

ORDINANCE #1168

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 876 OF THE LANSING CODIFIED ORDINANCES, WHICH ESTABLISHES A MORATORIUM ON THE LICENSING OF MEDICAL MARIHUANA ESTABLISHMENTS, TO AMEND SECTIONS 1268.02, 1272.02, AND 1274.02 REGARDING F, F-1, H, AND I ZONING DISTRICTS, AND TO ADD CHAPTER 1300 TO TITLE 6 OF PART 12 OF THE LANSING CODIFIED ORDINANCES, TERMINATING THE MORATORIUM ON MEDICAL MARIHUANA ESTABLISHMENTS AND REGULATING THEM IN THE F, F-1, H, AND I ZONING DISTRICTS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 876 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby repealed, that Sections 1268.02, 1272.02, and 1274.02 be amended, and that Chapter 1300 be added to Title 6 of Part 12 of the Codified Ordinances of the City of Lansing, Michigan, to read as follows:

1268.02. Principal uses permitted.

In an F or F-1 Commercial District, the following principal uses are permitted:

- (a) Any principal use permitted in an E-2 Local Shopping District;
- (b) Any principal use permitted in a D-1 Professional Office District;
- (c) A comparison retail store;
- (d) A private club, fraternal organization or lodge hall;
- (e) A restaurant, bar or tavern;
- (f) A fully enclosed theater, assembly hall or concert hall;
- (g) A hotel or motel;
- (h) An off-street parking facility;
- (i) A public park and playground, except those regulated by special conditions pursuant to Section 1256.03(g), (h) and (i);
- (j) Any other use which, by the decision of the Planning Board, is similar to the principally permitted uses set forth in this section; and
- (k) An accessory structure which is customarily incidental to any of the uses permitted by this section.
- (l) A MEDICAL MARIHUANA ESTABLISHMENT, AS SPECIFIED IN CHAPTER 1300.

1272.02. Principal uses permitted.

In a G-2 Wholesale District, the following principal uses are permitted:

- (a) Any principal use permitted in an F Commercial District, except residential uses, ~~and~~ lodging houses, AND MEDICAL MARIHUANA ESTABLISHMENTS;
- (b) A storage warehouse;
- (c) A wholesale business;
- (d) A public garage;
- (e) A public park and playground, except those regulated by special condition pursuant to Section 1256.03(g), (h) and (i);
- (f) An accessory structure which is customarily incidental to any use permitted in this section, including, but not limited to, a caretaker or watchperson's residence; and
- (g) Any other use which, by the decision of the Planning Board, is similar to the principally permitted uses set forth in this section.

1274.02. Principal uses permitted.

In an H Light Industrial District, the following principal uses are permitted:

- (a) Any principal use permitted in the G-2 Wholesale District;
- (b) If conducted within an enclosed building, any of the following manufacturing, compounding or processing uses:
 - (1) The manufacturing, compounding, processing, packaging or treatment of products, including, but not limited to, the following:
 - A. Bakery goods;
 - B. Candy;
 - C. Food products;
 - D. Cosmetics;
 - E. Pharmaceuticals; and
 - F. Toiletries;
 - (2) Tool, die, gauge and machine shops and the manufacturing, compounding, processing or treatment of light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like, hardware and cutlery;

(3) The manufacturing, compounding, assembling or treatment of items from the following materials which are prepared previously at another site: bone, canvas, cellophane, cloth, cork, elastomer, feathers, felt, fiber, fur, glass, hair, leather, horn, paper, plastics, rubber, precious or semiprecious metals, stones, sheet metal, forged or cast steel or iron, shells, textiles, tobacco, wax, wire, wood or yarn;

(4) The commercial manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay and kilns which are fired only by electricity or gas;

(5) The manufacture of musical instruments, toys, novelties, metal or rubber stamps or other small, molded rubber products;

(6) The manufacture or assembly of electrical appliances, electronic instruments and devices or components of electronic instruments and devices, radios, televisions or phonographs;

(7) Hot, warm and cold metal forming operations, excluding drop hammer forging;

(8) Medical, experimental, film or testing laboratories;

(9) The manufacture or repair of electric or neon signs;

(10) Central dry cleaning plants or laundries; or

(11) Furniture refinishing, stripping, upholstery or manufacture;

(c) Railroad and truck terminal freight facilities, railroad transfer and storage tracks or railroad right-of-ways;

(d) Any of the following public utility structures or facilities:

(1) Offices;

(2) Telephone exchange buildings;

(3) Electrical transformer stations or substations;

(4) Gas regulator stations or gas tank holders; and

(5) Water supply plants, water tank holders, wells or pumping stations;

(e) An off-street parking facility;

(f) Oil or gas drilling and extraction;

(g) An accessory structure or use customarily incidental to any principal use permitted in the H Light Industrial District, including, but not limited to, a caretaker or watchperson's residence and storage of materials or equipment used in the normal function of the principal permitted use;

(h) A nonaccessory, free-standing sign;

(i) An outdoor storage or sales facility which sells new building material, sand, gravel or lumber;

(j) The storage of a contractor's material or equipment; ~~and~~

(k) A MEDICAL MARIHUANA ESTABLISHMENT, AS SPECIFIED IN CHAPTER 1300.

~~(k)~~ (l) A use which, by the decision of the Planning Board, is similar to the uses described in this section.

CHAPTER 1300. MEDICAL MARIHUANA ESTABLISHMENTS

1300.01. DEFINITIONS

FOR THE PURPOSES OF THIS CHAPTER,

(a) ANY TERM DEFINED BY THE MICHIGAN MEDICAL MARIHUANA ACT, MCL 333.26421 *ET SEQ.*, SHALL HAVE THE DEFINITION GIVEN IN THE MICHIGAN MEDICAL MARIHUANA ACT.

(b) ANY TERM DEFINED BY 21 USC 860(e) SHALL HAVE THE DEFINITION GIVEN BY 21 USC 860(e).

(c) THE FOLLOWING TERMS SHALL HAVE THE DEFINITIONS GIVEN:

CHANGE IN THE IDENTITY MEANS EITHER (a) WITH RESPECT TO AN INDIVIDUAL, SUBSTITUTION OF ANOTHER INDIVIDUAL OR ANY OTHER ENTITY; OR (b) WITH RESPECT TO ANY ENTITY OTHER THAN AN INDIVIDUAL, THE ELIMINATION OR REPLACEMENT OF EVERY STAKEHOLDER.

EXISTING MEDICAL MARIHUANA ESTABLISHMENT MEANS A MEDICAL MARIHUANA ESTABLISHMENT IDENTIFIED IN CHAPTER 876 OF THE LANSING CODIFIED ORDINANCES, PRIOR TO REPEAL BY THIS ORDINANCE, AS BEING IN OPERATION ON OR BEFORE DECEMBER 8, 2010.

MEDICAL MARIHUANA ESTABLISHMENT MEANS ANY NONRESIDENTIAL LAND USE INVOLVING THE GROWTH OR DISTRIBUTION OF MARIHUANA.

STAKEHOLDER MEANS, WITH RESPECT TO A LIMITED LIABILITY COMPANY, AN EMPLOYEE, A MANAGER OR A MEMBER, AND, WITH RESPECT TO A

CORPORATION, WHETHER PROFIT OR NON-PROFIT, AN EMPLOYEE, AN OFFICER, DIRECTOR, MEMBER, OR SHAREHOLDER.

1300.02. OPERATION WITHOUT LICENSE PROHIBITED

(a) NO PERSON SHALL OPERATE A MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY WITHOUT FIRST OBTAINING A LICENSE TO DO SO FROM THE CITY CLERK.

(b) THE CITY CLERK MAY ISSUE LICENSES FOR MEDICAL MARIHUANA ESTABLISHMENTS ONLY TO INDIVIDUALS, LIMITED LIABILITY COMPANIES, AND CORPORATIONS, WHETHER PROFIT OR NON-PROFIT. THE TERM OF EACH LICENSE SHALL BE ONE YEAR. COUNCIL SHALL ESTABLISH, BY RESOLUTION, AN APPROPRIATE LICENSE FEE AND A MAXIMUM NUMBER OF LICENSES TO BE ISSUED BY THE CITY CLERK.

1300.03. LICENSE APPLICATIONS

(a) APPLICATION FOR A LICENSE REQUIRED BY THIS CHAPTER SHALL BE MADE IN WRITING TO THE CITY CLERK AT LEAST 30 DAYS PRIOR TO (1) COMMENCING OPERATION OF A MEDICAL MARIHUANA ESTABLISHMENT; OR (2) THE EXPIRATION OF AN EXISTING LICENSE. EXISTING MEDICAL MARIHUANA ESTABLISHMENTS SHALL MAKE APPLICATION FOR A LICENSE REQUIRED BY THIS CHAPTER IN WRITING TO THE CITY CLERK WITHIN 10 DAYS OF THE EFFECTIVE DATE OF THIS ORDINANCE.

(b) AN APPLICATION FOR A LICENSE REQUIRED BY THIS CHAPTER SHALL CONTAIN THE FOLLOWING:

(1) THE APPROPRIATE NON-REFUNDABLE LICENSE FEE IN THE AMOUNT SET BY COUNCIL RESOLUTION;

(2) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICANT'S NAME, DATE OF BIRTH, PHYSICAL ADDRESS, EMAIL ADDRESS, AND ONE OR MORE PHONE NUMBERS, INCLUDING EMERGENCY CONTACT INFORMATION;

(3) IF THE APPLICANT IS NOT AN INDIVIDUAL, THE NAMES, DATES OF BIRTH, PHYSICAL ADDRESSES, EMAIL ADDRESSES, AND ONE OR MORE PHONE NUMBERS OF EACH STAKEHOLDER OF THE APPLICANT, INCLUDING DESIGNATION OF A STAKEHOLDER AS AN EMERGENCY CONTACT PERSON AND CONTACT INFORMATION FOR THE EMERGENCY CONTACT PERSON;

(4) THE NAME AND ADDRESS OF THE PROPOSED MEDICAL MARIHUANA ESTABLISHMENT AND ANY ADDITIONAL CONTACT INFORMATION DEEMED NECESSARY BY THE CITY CLERK;

(5) FOR THE APPLICANT AND FOR EACH STAKEHOLDER OF THE APPLICANT, AN AFFIRMATION THAT HE OR SHE HAS NOT BEEN CONVICTED OF OR PLED GUILTY TO A FELONY INVOLVING CONTROLLED SUBSTANCES WITHIN THE SEVEN YEARS PRECEDING THE DATE OF APPLICATION;

(6) ONE OF THE FOLLOWING: (A) PROOF OF OWNERSHIP OF THE ENTIRE PREMISES WHEREIN THE MEDICAL MARIHUANA ESTABLISHMENT IS TO BE OPERATED; OR (B) WRITTEN CONSENT FROM THE PROPERTY OWNER FOR USE OF THE PREMISES IN A MANNER REQUIRING LICENSURE UNDER THIS CHAPTER ALONG WITH A COPY OF THE LEASE FOR THE PREMISES;

(7) PROOF OF AN INSURANCE POLICY COVERING THE MEDICAL MARIHUANA ESTABLISHMENT AND NAMING THE CITY AS AN ADDITIONAL INSURED PARTY, AVAILABLE FOR THE PAYMENT OF ANY DAMAGES ARISING OUT OF AN ACT OR OMISSION OF THE APPLICANT OR ITS STAKEHOLDERS, AGENTS, EMPLOYEES, OR SUBCONTRACTORS, IN THE AMOUNT OF (A) AT LEAST ONE MILLION DOLLARS FOR PROPERTY DAMAGE; (B) AT LEAST ONE MILLION DOLLARS FOR INJURY TO ONE PERSON; AND (C) AT LEAST TWO MILLION DOLLARS FOR INJURY TO TWO OR MORE PERSONS RESULTING FROM THE SAME OCCURRENCE;

(8) A SECURITY PLAN MEETING THE REQUIREMENTS OF THIS CHAPTER;

(9) A FLOOR PLAN OF THE PREMISES ON WHICH THE MEDICAL MARIHUANA ESTABLISHMENT IS TO BE OPERATED;

(10) AN AFFIDAVIT THAT NEITHER THE APPLICANT NOR ANY STAKEHOLDER OF THE APPLICANT IS IN DEFAULT TO THE CITY.

(11) AN AFFIDAVIT THAT AT LEAST ONE PRIMARY CAREGIVER IS TO BE INVOLVED IN DISTRIBUTION OR GROWTH OF MARIHUANA AT THE MEDICAL MARIHUANA ESTABLISHMENT.

(c) UPON RECEIPT OF A COMPLETED APPLICATION MEETING THE REQUIREMENTS OF THIS CHAPTER AND CONFIRMATION THAT THE NUMBER OF EXISTING LICENSES DOES NOT EXCEED THE MAXIMUM NUMBER ESTABLISHED BY RESOLUTION PURSUANT TO SUBSECTION 1300.02(b), THE CITY CLERK SHALL REFER A COPY OF THE APPLICATION TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE CITY ATTORNEY, THE POLICE DEPARTMENT, THE FIRE DEPARTMENT, THE BUILDING SAFETY OFFICE, THE ZONING ADMINISTRATOR, AND THE CITY TREASURER.

(d) NO APPLICATION SHALL BE APPROVED UNLESS:

(1) THE FIRE DEPARTMENT AND THE BUILDING SAFETY OFFICE HAVE INSPECTED THE PROPOSED LOCATION FOR COMPLIANCE WITH ALL LAWS FOR WHICH THEY ARE CHARGED WITH ENFORCEMENT;

(2) THE APPLICANT AND EACH STAKEHOLDER OF THE APPLICANT HAVE PASSED A BACKGROUND CHECK CONDUCTED BY THE POLICE DEPARTMENT;

(3) THE ZONING ADMINISTRATOR HAS CONFIRMED THAT THE PROPOSED LOCATION COMPLIES WITH THE ZONING CODE;

(4) THE CITY TREASURER HAS CONFIRMED THAT THE APPLICANT AND EACH STAKEHOLDER OF THE APPLICANT ARE NOT IN DEFAULT TO THE CITY.

(e) IF WRITTEN APPROVAL IS GIVEN BY EACH INDIVIDUAL OR DEPARTMENT IDENTIFIED IN SUBSECTION (c), THE CITY CLERK SHALL ISSUE A LICENSE TO THE APPLICANT.

(f) LICENSES ISSUED UNDER THIS CHAPTER ARE NONTRANSFERABLE; A CHANGE IN THE MEDICAL MARIHUANA ESTABLISHMENT'S LOCATION OR A CHANGE IN THE IDENTITY OF THE LICENSEHOLDER SHALL BE DEEMED A TRANSFER UNDER THIS CHAPTER AND SHALL BE PROHIBITED.

(g) LICENSEES SHALL REPORT ANY OTHER CHANGE IN THE INFORMATION REQUIRED BY SUBSECTION (b) TO THE CITY CLERK WITHIN 10 DAYS OF THE CHANGE. FEES SHALL BE SET BY COUNCIL RESOLUTION FOR ANY STAKEHOLDER ADDED AFTER THE ORIGINAL APPLICATION IS FILED.

1300.04. DENIAL AND REVOCATION

(a) A LICENSE ISSUED UNDER THIS CHAPTER MAY BE REVOKED AFTER AN ADMINISTRATIVE HEARING AT WHICH THE CITY CLERK DETERMINES THAT ANY GROUNDS FOR REVOCATION UNDER SUBSECTION (b) EXIST. NOTICE OF THE TIME AND PLACE OF THE HEARING AND THE GROUNDS FOR REVOCATION MUST BE GIVEN TO THE LICENSEE AT LEAST FIVE DAYS PRIOR TO THE DATE OF THE HEARING, BY FIRST CLASS MAIL TO THE ADDRESS GIVEN ON THE LICENSE APPLICATION OR ANY ADDRESS PROVIDED PURSUANT TO SECTION 1300.03(g).

(b) A LICENSE APPLIED FOR OR ISSUED UNDER THIS CHAPTER MAY BE DENIED OR REVOKED ON ANY OF THE FOLLOWING BASES:

(1) VIOLATION OF THIS CHAPTER;

(2) COMMISSION OF FRAUD OR MISREPRESENTATION OR THE MAKING OF A FALSE STATEMENT BY THE APPLICANT DURING THE APPLICATION PROCESS;

(3) ANY CONVICTION FOR OR GUILTY PLEA TO A FELONY INVOLVING CONTROLLED SUBSTANCES BY THE APPLICANT OR ANY STAKEHOLDER OF THE APPLICANT OCCURRING: (A) WITHIN THE SEVEN YEARS PRECEDING THE DATE OF APPLICATION OR THE DATE OF BECOMING A STAKEHOLDER, WHICHEVER OCCURS LATER; OR (B) WHILE LICENSED UNDER THIS CHAPTER.

(4) COMMISSION OF FRAUD OR MISREPRESENTATION OR THE MAKING OF A FALSE STATEMENT BY THE APPLICANT OR ANY STAKEHOLDER OF THE APPLICANT WHILE ENGAGING IN ANY ACTIVITY FOR WHICH THIS CHAPTER REQUIRES A LICENSE.

1300.05. OPERATION OF MEDICAL MARIHUANA ESTABLISHMENTS

(a) NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE OPEN BETWEEN THE HOURS OF 11 P.M. AND 7 A.M.

(b) NO MEDICAL MARIHUANA ESTABLISHMENT SHALL PERMIT A PERSON UNDER THE AGE OF EIGHTEEN ON ITS PREMISES UNLESS THE PERSON IS (1) A QUALIFYING PATIENT WHO IS REGISTERED WITH THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH; OR (2) ACCOMPANIED BY A PARENT OR LEGAL GUARDIAN.

(c) NO CONSUMPTION OF MARIHUANA SHALL BE PERMITTED ON THE PREMISES OF A MEDICAL MARIHUANA ESTABLISHMENT, AND A SIGN SHALL BE POSTED ON THE PREMISES OF EACH MEDICAL MARIHUANA ESTABLISHMENT INDICATING THAT CONSUMPTION IS PROHIBITED ON THE PREMISES.

(d) MEDICAL MARIHUANA ESTABLISHMENTS SHALL CONTINUOUSLY MONITOR THE ENTIRE PREMISES ON WHICH THEY ARE OPERATED WITH SECURITY CAMERAS. THE RECORDINGS SHALL BE MAINTAINED IN A SECURE, OFF-SITE LOCATION FOR A PERIOD OF FOURTEEN DAYS.

(e) ANY USABLE MARIHUANA REMAINING ON THE PREMISES OF A MEDICAL MARIHUANA ESTABLISHMENT WHILE THE MEDICAL MARIHUANA ESTABLISHMENT IS NOT IN OPERATION SHALL BE SECURED IN A SAFE PERMANENTLY AFFIXED TO THE PREMISES.

(f) ANY DRIVE-THROUGH WINDOW ON THE PREMISES OF A MEDICAL MARIHUANA ESTABLISHMENT SHALL HAVE BEEN PART OF A SITE PLAN APPROVED BY THE PLANNING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE.

(g) NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE OPERATED IN A MANNER CREATING NOISE, DUST, VIBRATION, GLARE, FUMES, OR ODORS

DETECTABLE TO NORMAL SENSES BEYOND THE BOUNDARIES OF THE PROPERTY ON WHICH THE MEDICAL MARIHUANA ESTABLISHMENT IS OPERATED.

(h) THE LICENSE REQUIRED BY THIS CHAPTER SHALL BE PROMINENTLY DISPLAYED ON THE PREMISES OF A MEDICAL MARIHUANA ESTABLISHMENT.

(i) DISPOSAL OF MARIHUANA SHALL BE ACCOMPLISHED IN A MANNER THAT PREVENTS ITS ACQUISITION BY ANY PERSON WHO MAY NOT LAWFULLY POSSESS IT AND OTHERWISE IN CONFORMANCE WITH STATE LAW.

(j) ALL MARIHUANA DELIVERED TO A PATIENT SHALL BE PACKAGED AND LABELED AS PROVIDED IN THIS CHAPTER. THE LABEL SHALL INCLUDE:

(1) A UNIQUE ALPHANUMBERIC IDENTIFIER FOR THE PERSON TO WHOM IT IS BEING DELIVERED;

(2) A UNIQUE ALPHANUMBERIC IDENTIFIER FOR THE CULTIVATION SOURCE OF THE MARIHUANA;

(3) THAT THE PACKAGE CONTAINS MARIHUANA;

(4) THE DATE OF DELIVERY, WEIGHT, TYPE OF MARIHUANA AND DOLLAR AMOUNT OR OTHER CONSIDERATION BEING EXCHANGED IN THE TRANSACTION;

(5) A CERTIFICATION THAT ALL MARIHUANA IN ANY FORM CONTAINED IN THE PACKAGE WAS CULTIVATED, MANUFACTURED, AND PACKAGED IN THE STATE OF MICHIGAN;

(6) THE WARNING THAT:

THIS PRODUCT IS MANUFACTURED WITHOUT ANY REGULATORY OVERSIGHT FOR HEALTH, SAFETY OR EFFICACY. THERE MAY BE HEALTH RISKS ASSOCIATED WITH THE INGESTION OR USE OF THIS PRODUCT. USING THIS PRODUCT MAY CAUSE DROWSINESS. DO NOT DRIVE OR OPERATE HEAVY MACHINERY WHILE USING THIS PRODUCT. KEEP THIS PRODUCT OUT OF REACH OF CHILDREN. THIS PRODUCT MAY NOT BE USED IN ANY WAY THAT DOES NOT COMPLY WITH THE MICHIGAN MEDICAL MARIHUANA ACT OR BY ANY PERSON WHO DOES NOT POSSESS A VALID MEDICAL MARIHUANA PATIENT REGISTRATION CARD.

(7) THE NAME, ADDRESS, EMAIL ADDRESS, AND TELEPHONE NUMBER OF AN AUTHORIZED REPRESENTATIVE OF THE DISPENSARY WHOM A PATIENT CAN CONTACT WITH ANY QUESTIONS REGARDING THE PRODUCT.

1300.06. LOCATION OF MEDICAL MARIHUANA ESTABLISHMENTS

(a) NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE LOCATED WITHIN:

(1) 1000 FEET OF THE REAL PROPERTY COMPRISING A PUBLIC OR PRIVATE ELEMENTARY, VOCATIONAL, OR SECONDARY SCHOOL; A PUBLIC OR PRIVATE COLLEGE, COMMUNITY COLLEGE, OR UNIVERSITY; A PLAYGROUND; A CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS SERVICES ARE CONDUCTED; A CHILD CARE ORGANIZATION REQUIRED BY THE CHILD CARE ORGANIZATIONS ACT, PA 116 OF 1973, TO BE LICENSED OR REGISTERED BY THE MICHIGAN DEPARTMENT OF HUMAN SERVICES; OR A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 *ET SEQ*, ARE OFFERED;

(2) 1000 FEET OF ANOTHER MEDICAL MARIHUANA ESTABLISHMENT; OR

(3) 100 FEET OF A PUBLIC OR PRIVATE YOUTH CENTER, PUBLIC SWIMMING POOL, OR VIDEO ARCADE FACILITY.

(b) NOTHING IN THIS SECTION SHALL BE CONSTRUED AS PROHIBITING ANY LAND USE DESCRIBED HEREIN, OTHER THAN A MEDICAL MARIHUANA ESTABLISHMENT, FROM LOCATING WITHIN THE SPECIFIED PROXIMITY OF A MEDICAL MARIHUANA ESTABLISHMENT SUBSEQUENT TO ESTABLISHMENT OF THE LOCATION OF THE MEDICAL MARIHUANA ESTABLISHMENT.

(c) EFFECTIVE JULY 1, 2012, EXISTING MEDICAL MARIHUANA ESTABLISHMENTS SHALL BE SUBJECT TO SUBSECTION (a) AND SHALL BE LIMITED TO THE F OR F-1 COMMERCIAL, H LIGHT INDUSTRIAL, OR I HEAVY INDUSTRIAL ZONING DISTRICTS PURSUANT TO SECTIONS 1268.02, 1272.02, AND 1274.02 OF THE LANSING CODIFIED ORDINANCES.

1300.07. PENALTY

ANY PERSON IN VIOLATION OF ANY PROVISION OF THIS CHAPTER OR ANY PROVISION OF A LICENSE ISSUED UNDER THIS CHAPTER IS RESPONSIBLE FOR A MISDEMEANOR, PUNISHABLE BY A FINE OF UP TO \$500 PLUS COSTS OF PROSECUTION, 90 DAYS IMPRISONMENT, OR BOTH, FOR EACH VIOLATION.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council.