

**CITY OF ALBION
ORDINANCE #2021-08**

AN ORDINANCE TO AMEND CHAPTER 22, TO AMEND ARTICLE V, SECTIONS 22-201, 22-202, 22-203-, 22-204, 22-205, AND 22-211, MEDICAL MARIHUANA FACILITIES

Purpose and Finding:

As the council is aware, the City Council previously modified the number of adult use facility licenses and, in a separate ordinance, is again modifying them to allow for an unlimited number of licenses, but requiring them to be located within an overlay district in the industrial park. The amendments to these sections make the adjustments to mandate locating in the overlay districts and well as some other non-substantive modifications. Approval is recommended.

THE CITY OF ALBION ORDAINS:

Section 1. Chapter 22, of the Codified Ordinances of the City of Albion, is hereby amended, by amending Article V, Sections 22-201, 22-202, 22-203, 22-204, 22-205, and 22-211 as follows:

Sec. 22-201. - Definitions, interpretation and conflicts.

For the purposes of this chapter:

- a. Any term defined by the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 et seq., as amended ("MMMA") or the Medical Marihuana Facilities Licensing Act, 2016 PA 281, shall have the definition given in the MMMA, as amended, or the Medical Marihuana Facilities Licensing Act, as amended. If the definition of a word or phrase set forth in this chapter conflicts with the definition in the MMMA or the Medical Marihuana Facilities Licensing Act, or if a term is not defined but is defined in the MMMA or the Medical Marihuana Facilities Licensing Act, then the definition in the MMMA or the Medical Marihuana Facilities Licensing Act shall apply.
- b. Any term defined by 21 USC 860(E) referenced in this chapter shall have the definition given by 21 USC 860(E).
- c. This article shall not limit an individual's or entity's rights under the MMMA or the Medical Marihuana Facilities Licensing Act. The MMMA and the Medical Marihuana Facilities Licensing Act supersede this article where there is a conflict between them.
- d. All activities related to marihuana, including those related to, a grower facility, secure transporter, processor facility or a safety compliance facility, shall be in compliance the rules, regulations, and ordinances of the City of Albion

e. Any use which purports to have engaged in the cultivation or processing of marihuana into a usable form, the transportation of marihuana between licensed facilities, or the testing of marihuana either prior to or after enactment of this chapter but without obtaining the required licensing set forth in this chapter, shall be deemed to not be a legally established use and therefore not entitled to legal nonconforming status under the provisions of this chapter and/or state law. The City of Albion finds and determines that it has not heretofore authorized or licensed the existence of any medical marihuana facility, as defined herein, in the City of Albion.

f. The following terms shall have the definitions given:

"Chapter" means this chapter.

"City" means the City of Albion, Michigan.

"Council" or *"city council"* means the City Council of the City of Albion, Michigan.

"Enclosed locked facility" means a closet, room, or other comparable, stationary, and fully enclosure, equipped with secured locks or other functioning security devices. Marihuana plants grown outdoors are considered to be in an enclosed locked facility if they are not visible to the unaided eye from an adjacent property when viewed by an individual at ground level or from a permanent structure and are grown within a stationary structure that is enclosed on all sides, except for the base, by chain-link fencing, wooden slats, or similar material that prevents access by the general public and that is anchored, attached, or affixed to the ground and as defined in the MMMA.

"Grower" or *"grower facility"* means a commercial entity that cultivated, dries, trims or cures and packages marihuana for sale to a processor or provisioning center.

"Marihuana plant(s)" means any plant of the species *cannabis sativa*.

"Marihuana" means that term as defined in section 7106 of the Public Health Code, 1978 PA 368, MCL 333.7106.

"Medical marihuana facility(ies)" means any facility, establishment and/or center that is required to be licensed under this chapter, including a provisioning center, grower, processor, safety compliance facility, and secure transporter.

"Ordinance" means the ordinance adopting this chapter.

"Overlay District" means the meaning set forth in the City of Albion Zoning Ordinance applicable to Medical Marihuana Facilities.

"Permit application" refers to the requirements and procedures set forth in sections 22-204 and 22-205.

"Permittee" a commercial entity holding a valid and current permit issued under this Chapter.

"Person" means an individual, corporation, limited liability company, partnership, limited partnership, limited liability partnership, limited liability limited partnership, trust, or other legal entity.

"Processor" or "processor facility" means a commercial entity that purchases marihuana from a grower and that extracts resin from the marihuana or creates a marihuana-infused product for sale and transfer in packaged form to a provisioning center.

"Provisioning center" means a commercial entity that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the MMMA is not a provisioning center for the purposes of this article.

"Restricted/limited access area" means a building, room or other area under the control of the licensee with access governed by the MMMA or other applicable state law.

"Safety compliance facility" means a commercial entity that receives marihuana from a medical marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the medical marihuana facility.

"Secure transporter" means a commercial entity that stores marihuana and transports marihuana between medical marihuana facilities for a fee.

"Stakeholder" means with respect to a trust, the beneficiaries, with respect to a limited liability company, the managers or members, with respect to a corporation, whether profit or non-profit, the officers, directors, or shareholders, and with respect to a partnership or limited liability partnership, the partners, both general and limited.

"State" means the State of Michigan.

- g. Any term defined by the MMMA or the Medical Marihuana Facilities Licensing Act and not defined in this chapter shall have the definition given in the MMMA or the Medical Marihuana Facilities Licensing Act.

Sec. 22-202. - Permit allocation and annual fees.

- a. No person shall operate a grower facility, processor facility, secure transporter, provisioning center, or safety compliance facility in the City of Albion without first obtaining a permit to do so from the city clerk and a license from the State of Michigan. Subject to any other condition contained in this article, the city clerk, after approval from the city council, may issue up to an aggregate total of 20 medical marihuana facility permits. Said permits may be issued to any of the following types of medical marihuana facilities:
 - i. Grower facilities;
 - ii. Processor facilities;
 - iii. Provisioning centers;

- iv. Secure transporters;
- v. Safety compliance facilities;

The term of each permit shall be one year. Not more than two of the permits described above may be issued to provisioning centers.

- b. The non-refundable application fee for a medical marihuana facility permit shall be established by the city council by resolution.
- c. Authorization to operate in the City of Albion granted in the form of a city issued license, prior to this amendatory ordinance, shall remain in effect until the expiration of the license. Subsequent to expiration of the licenses referenced in this subsection, authorization to operate in the City of Albion shall only be via city issued and approved permits.

Sec. 22-203. - Permit applications submission.

- a. Application for each medical marihuana facility permit required by this chapter shall be made in writing to the city clerk and must be approved by the city council after receiving a recommendation submitted by the planning commission, and approved by the State of Michigan, prior to commencing operation. Upon the expiration of an existing permit, a permittee shall be required to reapply if the permittee seeks to continue operations.
- b. An application for a medical marihuana facility permit required by this chapter shall contain the following:
 - i. The appropriate non-refundable application fee in the amount per section 22-202(b);
 - ii. If the applicant is an individual, the applicant's name, date of birth, physical address, copy of government issued photo identification, email address, and one or more phone numbers, including emergency contact information;
 - iii. If the applicant is not an individual, the names, dates of birth, physical addresses, copy of government issued photo identification, email addresses, and one or more phone numbers of each stakeholder/shareholder/member of the applicant, including designation of the highest ranking stakeholder/shareholder/member as an emergency contact person and contact information for the emergency contact person, articles of incorporation, assumed name registration documents, Internal Revenue Service SS-4 EIN confirmation letter, and a copy of the operating agreement of the applicant, if a limited liability company, a copy of the partnership agreement, if a partnership, or a copy of the by-laws or shareholder agreement, if a corporation or;

- iv. The name and address of the proposed medical marihuana facility and any additional contact information deemed necessary by the city clerk;
- v. For the applicant, for each stakeholder of the applicant, an affirmation under oath as to whether they are at least 18 years of age and have never been indicted for, charged with, arrested for, or convicted of, pled guilty or nolo contendere to, forfeited bail concerning, or had expunged any criminal offense under the laws of any jurisdiction, either felony or controlled substance related misdemeanor not including traffic violations, regardless of whether the offense has been expunged, pardoned, reversed on appeal or otherwise, including the date, name and location of the court, arresting agency, and prosecuting agency, the case caption, the docket number, the offense, the disposition, and the location and length of incarceration. Said affirmation shall be dated no more than thirty (30) days prior to the application submission;
- vi. Before hiring a prospective agent or employee of the applicant, and after, the holder of a permit shall conduct a background check of the prospective employee. Copies of said background checks shall be provided to the City of Albion upon request. If the background check indicated a pending charge or conviction within the past ten years for a controlled substance related felony, the applicant shall not hire the prospective employee or agent without written permission from the city clerk;
- vii. A copy of an ICHAT criminal history report for the applicant, each stakeholder of the applicant, each managerial employee and employee of the applicant meeting the criteria set forth in this article;
 - 1. Said report may not be dated more than fourteen (14) days prior to the date of the application submission;
- viii. The name, date of birth, physical address, copy of photo identification, and email address for any managerial employee or employee of the medical marihuana facility, if other than applicant;
- ix. An affirmation under oath as to whether the applicant has ever applied for or has been granted any commercial license, permit, or certificate issued by a licensing authority in Michigan or any other jurisdiction that has been denied, restricted, suspended, revoked, or not renewed and a statement describing the facts and circumstances

concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action. Said affirmation shall be dated no more than thirty (30) days prior to the application submission;

- x. One of the following: (a) proof of ownership of the entire premises wherein the medical marihuana facility is to be operated; or (b) written consent from the property owner for use of the premises in a manner requiring a permit under this chapter along with a copy of the lease for the premises;
- xi. Proof of an adequate premise liability and casualty insurance policy in the amount not less than \$100,000.00, covering the medical marihuana facility and naming the City of Albion 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. Proof of said insurance shall be provided not later than 60 days after a state operating license is issued or renewed;
- xii. A description of the security plan for the medical marihuana facility, including, but not limited to, any lighting, alarms, barriers, recording/monitoring devices and/or security guard arrangements proposed for the facility and premises. The security plan must contain the specification details of each piece of security equipment;
- xiii. A floor plan of the medical marihuana facility, as well as a scale diagram illustrating the property upon which the medical marihuana facility is to be operated, including all available parking spaces, and specifying which parking spaces, if any, are handicapped accessible;
- xiv. An affidavit that neither the applicant nor any stakeholder of the applicant is in default to the city. Specifically, that the applicant or stakeholder of the applicant has not failed to pay any property taxes, special assessments, fines, fee or other financial obligations to the city. Said affidavit shall be dated no more than thirty (30) days prior to the application submission;
- xv. An affidavit that the transfer of marihuana to and from medical marihuana facilities shall be in compliance with the MMA and the Medical Marihuana Facilities Licensing Act or other applicable state laws. Said affidavit shall be dated no more than thirty (30) days prior to the application submission.

- xvi. A staffing plan. The staffing plan shall, at a minimum, include: the exact number of employee roles and positions within the facility, the required education, qualifications, and skills for each employee in each position, and how the facility will screen each employee's background;
- xvii. Any proposed text or graphical materials to be shown on the exterior of the proposed medical marihuana facility;
- xviii. A patient education plan. The patient education plan shall, at a minimum, detail: how the facility will educate the patients who visit the facility on the different types of medical marihuana and medical marihuana derivatives, the potential benefits of medical marihuana, potential negative effects and side-effects of medical marihuana, methods of uses of medical marihuana;
- xix. A business plan. The business plan shall, at a minimum, include: business goals, methods to achieve business goals, financial projections, strategies to attain financial projections, number of employees for the facility, whether the facility intends to make an effort to hire local residents, and background on the origins of the facility;
- xx. A location area map of the medical marihuana facility and surrounding area that identifies the relative locations and the distances (closest property line to the subject medical marihuana facility's building) to the subject medical marihuana facility to the closest real property comprising a public or private elementary, vocational or secondary school; and church or religious institution if recognized as a tax-exempt entity as determined by the city assessor or county assessor's office;
- xxi. A facility sanitation plan to protect against any marihuana being ingested by any person or animal, indicating how the waste will be stored and disposed of, and how any marihuana will be rendered unusable upon disposal. Disposal by on-site burning or introduction in the sewerage system is prohibited;
- xxii. Verification of the sources and total amount of capitalization to operate a proposed marihuana facility. The total amounts of required capitalization for each type of marijuana facility are as follows:
 - 1. Grower: Class A - \$150,000.00;
 - 2. Grower: Class B - \$300,000.00;
 - 3. Grower: Class C - \$500,000.00;

4. Processor: \$300,000.00;
5. Provisioning center: \$300,000.00;
6. Secure transporter: \$200,000.00;
7. Safety compliance facility: \$200,000.00.

xxiii. An applicant shall provide proof to the City of Albion of the capitalization amounts described in section 22-203(b)(xxii) from sources as follows:

1. Not less than twenty-five (25%) percent is in liquid assets to cover the initial expenses of operating and maintaining the proposed marijuana facility. For purposes of this subsection, liquid assets include assets easily convertible to cash, including, but not limited to, cash, CDs, 401(k), stocks and bonds, and marihuana inventory that meet all of the following conditions:
2. The marihuana inventory is possessed by an applicant who is a registered qualifying patient or registered primary caregiver or by an applicant who applies for a state operating license and possesses marihuana inventory in compliance with the Michigan Medical Marihuana Act;
3. No more than 15 ounces of usable marijuana or 72 marihuana plants may be utilized as marihuana inventory in this subsection or utilized towards the capitalization requirement;
4. Proof of the remaining capitalization to cover the initial expenses of operating and maintaining the proposed marihuana facility may include, but is not limited to additional liquid assets or equity in real property, supplies, equipment, fixtures, or any other non-liquid asset;
5. The applicant shall provide proof that there is no lien or encumbrance on the asset(s) provided as a source of capitalization;
6. The capitalization amounts and source must be validated by CPA-attested financial statements. The applicant shall disclose any of the capitalization sources that are foreign and a foreign CPA or its equivalent shall attest to the validation and a domestic CPA shall attest that foreign validation.

7. Documents provided to verify the source(s) and total amount of capitalization shall be dated no more than thirty (30) days prior to application submission.
- xxiv. As it relates to a grower facility, the following additional items shall be requested:
1. A grower plan that includes at a minimum a description of the grower methods to be used, including plans for the growing mediums, treatments and/or additives;
 2. A production testing plan that includes at a minimum a description of how and when samples for laboratory testing by a state approved safety compliance facility will be selected, what type of testing will be required, and how the test results will be used;
 3. An affidavit that all operations will be conducted in conformance with the MMMA, the Medical Marihuana Facilities Licensing Act or other applicable state laws and such operations shall not be cultivated on the premises at any one time more than the permitted number of Marihuana Plants per the Michigan Medical Marihuana Act, as amended, and the Medical Marihuana Facilities Licensing Act;
 4. A chemical and pesticide storage plan that states the names of pesticides to be used in growers and where and how pesticides and chemicals will be stored in the facility, along with a plan for the disposal of unused pesticides;
 5. All growers must be performed within an enclosed locked facility which may include indoors or in an enclosed greenhouse.
- xxv. A fully executed City of Albion Medical Marihuana Facility Terms and Conditions Form.
- xxvi. All documents submitted in support of an application for a marihuana facility permit must be legible.
- b. Upon receipt of a completed medical marihuana facility application meeting the requirements of this chapter and confirmation that the number of existing permits do not exceed the maximum number established pursuant to section 22-202(a), the city clerk shall refer a copy of the application to each of the following for their review and approval: the city attorney or his designee, the Chief of the Albion Public Safety Department or their designee, the director of planning and development or their designee, and the city finance director or their designee. Once applications are verified by each

department to be sufficiently complete and comprehensive, and no sooner, the city clerk shall forward the applications to the planning commission for recommendation to the city council.

- c. No application shall be approved unless:
 - i. The public safety department or designee and the office of planning and development or designee, have inspected the plans of the proposed location for compliance with all laws for which they are charged with enforcement;
 - ii. The applicant, each stakeholder of the applicant, and the managerial employees and employees of the applicant, have passed a criminal background check. The Albion Department of Public Safety may request additional background materials prior to approval;
 - iii. The director of planning and development, has confirmed that the proposed location complies with the City's zoning ordinance;
 - iv. The finance director or the designee has confirmed that the applicant and each stakeholder of the applicant are not in default to the city;
 - v. The city attorney or his designee has completed a detailed review of the medical marihuana facility application for compliance with the applicable state laws and city ordinances.
- d. If written approval is given by each individual or department identified in subsection 22-202(c)(i)—(v), the city clerk shall submit the application to the planning commission for recommendation to the city council for the issuing of a permit to the applicant. All permits issued are contingent upon the State of Michigan issuing a license for the operation under state law.
- e. Permittees shall report any change in the information required by subsection 22-202(b) to the city clerk within ten (10) days of the change.

Sec. 22-204. - Permit applications evaluation.

- a. The city council will assess all applications referred to it by the planning commission.
- b. In its application deliberations, the city council shall assess each application in each of the following categories:
 - i. The applicant's experience in operating other similarly licensed or permitted businesses.
 - ii. The applicant's general business management experience.

- iii. The applicant's general business reputation.
- iv. The integrity, moral character, and reputation; personal and business probity; financial ability and experience; and responsibility or means to operate or maintain a medical marihuana facility of the applicant.
- v. The financial ability of the applicant to purchase and maintain adequate liability and casualty insurance.
- vi. The sources and total amount of the applicant's capitalization to operate and maintain the proposed medical marihuana facility.
- vii. Whether the applicant has been indicted for, charged with, arrested for, or convicted of, pled guilty or nolo contendere to, forfeited bail concerning, or had expunged any relevant criminal offense under the laws of any jurisdiction, either felony or misdemeanor, not including traffic violation, regardless of whether the offense has been expunged, pardoned, or reversed as appealed or otherwise.
- viii. Past convictions of the applicant involving any of the following, but not limited to:
 - 1. Gambling;
 - 2. Prostitution;
 - 3. Weapons;
 - 4. Violence;
 - 5. Tax evasion;
 - 6. Fraudulent activity;
 - 7. Serious moral turpitude; and
 - 8. Felony controlled substance convictions.
- ix. A felony or misdemeanor of such a nature that it may impair the ability of the applicant to operate a licensed business in a safe and competent manner;
- x. Whether the applicant has filed, or had filed against it, a proceeding for bankruptcy within the past seven years;
- xi. Whether the applicant has been served with a complaint or other notice filed with any public body regarding payment of any tax required under federal, state or local law that has been delinquent for one or more years;
- xii. Whether the applicant has a history of noncompliance with any regulatory requirements in this state or any other jurisdiction;
- xiii. As it relates to operation of a provisioning center, the applicant's type of service and product that will be offered and the overall theme and atmosphere of the proposed provisioning center.

- c. The city council shall assess each application with aforementioned categories section 22-204(b)(i) through (xxv) and may issue a permit to the applicant(s) that best meets the categories in this section.
- i. On and after March 20, 2018 (June 7, 2018 for provisioning centers), the city shall accept applications for authorization to operate a medical marihuana facility within the city. Application shall be made on a city form and must be submitted to the city clerk "clerk"). Once the clerk receives a complete application including the initial annual medical marihuana facility fee, the application shall be time and date stamped. Complete applications shall be considered for authorization in consecutive time and date stamped order. Upon consideration, if the facility type authorization is available within the number specified above, then the applicant shall receive conditional authorization to operate such medical marihuana facility within the city. Once the limit on the number of an authorized facility is conditionally reached, then any additional complete applications shall be held in consecutive time and date stamped order for future conditional authorization. Any applicant waiting for future conditional authorization may withdraw their submission by written notice to the clerk at any time.
 - ii. Within 30 days from conditional authorization from the city or from, the conditionally authorized applicant must submit proof to the clerk that the applicant has applied for prequalification from the state for a state operating license or has submitted full application for such license. If the applicant fails to submit such proof, then such conditional authorization shall be canceled by the clerk and the conditional authorization shall be available to the next applicant in consecutive time and date stamped order.
 - iii. If a conditionally authorized applicant is denied prequalification for a state operating license or is denied on full application for a state operating license, then such conditional authorization will be canceled by the clerk and the conditional authorization shall be available to the next applicant in consecutive time and date stamped order.
 - iv. A conditionally authorized applicant shall receive full authorization from the city to operate the medical marihuana facility within the city upon the applicant providing to the clerk proof that the applicant has received a state operating license for the medical marihuana facility in the city and the applicant has met all other requirements of this ordinance for operation including but not limited to any zoning approval for the location of the facility within the city.
 - v. If a conditionally authorized applicant fails to obtain full authorization from the city within one year from the date of conditional authorization, then such conditional authorization shall

be canceled by the clerk and the conditional authorization shall be available to the next applicant in consecutive time and date stamped order. The city council shall have authority to extend the deadline to obtain full authorization for up to an additional six months on written request of the applicant, within thirty (30) days prior to cancellation, upon the reasonable discretion of the city council finding good cause for the extension.

Sec. 22-205. - Permits generally.

- a. To the extent permissible, all information submitted in conjunction with an application for a permit or permit renewal required by this chapter is confidential and exempt from disclosure under the Michigan Freedom of Information Act, 1976 PA 442, MCL 15.231 et seq. Furthermore, no personal information concerning the applicant shall be submitted to the city council.
- b. Permittees may transfer a permit issued under this chapter to a different location upon receiving written approval from the city clerk. In order to request approval to transfer a permit location, the permittee must make a written request to the city clerk indicating the current permit location and the proposed permit location. Upon receiving the written request, the city clerk shall refer a copy of the written request to each of the following for approval: the Albion Department of Public Safety or his designee, the director of planning and development or their designee, the finance director or its designee, the City Attorney, or their designee, and the city council. No permit transfer shall be approved unless each such individual or department gives written approval that the permittee and the proposed permit location meet the standards identified in this article and the city council approves the transfer.
- c. Permittees may transfer a permit issued under this chapter to a different individual or entity upon receiving written approval by the city clerk. In order to request approval to transfer a permit to a different individual or entity, the permittee must make a written request to the city clerk, indicating the current permittee and the proposed permittee. Upon receiving the written request, the city clerk shall consider the request as a new application for a permit and the procedures set forth in this article and the act shall be followed.
- d. Permittees shall report any other change in the information required by this chapter to the city clerk within ten (10) business days of the change. Failure to do so may result in suspension or revocation of the permit.

Sec. 22-211. - Location of grower facility, safety compliance facility, processor facility, provisioning center, and secure transporter.

- a. No grower facility, safety compliance facility, processor facility, provisioning center or secure transporter shall be located within five hundred (500) feet of real

property comprising a public or private elementary, licensed child care facility, vocational or secondary school.

- b. No grower facility, safety compliance facility, processor facility, provisioning center, or secure transporter shall be located within two hundred fifty (250) feet of real property comprising a public park. Any grower facility, safety compliance facility, processor facility or secure transporter located more than two hundred fifty (250) feet but less than five hundred (500) feet of real property comprising a public park shall be surrounded by a fence as required by city ordinance. The fence requirement contained herein may be waived if the city deems a fence to be impractical with the location of the facility and if the facility has other adequate security measures to ensure the security of the premises and safety of the public.
- c. No grower facility, safety compliance facility, processor facility, provisioning center, or secure transporter shall be located within two hundred fifty (250) feet of real property comprising a place of religious worship. Any grower facility, safety compliance facility, processor facility or secure transporter located more than two hundred fifty (250) feet but less than five hundred (500) feet of real property comprising a place of religious worship shall be surrounded by a fence as required by city ordinance. The fence requirement contained herein may be waived if the city deems a fence to be impractical with the location of the facility and if the facility has other adequate security measures to ensure the security of the premises and safety of the public.
- d. No provisioning center shall be located within two hundred fifty (250) feet of any residential zoning district of the city. Any provisioning center located more than two hundred fifty (250) feet but less than five hundred (500) feet of any residential zoning district shall be surrounded by a fence as required by ordinance. The fence requirement contained herein may be waived if the city deems a fence to be impractical with the location of the facility and if the facility has other adequate security measures to ensure the security of the premises and safety of the public.
- e. All grower facilities, safety compliance facilities, secure transporters, processor facilities, and provisioning centers shall be located within and limited to the designated overlay district(s), as defined by the City of Albion Zoning Ordinance, contained within the M-1 and M-2 zoning districts.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

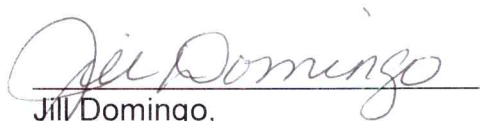
Section 3. Repeal. Any ordinance(s) inconsistent with this ordinance are hereby repealed.

This Ordinance shall take effect on November 20, 2021 after publication.

First Reading:

September 7, 2021

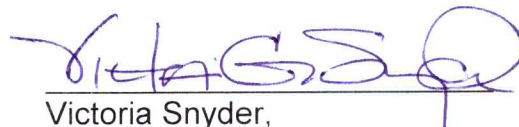
Ayes 6
Nays 1 (Williamson)
Absent 0


Jill Domingo,
Clerk

Second Reading & Adoption:

September 20, 2021

Ayes 5
Nays 1 (Williamson)
Absent 0


Victoria Snyder,
Mayor