 3, SECTION 3.47 ENTITLED "RECREATIONAL MARIHUANA ESTABLISHMENTS;" CHAPTER 8, SECTION 8.02 ENTITLED "TABLE OF USES" FOR COMMERCIAL DISTRICTS; CHAPTER 12, SECTION 12.02 ENTITLED "TABLE OF USES" FOR THE I-1 INDUSTRIAL DISTRICT; CHAPTER 15, SECTION 15.02 ENTITLED "APPLICABILITY;" AND CHAPTER 16, SECTION 16.07 ENTITLED "SPECIFIC STANDARDS" OF THE ZONING ORDINANCE FOR THE CITY OF WHITE CLOUD.**

THE CITY OF WHITE CLOUD ("City") ORDAINS:

Section 1. Amendment of Section 2.1 Chapter 2, Section 2.14 of the Zoning Ordinance for the City of White Cloud entitled "Definitions - M" is hereby amended as follows:

- The term "Medical Marihuana Dispensary" is deleted in its entirety.
- The term "Marihuana Establishment" is added and reads in its entirety as follows:

**MARIHUANA ESTABLISHMENT**

A marihuana establishment as defined in the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended.

- The term Marihuana Facility is added and reads in its entirety as follows:

**MARIHUANA FACILITY**

A marihuana facility as defined in the Medical Marihuana Facilities Licensing Act, PA 281 of 2016 (MCL 333.27101 *et seq.*), as amended.

- The term "Medical Marihuana" is added and reads in its entirety as follows:

**MEDICAL MARIHUANA**



Marihuana as defined in the Medical Marihuana Facilities Licensing Act, PA 281 of 2016 (MCL 333.27101 *et seq.*), as amended.

- The term “Medical Marihuana Grower” is added and reads in its entirety as follows:

**MEDICAL MARIHUANA GROWER**

A grower as defined in the Medical Marihuana Facilities Licensing Act, PA 281 of 2016 (MCL 333.27101 *et seq.*), as amended.

- The term “Medical Marihuana Processor” is added and reads in its entirety as follows:

**MEDICAL MARIHUANA PROCESSOR**

A processor as defined in the Medical Marihuana Facilities Licensing Act, PA 281 of 2016 (MCL 333.27101 *et seq.*), as amended.

- The term “Medical Marihuana Provisioning Center” is added and reads in its entirety as follows:

**MEDICAL MARIHUANA PROVISIONING CENTER**

A provisioning center as defined in the Medical Marihuana Facilities Licensing Act, PA 281 of 2016 (MCL 333.27101 *et seq.*), as amended.

- The term “Medical Marihuana Safety Compliance Facility” is added and reads in its entirety as follows:

**MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY**

A safety compliance facility as defined in the Medical Marihuana Facilities Licensing Act, PA 281 of 2016 (MCL 333.27101 *et seq.*), as amended.

- The term “Medical Marihuana Secure Transporter” is added and reads in its entirety as follows:

**MEDICAL MARIHUANA SECURE TRANSPORTER**

A secure transporter as defined in the Medical Marihuana Facilities Licensing Act, PA 281 of 2016 (MCL 333.27101 *et seq.*), as amended.

- The term “Recreational Marihuana” is added and reads in its entirety as follows:

**RECREATIONAL MARIHUANA**

Marihuana as defined in the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended.

- The term “Recreational Marihuana Grower” is added and reads in its entirety as follows:

**RECREATIONAL MARIHUANA GROWER**

A marihuana grower as defined in the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended.

- The term “Recreational Marihuana Microbusiness” is added and reads in its entirety as follows:

**RECREATIONAL MARIHUANA MICROBUSINESS**

A marihuana microbusiness as defined in the defined in the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended

- The term “Recreational Marihuana Processor” is added and reads in its entirety as follows:

**RECREATIONAL MARIHUANA PROCESSOR**

A marihuana processor as defined in the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended.

- The term “Recreational Marihuana Retailer” is added and reads in its entirety as follows:

**RECREATIONAL MARIHUANA RETAILER**

A marihuana retailer as defined in the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended.

- The term “Recreational Marihuana Safety Compliance Facility” is added and reads in its entirety as follows:

**RECREATIONAL MARIHUANA SAFETY COMPLIANCE FACILITY**

A marihuana safety compliance facility as defined in the defined in the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended

- The term “Recreational Marihuana Secure Transporter” is added and reads in its entirety as follows:

**RECREATIONAL MARIHUANA SECURE TRANSPORTER**

A marihuana secure transporter as defined in the defined in the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended.

[The remainder of Section 2.14 is unchanged]

Section 2. Amendment of Section 3.46. Chapter 3, Section 3.46 of the Zoning Ordinance for the City of White Cloud entitled "Regulations Concerning the Use of Medical Marihuana" is hereby amended and reads in its entirety as follows:

#### MEDICAL MARIHUANA FACILITIES

- A. Marihuana facilities are prohibited unless specifically authorized under this Zoning Ordinance.
- B. Marihuana facilities will comply with the requirements of the zoning district in which they are located.
- C. In addition to any other requirements under this Zoning Ordinance all marihuana facilities will adhere to the following:
  1. A marihuana facility can only be open to the public between the hours of 9:00 a.m. and 9:00 p.m.
  2. A marihuana facility cannot have a walk-up window or drive-thru window service.
  3. The exterior appearance of a marihuana facility must at all times remain compatible with the exterior appearance of buildings already constructed or under construction within the immediate area and must at all times be maintained so as to prevent blight, deterioration, or substantial diminishment or impairment of property values within the immediate area.
  4. Must have a security plan that at a minimum complies with the requirements of the Medical Marihuana Facilities Licensing Act, 2016 PA 281 (MCL 333.27101 *et seq.*), as amended, and any applicable medical marihuana regulatory rules promulgated by the State of Michigan Department of Licensing and Regulatory Affairs or its successor agency.
  5. Must have a system that at all times prevents smoke, odor, debris, dust, fluids, and other substances relating to cultivation (defined below), manufacturing, production, storage, testing, transportation, or sale of medical marihuana from exiting the marihuana facility.
    - a. Whether smoke, odor, debris, dust, fluids, or other substances

relating to cultivation (defined below), manufacturing, production, storage, testing, transportation, or sale of medical marihuana are exiting the marihuana facility will be measured by the objective standards of a reasonable person with normal sensory sensitivities.

b. Negative air pressure will be maintained inside the marihuana facility at all times.

6. Light used for the cultivation (defined below) or processing of medical marihuana cannot be visible from outside the marihuana facility between the hours of 7:00 pm to 7:00 am.

7. All cultivation, as defined in the Medical Marihuana Facilities Licensing Act, 2016 PA 281 (MCL 333.27101 *et seq.*) as amended, must take place indoors.

Section 3. Amendment of Section 3.47. Chapter 3, Section 3.47 of the Zoning Ordinance for the City of White Cloud entitled "Recreational Marihuana Establishments" is hereby amended and reads in its entirety as follows:

#### RECREATIONAL MARIHUANA ESTABLISHMENTS

- A. Marihuana establishments are prohibited unless specifically authorized under this Zoning Ordinance.
- B. Marihuana establishments will comply with the requirements of the zoning district in which they are located.
- C. In addition to any other requirements under this Zoning Ordinance all marihuana establishments will adhere to the following:
  - 1. A marihuana establishment can only be open to the public between the hours of 9:00 a.m. and 9:00 p.m.
  - 2. A marihuana establishment cannot have a walk-up window or drive-thru window service.
  - 3. The exterior appearance of a marihuana establishment must at all times remain compatible with the exterior appearance of buildings already constructed or under construction within the immediate area and must at all times be maintained so as to prevent blight, deterioration, or substantial diminishment or impairment of property values within the immediate area.
  - 4. Must have a security plan that at a minimum complies with the requirements of the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*), as amended, and any applicable

recreational marihuana regulatory rules promulgated by the State of Michigan Department of Licensing and Regulatory Affairs or its successor agency.

5. Must have a system that at all times prevents smoke, odor, debris, dust, fluids, and other substances relating to cultivation (defined below), manufacturing, production, storage, testing, transportation, or sale of recreational marihuana from exiting the marihuana establishment.
  - a. Whether smoke, odor, debris, dust, fluids, or other substances relating to cultivation (defined below), manufacturing, production, storage, testing, transportation, or sale of recreational marihuana are exiting the marihuana establishment will be measured by the objective standards of a reasonable person with normal sensory sensitivities.
  - b. Negative air pressure will be maintained inside the marihuana establishment at all times.

6. Light used for the cultivation (defined below) or processing of recreational marihuana cannot be visible from outside the marihuana establishment between the hours of 7:00 pm to 7:00 am.

7. All cultivation, as defined in the Michigan Regulation and Taxation of Marihuana Act, IL 1 of 2018 (MCL 333.27951 *et seq.*) as amended, must take place indoors.

Section 4. Amendment of Section 8.02. Chapter 8, Section 8.02 of the Zoning Ordinance for the City of White Cloud entitled "Table of Uses" for Commercial Districts is hereby amended as follows:

- The following sections are deleted from the Table of Uses:

Medical Marijuana Provisioning Center	SLU	SLU	SLU
Medical Marijuana Secure Transporter	SLU	SLU	SLU
Medical Marijuana Safety Compliance (Lab)	SLU	SLU	SLU

- The following sections are added to the Table of Uses:

Medical Marihuana Provisioning Center	NP	P	P
Medical Marihuana Safety Compliance Facility	NP	P	P

Medical Marihuana Secure Transporter	NP	P	P
Recreational Marihuana Retailer	NP	P	P
Recreational Marihuana Safety Compliance Facility	NP	P	P
Recreational Marihuana Secure Transporter	NP	P	P

[The remainder of Section 8.02 is unchanged]

Section 5. Amendment of Section 12.02. Chapter 12, Section 12.02 of the Zoning Ordinance for the City of White Cloud entitled "Table of Uses" for the I-1 Industrial District is hereby amended as follows:

- The following sections are added to the Table of Uses

Medical Marihuana Growers	P
Medical Marihuana Processors	P
Medical Marihuana Safety Compliance Facility	P
Medical Marihuana Secure Transporter	P
Recreational Marihuana Grower	P
Recreational Marihuana Microbusiness	P
Recreational Marihuana Processor	P
Recreational Marihuana Safety Compliance Facility	P
Recreational Marihuana Secure Transporter	P

[The remainder of Section 12.02 is unchanged]

Section 6. Amendment of Section 15.02. Chapter 15, Section 15.02 entitled "Applicability" is hereby amended and reads in its entirety as follows:

#### APPLICABILITY

- A. Subject to paragraph C, Planning Commission approval of a site plan is required for the following:
1. Special land uses in any district.
  2. Planned unit developments in any district.
  3. Manufactured home communities in any district.
  4. Multi-family residential developments in any district.
  5. Condominiums, site condominiums, or subdivisions (plats) in any district.
  6. Private streets in any district.
  7. Essential services in any district.
  8. Marihuana establishments in any district.
  9. Marihuana facilities in any district.
  10. A plat or residential development.
  11. New construction or the expansion of existing buildings or structures in any district.
  12. Subject to paragraph B, new uses or the expansion of existing uses in any district.



- B. Unless located in the MHC or I-1 District or listed in paragraph A 1-10, Planning Commission approval of a site plan is not required for new uses or the expansion of existing uses when (1) the new or expanded use is being established in an existing lawful principal building or structure, (2) such use is a permitted use in the underlying zoning district, and (3) there will be no expansion of the footprint, size, or height of the building or structure:
- C. The following are exempt from site plan review by the Planning Commission; however, review and approval of an abbreviated site plan by the Zoning Administrator is required:
1. Single-family detached and two-family dwellings when permitted by right on a lot on which there exists no other building or use.
  2. Farms
  3. State licensed residential family care facilities and family day care homes
  4. Home occupations
  5. Residential accessory buildings

Section 7. Amendment of Section 16.07. Chapter 16, Section 16.07 entitled "Specific Standards" is hereby amended as follows:

- Paragraph GG entitled "Medical Marijuana Facilities" is deleted in its entirety.
- Paragraph HH entitled "Recreational Marijuana Establishments" is deleted in its entirety.

[The remainder of Section 16.07 is unchanged]

Section 8. Conflict.

- A. Nothing in this Ordinance is to be construed to conflict with existing City ordinances except as otherwise stated herein.
- B. Nothing in this Ordinance is to be construed to conflict with the law of the State of Michigan.

Section 9. Repealer. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of any such conflict.

Section 10. Savings Clause. The provisions of this Ordinance are severable. If any part of this Ordinance is declared void or inoperable for any reason by a court of competent jurisdiction, such declaration does not void any or render inoperable other part or portion of this Ordinance.

Section 11. Effective Date. This Ordinance shall become effective seven days from its publication in the manner required by law.

YEAS: Shears, Zatalokin, Denslow, Dault

NAYS: Becker, Murchison, Scott ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.

  
\_\_\_\_\_  
Jamie Denslow, Mayor

  
\_\_\_\_\_  
Kelli Arnold, Clerk

### CERTIFICATION

It is hereby certified that the foregoing Ordinance was adopted by the City Council of White Cloud, Newaygo County, Michigan, at a meeting of the Board duly called and held on March 2, 2021.

Public Hearing: January 26, 2021

First Reading: February 2, 2021

Adopted: March 2, 2021

Published: March 17, 2021

Effective: March 24, 2021

By:

  
\_\_\_\_\_  
Kelli Arnold, Clerk



**CITY OF WHITE CLOUD  
NEWAYGO COUNTY, MICHIGAN  
Ordinance No. 2021-02**

At a regular meeting of the City Council for the City of White Cloud held at 6:00 p.m. on March 2, 2021, the following Ordinance was offered for adoption by City Council Member Dault and was seconded by City Council Member Zatalokin:

**AN ORDINANCE TO AMEND SECTION 115.03 ENTITLED "DEFINITIONS;" SECTION 115.07 ENTITLED "APPLICATION PROCEDURE;" SECTION 115.08 ENTITLED "CLERK DUTIES;" SECTION 115.10 ENTITLED "REVOCATION;" SECTION 115.11 ENTITLED "APPEALS PROCESS;" SECTION 115.12 ENTITLED "VIOLATIONS AND PENALTIES;" SECTION 116.03 ENTITLED "DEFINITIONS;" SECTION 116.07 ENTITLED "APPLICATION PROCEDURE;" SECTION 116.08 ENTITLED "CLERK DUTIES;" SECTION 116.10 ENTITLED "REVOCATION;" SECTION 116.11 ENTITLED "APPEALS PROCESS;" SECTION 116.12 ENTITLED "VIOLATIONS AND PENALTIES;" SECTION 117.05 ENTITLED "BOARD COMPOSITION AND ELIGIBILITY;" SECTION 117.06 ENTITLED "REMOVAL FROM OFFICE AND VACANCY;" AND SECTION 117.07 ENTITLED "POWERS, DUTIES, AND PROCEDURES" OF THE CODE OF ORDINANCES FOR THE CITY OF WHITE CLOUD.**

THE CITY OF WHITE CLOUD ("City") ORDAINS:

Section 1. Amendment of Section 115.03. Title XI, Chapter 115, Section 115.03 of the Code Ordinance for the City of White Cloud entitled "Definitions" is hereby amended as follows:

- Paragraph 3(h) is amended and reads in its entirety as follows: "Marihuana Licensing Board" means the board created pursuant to Chapter 117.

[The remainder of Section 115.03 is unchanged]

Section 2. Amendment of Section 115.07. Title XI, Chapter 115, Section 115.07 of the Code Ordinance for the City of White Cloud entitled "Application Procedure" is hereby amended as follows:

- Paragraph 1 is amended and reads in its entirety as follows: All applications for a License under this Chapter shall be filed with the Clerk utilizing and complying with the City's application form and process.
- Paragraph 8 is amended and reads in its entirety as follows: All Licenses (including those previously issued) shall expire 365 days from the date of issue.
- Paragraph 9 is amended and reads in its entirety as follows: All Licenses are subject to annual renewal by the Clerk.
- Paragraph 10 is amended and reads in its entirety as follows: License renewal applications must be submitted to the Clerk no later than 60 days before the License

expires. Late applications will be subject to a late fee pursuant to the City of White Cloud's Fee schedule adopted by City Council as amended from time to time.

[The remainder of Section 115.07 is unchanged]

Section 3. Amendment of Section 115.08, Title XI, Chapter 115, Section 115.08 of the Code Ordinance for the City of White Cloud entitled "Clerk Duties" is hereby amended as follows:

- Paragraph 2 is amended and reads in its entirety as follows: Consistent with this Chapter and Chapter 117, the Clerk shall have broad authority to implement policies and procedures for the application and reapplication of a License under this Chapter.
- Paragraph 3 is amended and reads in its entirety as follows: The Clerk shall renew a License, if after a due diligence investigation, the Clerk concludes that the Applicant-licensee complies with the requirements of the Act, this Chapter, and City ordinances and policies; and that a License renewal would not constitute a menace to the health, safety, or general welfare of the public. Prior violations of the Act, this Chapter, and City ordinances and policies are grounds to deny the renewal of a License.
- Paragraph 4 is amended and reads in its entirety as follows: No License shall be renewed unless the Applicant-licensee has a valid State operating license for the Facility seeking License renewal.

[The remainder of Section 115.08 is unchanged]

Section 4. Amendment of Section 115.10, Title XI, Chapter 115, Section 115.10 of the Code Ordinance for the City of White Cloud entitled "Revocation" is hereby amended as follows:

- Paragraph 1(e) is amended and reads in its entirety as follows: Failure to secure zoning approvals as required by the City Zoning Ordinance within 120 days of being issued a License under this Chapter.
- Paragraph 1(g) is amended and reads in its entirety as follows: The expiration or violation of any zoning approval.

[The remainder of Section 115.10 is unchanged]

Section 5. Amendment of Section 115.11, Title XI, Chapter 115, Section 115.11 of the Code Ordinance for the City of White Cloud entitled "Appeals Process" is hereby amended as follows:

- Paragraph 1 is amended and reads in its entirety as follows: Any Applicant who is denied a License, licensee whose License is not renewed by the Clerk, or licensee whose License is revoked by the City Marihuana Licensing Board may appeal to the City Council. The appeal must be submitted within 30 days of the denial, denial of renewal, or revocation; be in writing; and clearly state the legal and factual basis for the appeal.

[The remainder of Section 115.11 is unchanged]

Section 6. Amendment of Section 115.12. Title XI, Chapter 115, Section 115.12 of the Code of Ordinances for the City of White Cloud entitled "Violations and Penalties" is amended and reads in its entirety as follows:

**§115.12 Violations and Penalties.**

1. Any Applicant or licensee who violates this Chapter shall be responsible for a municipal civil infraction and is subject to a civil fine not to exceed \$500 plus any other costs permitted by law for each violation.
2. Each day that a violation continues shall constitute a different violation.
3. Nothing in this Section precludes the City from pursuing any other remedies available at law or equity.

Section 7. Amendment of Section 116.03. Title XI, Chapter 116, Section 116.03 of the Code Ordinance for the City of White Cloud entitled "Definitions" is hereby amended as follows:

- Paragraph 3(h) is amended and reads in its entirety as follows: "Marihuana Licensing Board" means the board created pursuant to Chapter 117.

[The remainder of Section 116.03 is unchanged]

Section 8. Amendment of Section 116.07. Title XI, Chapter 116, Section 116.07 of the Code Ordinance for the City of White Cloud entitled "Application Procedure" is hereby amended as follows:

- Paragraph 1 is amended and reads in its entirety as follows: All applications for a License under this Chapter shall be filed with the Clerk utilizing and complying with the City's application form and process.
- Paragraph 8 is amended and reads in its entirety as follows: All Licenses (including those previously issued) shall expire 365 days from the date of issue.
- Paragraph 9 is amended and reads in its entirety as follows: All Licenses are subject to annual renewal by the Clerk.
- Paragraph 10 is amended and reads in its entirety as follows: License renewal applications must be submitted to the Clerk no later than 60 days before the License expires. Late applications will be subject to a late fee pursuant to the City of White Cloud's Fee schedule adopted by City Council as amended from time to time.

[The remainder of Section 116.07 is unchanged]

Section 9. Amendment of Section 116.08. Title XI, Chapter 116, Section 116.08 of the Code Ordinance for the City of White Cloud entitled "Clerk Duties" is hereby amended as follows:

- Paragraph 2 is amended and reads in its entirety as follows: Consistent with this Chapter and Chapter 117, the clerk shall have broad authority to implement policies and procedures for the application and reapplication of a License under this Chapter.
- Paragraph 3 is amended and reads in its entirety as follows: The Clerk shall renew a License, if after a due diligence investigation, the Clerk concludes that the Applicant-

licensee complies with the requirements of the Act, this Chapter, and City ordinances and policies; and that a License renewal would not constitute a menace to the health, safety, or general welfare of the public. Prior violations of the Act, this Chapter, and City ordinances and policies are grounds to deny the renewal of a License.

- Paragraph 4 is amended and reads in its entirety as follows: No License shall be renewed unless the Applicant-licensee has a valid State operating license for the Establishment seeking License renewal.

[The remainder of Section 116.08 is unchanged]

Section 10. Amendment of Section 116.10. Title XI, Chapter 116, Section 116.10 of the Code Ordinance for the City of White Cloud entitled "Revocation" is hereby amended as follows:

- Paragraph 1(e) is amended and reads in its entirety as follows: Failure to secure zoning approvals as required by the City Zoning Ordinance within 120 days of being issued a License under this Chapter.
- Paragraph 1(g) is amended and reads in its entirety as follows: The expiration or violation of any zoning approval.

[The remainder of Section 116.10 is unchanged]

Section 11. Amendment of Section 116.11. Title XI, Chapter 116, Section 116.11 of the Code Ordinance for the City of White Cloud entitled "Appeals Process" is hereby amended as follows:

- Paragraph 1 is amended and reads in its entirety as follows: Any Applicant who is denied a License, licensee whose License is not renewed by the Clerk, or licensee whose License is revoked by the City Marihuana Licensing Board may appeal to the City Council. The appeal must be submitted within 30 days of the denial, denial of renewal, or revocation; be in writing; and clearly state the legal and factual basis for the appeal.

[The remainder of Section 116.11 is unchanged]

Section 12. Amendment of Section 116.12. Title XI, Chapter 116, Section 116.12 of the Code of Ordinances for the City of White Cloud entitled "Violations and Penalties" is amended and reads in its entirety as follows:

**§116.12 Violations and Penalties.**

1. Any Applicant or licensee who violates this Chapter shall be responsible for a municipal civil infraction and is subject to a civil fine not to exceed \$500 plus any other costs permitted by law for each violation.
2. Each day that a violation continues shall constitutes a different violation.
3. Nothing in this Section precludes the City from pursuing any other remedies available at law or equity.

Section 13. Amendment of Section 117.05. Title XI, Chapter 117, Section 117.05 of the Code of

Ordinance for the City of White Cloud entitled "Board Composition and Eligibility" is hereby amended as follows:

- Paragraph 4 is amended and reads in its entirety as follows: The Board shall elect from among its members a Chair, Vice Chair, and any other officer deemed necessary. The term of office for such officers shall be one year.

[The remainder of Section 117.05 is unchanged]

Section 14. Amendment of Section 117.06. Title XI, Chapter 117, Section 117.06 of the Code of Ordinance for the City of White Cloud entitled "Removal from Office and Vacancy" is hereby amended as follows:

- Paragraph 1 is amended and reads in its entirety as follows: A Board member may be removed by vote of the City Council.

[The remainder of Section 117.06 is unchanged]

Section 15. Amendment of Section 117.07. Title XI, Chapter 117, Section 117.07 of the Code of Ordinance for the City of White Cloud entitled "Powers, Duties, and Procedures" is hereby amended as follows:

- Paragraph 3(c) is amended and reads in its entirety as follows: The Board shall hold a public hearing prior to rendering a licensing decision.

[The remainder of Section 117.07 is unchanged]

Section 16. Conflict.

- A. Nothing in this Ordinance is to be construed to conflict with existing City ordinances except as otherwise stated herein.
- B. Nothing in this Ordinance is to be construed to conflict with the law of the State of Michigan.

Section 17. Repealer. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of any such conflict.

Section 18. Savings Clause. The provisions of this Ordinance are severable. If any part of this Ordinance is declared void or inoperable for any reason by a court of competent jurisdiction, such declaration does not void any or render inoperable other part or portion of this Ordinance.


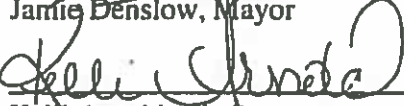
Section 19. Effective Date. This Ordinance shall become effective upon its publication in the manner required by law.

YEAS: Dault, Zatalokin, Becker, Shears, Scott, Murchison, Denslow  
NAYS: None



ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.

  
\_\_\_\_\_  
Jamie Denslow, Mayor  
  
\_\_\_\_\_  
Kelli Arnold, Clerk

**CERTIFICATION**

It is hereby certified that the foregoing Ordinance was adopted by the City Council of White Cloud, Newaygo County, Michigan, at a meeting of the City Council duly called and held on March 2, 2021

First Reading: February 2, 2021

Adopted: March 2, 2021

Published: March 17, 2021

Effective: March 17, 2021

By:

  
\_\_\_\_\_  
Kelli Arnold, Clerk

WHITE CLOUD

A TRAIL FOR EVERY SEASON

MICHIGAN