

Township Use Only
Date Received: _____
Time Received: _____
Received By: _____
Fee Paid: _____
Application No. _____

EXHIBIT A

KEENE TOWNSHIP

APPLICATION TO OPERATE RECREATIONAL MARIHUANA ESTABLISHMENT

Information for Applicants

A separate application is required for each license request.

- I. Fees. The following fees must be included with this application:
- Non-refundable application fee: \$3,000
 - Advance payment of annual administrative fee: \$2,000
- II. Attachments. You must attach all of the documents identified in Section 6.
- III. Process. The initial application receipt period begins on November 1, 2022, and ends on December 30, 2022, at 11:59 P.M. At the end of that period, if the Township receives more applications for an establishment type than would be permitted, the Township will decide among applications by a competitive process to select applicants who are best suited to operate in compliance with state law in the Township. If your application is subject to the competitive process, the Township will provide you with twenty-one (21) calendar days' notice of supplemental written information and documentation that you must submit to the Township. The supplemental information will be used to assign points based on the list of criteria at the end of this application (Appendix A). **If you fail to timely provide any additional information or documents that the Township requests, then your application will be considered abandoned.**

Note: You also must separately apply for a special use permit from the Township.

1. ESTABLISHMENT INFORMATION

Name of proposed establishment: _____

Please select the type of licensed establishment that you are applying to operate:

- Adult-Use Grower – Class B (not more than 500 plants)
- Adult-Use Grower – Class C (not more than 2,000 plants)

Note: Adult-use marihuana Class A growers, processors, secure transporters, safety compliance establishments, retailers, microbusinesses, designated consumption establishments, temporary

marihuana events, and other adult-use establishments licensed by LARA other than Class B and Class C growers are prohibited in the Township.

2. APPLICANT INFORMATION – INDIVIDUAL APPLICANT(S)

Attach additional sheets if needed.

Name: _____

Date of Birth: _____

Social Security Number: _____

Residential Address (no P.O. Box): _____

Business Address: _____

E-mail Address: _____

Telephone number: _____

Alternative telephone number: _____

3. APPLICANT INFORMATION – NON-INDIVIDUAL APPLICANT

a. Provide the following for each stakeholder of the applicant. Attach additional sheets if needed.

Stakeholder #1 (select highest ranking representative, who will serve as contact person):

Name: _____

Date of Birth: _____

Social Security Number: _____

Residential Address (no P.O. Box): _____

Business Address: _____

E-mail Address: _____

Telephone number: _____

Alternative telephone number: _____

Stakeholder #2

Name: _____

Date of Birth: _____

Social Security Number: _____

Residential Address (no P.O. Box): _____

Business Address: _____

E-mail Address: _____

Telephone number: _____

Alternative telephone number: _____

Stakeholder #3

Name: _____

Date of Birth: _____

Social Security Number: _____

Residential Address (no P.O. Box): _____

Business Address: _____

E-mail Address: _____

Telephone number: _____

Alternative telephone number: _____

b. Provide the following information for the entity:

Entity type: Corporation Limited Liability Company Partnership Other: _____

Date of incorporation/organization with State of Michigan: _____

Resident agent name and address: _____

4. LICENSE INFORMATION

a. What is the status of the applicant’s state operating license for this establishment?

The applicant has obtained a state operating license for this establishment:

License/record number: _____ Expiration date: _____

The applicant has completed the prequalification phase of the state’s licensing process.

The applicant has not yet applied for a state operating license.

Other (explain): _____

b. Identify all marihuana permits and licenses held by the applicant, including the issuing state, the license/record number, and the expiration date.

5. PROPERTY INFORMATION

Please provide the following information for the real property where the proposed establishment will be located.

Street address of property: _____

Parcel ID No. _____

Current use of property: _____

Name and address of property owner, if different from applicant (note: property owner must sign this application): _____

6. ATTACHMENTS

Please attach all of the following to this application:

- A photocopy of a valid, unexpired driver's license or state issued identification card for all owners, directors, and officers of the proposed establishment, including all individuals signing this application.
- A location area map of the proposed marihuana establishment and surrounding area that identifies the relative locations and the distances (closest property line to the subject marihuana establishment's building) to the closest real property comprising a public or private elementary, vocational, or secondary school.
- A copy of all documents submitted by the applicant to the Department of Licensing and Regulatory Affairs ("LARA") in connection with the application for a state operating license under the Michigan Regulation and Taxation of Marihuana Act (adult-use/recreational marihuana), including documents submitted for prequalification.
- A copy of all documents issued by LARA indicating that the applicant has been prequalified for a state operating license under the MRTMA.

For non-individual applicants:

- Articles of incorporation or organization.
- Internal Revenue Service EIN confirmation letter.
- Copy of the operating agreement of the applicant, if a limited liability company.
- Copy of the partnership agreement, if a partnership.
- Names and addresses of the beneficiaries, if a trust.
- Copy of the bylaws or shareholder agreement, if a corporation.

APPLICANT ACKNOWLEDGMENT & CERTIFICATION

- I understand that no person may operate a recreational marihuana establishment in the Township without an authorization issued by the Township pursuant to the provisions of the Township's Ordinances and an operating license from the State of Michigan.
- I agree that if authorization is granted, the Township may inspect the establishment at any time during normal business hours to ensure compliance with applicable laws and regulations.
- I understand that the Township may request additional information concerning this application. If I fail to timely provide all requested information, then the Township may discard this application and give it no further consideration.
- I understand that the Township may use a competitive process, set forth in the Township Ordinances, to select applicants for preliminary authorization if the Township receives more applications for a given establishment type than would be permitted under the Township Ordinances. I also understand that if a competitive process is used, I will be required to submit additional information to the Township. If I fail to timely provide all requested information, then the Township may discard this application and give it no further consideration.
- I certify that if the proposed establishment is authorized, the establishment will be operated in accordance with state law and all Township ordinances, rules, and regulations.
- I understand that marihuana growing, cultivation, possession, testing, safety compliance, distribution, and use are subject to state and federal laws, rules, and regulations, and that receiving authorization of the Township does not relieve me from complying with those laws, rules, and regulations. I waive and forever release any claim or demand against the Township and its officials, employees, and agents for any damages, liabilities, or attorney fees that I may incur based on my operation of an establishment in the Township.

SIGNED:

Applicant:

Real Property Owner:

Type or print name:

Type or print name:

APPENDIX A

COMPETITIVE PROCESS CRITERIA

Section 3(e) of the Ordinance provides as follows:

(e) *Conditional authorization and competitive process.* The Clerk or the Clerk’s designee will conditionally authorize establishments as follows:

(1) If, after close of business on the end date of the application receipt period, the Township has received more applications for a given establishment type than would be permitted under Section 2, the Township will decide among competing applications by a competitive process intended to select applicants who are best suited to operate in compliance with the MRTMA in the Township. The Township will provide applicants with twenty-one (21) calendar days’ notice that the applicants must provide supplemental written information and documentation to the Township indicating whether the applicant satisfies each of the following criteria:

Scoring category	Available points
Background of the applicant, including past ownership interest in a business or businesses operating in the State of Michigan; past compliance with business licensing requirements, including marihuana business licenses issued by LARA; current medical marihuana facility license status; and history of compliance with Township and state regulations associated with existing medical marihuana facility licenses held in the Township, if applicable.	Twenty (20) points
Human resources, including the number of full-time equivalent employees; the percent of such employees that are residents of the Township; and the proposed minimum rate of pay for all employees.	Ten (10) points
Area impact, including the proximity of the establishment to properties zoned or used residentially; consistency with surrounding land uses; impact on traffic, parking, public safety, noise, and aesthetics; and plans for litter control, neighborhood outreach, noise mitigation, odor mitigation, resident safety, and traffic mitigation.	Twenty (20) points

(2) Upon timely receipt of the supplemental information described in subparagraph (1), the Township Board or its designee shall assign points for the criteria that are satisfied pursuant to the chart in subparagraph (1) and shall, based on the resulting scores, select applicants who are best suited to operate in compliance with the MRTMA in the Township. The Township shall notify the selected applicants that they have been granted conditional authorization. In the event of a tie score, the Township Board shall select the applicant who, based on the totality of the circumstances, the Township finds is best suited to operate in compliance with the MRTMA.

(3) If an applicant does not timely submit the supplemental information described in subparagraph (1), then the application shall be discarded and shall not be considered under subparagraph (2).

(4) For any establishment type not subject to numerical limits under Section 2, or otherwise not subject to the competitive process described in subsection (e)(1), the Clerk or the Clerk's designee will conditionally authorize establishments in the order in which applications are received.

(5) Once the Clerk or the Clerk's designee has issued conditional authorizations for all of the establishments of a given establishment type that would be permitted under Section 2, the Clerk or the Clerk's designee will place subsequent applications at the end of the waiting list for that establishment type. Applications shall be included on the waiting list in the order designated by the Township Board or its designees under subparagraph (2).

Please consult the Township's Ordinances (including the Township Zoning Ordinance) to review all regulations for recreational marihuana establishments.

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