

POLICY STATEMENT

MEDICAL MARIHUANA ADMINISTRATIVE RULES



Effective Date: 12/21/18
Last Revised:

Office of Origin: Community Development Dept.
Authorized By: City Manager

Policy Statement

This policy provides administrative rules for the implementation of the City Code of Ordinances, Sec. 38-92 Medical Marihuana Facilities. These rules cover details of the receipt and processing of applications and application fees under the Ordinance.

Purpose of Policy

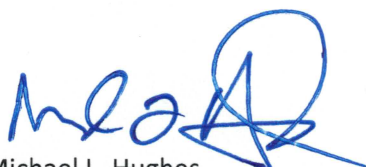
This policy provides administrative rules for the implementation of the City Code of Ordinances, Sec. 38-92 Medical Marihuana Facilities.

Policy

- (a) **Order of Review and Processing of Application Documents and Applications.** All application documents are stamped or otherwise identified by City staff at the date and time they are submitted by a potential applicant. Application documents are reviewed under section (b) of these rules in the order they are received. Once application documents have been accepted as an Application, the Application is processed under Sec. 38-92 (e)(3) of the City Code of Ordinances and these administrative rules in the order the accepted application documents were submitted.
- (b) **Review of Submitted Application Documents.** An application for processing is only considered complete once it has been reviewed by City staff and all elements expressed in Sec. 38-92 (e)(1) are deemed to be submitted and in compliance.
 - (1) **Review Period.** City staff has ten (10) business days to review the application and determine if it is complete.
 - (2) **Review Decision.** After review by City staff, application documents may either be considered complete or incomplete.
 - i. **Complete Application Documents.** Complete application documents will be accepted as an Application under the ordinance and processed under Sec. 38-92 (e)(3) and these administrative rules.
 - ii. **Incomplete Application Documents.** If application documents are found to be incomplete, the prospective applicant is notified in writing of the deficiencies found in (e)(1) and is given ten (10) business days to correct those deficiencies.
 - 1) If deficiencies are corrected within the ten (10) business days, the application documents will be considered complete, accepted as an Application under the ordinance, and processed. For purposes of processing order, said Application will be considered received at the date and time the original application documents were submitted.

- 2) If deficiencies are not corrected within the ten (10) business days, the application documents will be returned along with the \$5,000.00 application fee.
 - 3) If deficiencies are not corrected with the ten (10) business days, and a prospective applicant wishes to re-submit application documents, the application documents must be re-submitted in their entirety with the \$5,000.00 application fee. This re-submission will be considered a new set of application documents and will be date and time stamped for processing order at the date and time they are re-submitted.
- (c) **Processing of Applications.** Applications will be processed under Sec. 38-92 (e)(3) and these administrative rules. Upon review as prescribed in Sec. 38-92 (e)(3), Applications may be approved or denied as in Sec. 38-92 or returned with deficiencies to the applicant for correction.
- (1) **Applications Returned with Deficiencies.** If an Application is returned with deficiencies, the Applicant is notified in writing of the areas of deficiency and given thirty (30) days to correct those deficiencies. If the deficiencies are considered by City staff to be corrected, the Application is approved. If the deficiencies are not considered to be corrected within the thirty (30) day time period, the Application will be denied.
 - (2) **Deficiencies in Application Documents Found During Application Review.** During processing of an application, deficiencies of 38-92 (e)(1) may be discovered. These deficiencies can be addressed during processing of the application by returning the Application to the applicant with deficiencies for correction under section (c)(1) of this policy.
 - (3) **Denied Applications.** Applications which are denied will not be refunded the \$5,000.00 application fee. If the applicant of a denied Application chooses to reapply, a new \$5,000.00 application fee will be required.

Signatures (section to be completed by City Manager or City Clerk)

<p>CITY MANAGER</p> <p>Reviewed <input type="checkbox"/> Approved <input checked="" type="checkbox"/></p>  <p>Michael L. Hughes City Manager</p>	<p>CITY COMMISSION</p> <p>Approved <input type="checkbox"/> Not Applicable <input checked="" type="checkbox"/></p> <p>City Commission Meeting Date:</p> <p>Motion: _____ Commissioner</p> <p>Second: _____ Commissioner</p> <p>Vote: _____ 0 Yea ; 0 Nay</p>
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Revision History

Revision Date	Section(s) Revised	City Manager Reviewed / Approved	Commission Approved
xx/xx/xx	List headings with revisions	Include initials and date	Indicate either N/A or date of approval