

**ORDINANCE NO. 2023-12  
CHAPTER 20  
ARTICLE VI**

**AN ORDINANCE to amend Chapter 20 of the 2019 Detroit City Code, *Health, Article VI, Medical Marijuana Facilities and Adult-Use Marijuana Establishments, Division 3, Licensing*, by amending Section 20-6-39, *Inspections and review of reports*, to provide that, prior to issuance of a City license, responsible City departments are required to submit a report to the Marijuana License Review Committee regarding whether an applicant, or, if the applicant is an entity, any of the direct or indirect owners of the applicant entity, operated or opened to the public any marijuana business requiring a license, without a license, or been the subject of an involuntary closure order for operating a marijuana business without the required license at any location; Section 20-6-40, *Operating requirements*, to clarify that the sale of alcoholic liquor or tobacco is not permitted at medical marijuana facilities and adult-use marijuana establishments; and Section 20-6-41, *License issuance*, to provide that the Buildings, Safety Engineering, and Environmental Department may deny a license application that does not meet the requirements of this article and shall deny a license application where the applicant, or, if the applicant is an entity, any of the direct or indirect owners of the applicant entity: 1) is delinquent in the payment of monies owed to the City, 2) has operated a marijuana business illegally, or was the subject of an involuntary closure order for operating a marijuana business without the required license at any location, or 3) has misrepresented or provided false information in their license application.**

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

**Section 1.** Chapter 20 of the 2019 Detroit City Code, *Health, Article VI, Medical Marijuana Facilities and Adult-Use Marijuana Establishments, Division 3, Licensing*, be amended by amending Sections 20-6-39, 20-6-40 and 20-6-41, to read as follows:

**CHAPTER 20. HEALTH  
ARTICLE VI. MEDICAL MARIJUANA  
FACILITIES AND ADULT-USE  
MARIJUANA ESTABLISHMENTS  
DIVISION 3. LICENSING**

**Sec. 20-6-39. Inspections and review of reports.**

(a) Upon application and before a

license under this article is issued for a medical marijuana facility or an adult-use marijuana establishment, the application shall be referred to the departments set forth in Section 20-6-22 of this Code for respective reports to be provided to the MLRC on compliance with this Code and state law, rules and regulations, including the following:

(1) *Zoning.* The medical marijuana facility or adult-use marijuana establishment shall meet applicable requirements of Chapter 50 of this Code, *Zoning*. For purposes of this article, license applicants for adult-use marijuana establishments, excluding temporary marijuana events, shall be deemed to have met the applicable zoning requirements if the property has a conditional land use approval grant for an equivalent license under the MMFLA;

(2) *Building Code.* The medical marijuana facility or adult-use marijuana establishment shall meet applicable requirements of Chapter 8, Article II, of this Code, *Building Code*. A property that is the designated location and subject of an application for a business license for a temporary marijuana event shall have a Certificate of Occupancy, a Certificate of Compliance, and no outstanding blight violations, inspection fees, or property taxes;

(3) *Electrical Code.* The medical marijuana facility or adult-use marijuana establishment shall have adequate lighting in every part of the premises in accordance with Chapter 8, Article III, of this Code, *Electrical Code*;

(4) *Mechanical Code.* The medical marijuana facility or adult-use marijuana establishment shall provide proper ventilation in accordance with Chapter 8, Article IV, of this Code, *Mechanical Code*;

(5) *Plumbing Code.* The medical marijuana facility or adult-use marijuana establishment shall meet applicable requirements of Chapter 8, Article V, of this Code, *Plumbing Code*;

(6) *Property Maintenance Code.* The medical marijuana facility or adult-use marijuana establishment shall meet the requirements of Chapter 8, Article XV, of this Code, *Property Maintenance Code*;

(7) *Fire protection and safety.* The medical marijuana facility or adult-use marijuana establishment shall meet applicable requirements of Chapter 18, Article I, of this Code, *Detroit Fire Prevention and Protection Code*;

(8) *Food sanitation and health.* All rooms within a medical marijuana facility or adult-use marijuana establishment, which houses toilet facilities, shall be equipped with sanitary towels of a type acceptable to the Health Department. The business and the premises shall meet the requirements of Chapter 19 of this Code, *Food*, and Chapter 20 of this Code, *Health*; and

(9) *Illegal operations.* Whether the applicant, or, if the applicant is an entity, any of the direct or indirect owners of the applicant entity, operated or opened to the public any marijuana business requiring a license, without a license, or been the subject of an involuntary closure order for operating a marijuana business without the required license at any location.

(b) A license shall not be issued or renewed until satisfactory inspections and reviews are completed by the departments delineated in Subsection (a) of this section, and written reports are issued indicating that the applicant complies with the requirements of this section.

(c) A licensee that is the holder of a limited license shall notify the Human Rights Department, as defined in Section 20-6-2 of this Code, within 30 days where the licensee does not maintain the social equity criteria for which the licensee received points in its license application.

**Sec. 20-6-40. Operating requirements.**

A medical marijuana facility or adult-use marijuana establishment licensed under this article shall be subject to the following conditions:

(1) Compliance with the requirements of this Code and all applicable state law;

(2) Compliance with the provisions of the MMFLA or the MRTMA;

(3) Medical marijuana facilities and adult-use marijuana establishments must obtain all necessary state and local licenses before commencing operations and shall always maintain a valid state operating license and business license under this article during operation. If a state operating license lapses, is revoked, or is otherwise terminated by the State of Michigan, the related business license granted under this article shall be automatically suspended, and the licensee may not operate until receipt of an active state operating license;

(4) No persons under the age of 18 may be allowed within any medical marijuana facility or adult-use marijuana establishment unless the individual is a qualifying patient or accompanied by his or her primary caregiver parent, or documented legal guardian;

(5) No medical marijuana facility or adult-use marijuana establishment shall permit the sale of alcoholic liquor or tobacco;

(6) Operating hours for provisioning centers, retailer establishments, and microbusinesses shall not exceed the hours between 9:00 a.m. and 10:00 p.m. daily. Designated consumption establishments may operate between 9:00 a.m. and 2:00 a.m. daily; and

(7) Public and common areas must be separated from restricted and non-public areas by a permanent opaque barrier that

cannot be accessed by individuals who are not approved as personnel.

**Sec. 20-6-41. License issuance.**

(a) When the application and proposed medical marijuana facility or adult-use marijuana establishment has been reviewed by the MLRC and a recommendation regarding the license, or an approval for a temporary marijuana event license by City Council, is provided to the Buildings, Safety Engineering, and Environmental Department, the Department may issue a paper license after the license fee is paid. A license that is issued under this article shall be continually posted inside the licensed medical marijuana facility or adult-use marijuana establishment in a conspicuous location near the entrance.

(b) The Department may deny a license application that does not meet the requirements of this article. The Department shall deny a license application in the following circumstances:

(1) The applicant, or, if the applicant is an entity, any of the direct or indirect owners of the applicant entity, is delinquent in the payment of monies owed to the City of Detroit;

(2) The applicant, or, if the applicant is an entity, any of the direct or indirect owners of the applicant entity, has operated a marijuana business illegally, or was the subject of an involuntary closure order for operating a marijuana business without the required license at any location; or

(3) The applicant, or, if the applicant is an entity, any of the direct or indirect owners of the applicant entity has misrepresented or provided false information in the license application.

(c) Except for a temporary marijuana event license, which shall expire at the time stated on the state operating license, the term of a license issued pursuant to this article shall be not more than one year and shall expire each year on September 30th. An application to renew a license shall be made as specified in Section 20-6-42 of this Code.

(d) A license issued under this division is non-transferable. A new owner or operator of a licensed business under this article must obtain a new business license in accordance with this article before the City will provide the attestation or other municipal approval required for a transfer by the Michigan Cannabis Regulatory Agency.

(e) If a holder of a limited license under this article desires to relocate its operations to real property other than the real property where the license was approved, then prior to such relocation, the licensee shall submit those documents described in Section 20-6-36(a) of this Code to the Buildings, Safety Engineering, and Envi-

ronmental Department, which shall provide the complete file to the MLRC for review. Upon receipt of a favorable recommendation from the MLRC, and the surrender of the existing limited license to the Department, the Department shall issue a replacement limited license of the same type for the new location.

**Section 2.** This ordinance is hereby declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

**Section 3.** All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.

**Section 4.** In the event this ordinance is passed by a two-thirds majority of City Council Members serving, it shall be

given immediate effect and become effective upon publication in accordance with Section 4-118(1) of the 2012 Detroit City Charter. Where this ordinance is passed by less than a two-thirds majority of City Council Members serving, it shall become effective on the 30th day after publication in accordance with Section 4-118(2) of the 2012 Detroit City Charter.

(J.C.C. Page	):	July 12, 2022
Passed:		July 26, 2022
Approved:		August 1, 2022
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JANICE M. WINFREY  
City Clerk

