VILLAGE OF PAW PAW

COUNTY OF VAN BUREN, MICHIGAN

At a regular meeting of the Village Council of the Village of Paw Paw, Van Buren Cou	ınty
Michigan, held at the Paw Paw Community Library, 609 West Michigan Avenue, Paw F	?aw
Michigan, on the 10 th day of February 2020, at 7:30 p.m.	
PRESENT: Members:	
ABSENT: Members:	
The following preamble and ordinance were offered by Member	and
seconded by Member:	
ORDINANCE NO	
AN ORDINANCE TO AUTHORIZE AND REGULATE	

THE VILLAGE OF PAW PAW ORDAINS:

Short Title. This ordinance shall be known and may be cited as the Village Medical Marihuana Facilities Ordinance.

STATE-LICENSED MEDICAL MARIHUANA FACILITIES AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF

Section 2. **Definitions**. As used in this ordinance:

- (a) "Act 281" or the "Act" means the Michigan Medical Marihuana Facilities Licensing Act, Act 281 of the Public Acts of Michigan of 2016, as amended.
- (b) "Applicant" means a person who applies or who has applied for a State operating license and a Village marihuana facility permit.
- (c) "Grower" means a licensee that is a commercial entity that cultivates, dries, trims or cures and packages marihuana for sale to a processor or provisioning center.
 - (d) "Licensee" means a person holding a state operating license.
- (e) "Marihuana" means that term as defined in Section 7106 of the Michigan Public Health Code.

- (f) "Marihuana Licensing Board" means the Medical Marihuana Licensing Board established under Section 301 of Act 281.
- (g) "Marihuana Facility" means a licensee's location and operations under a licensee's State operating license.
 - (h) "Marihuana Plant" means any plant of the species Cannabis sativa L.
- (i) "Marihuana-Infused Product" means an edible substance or similar product containing marihuana that is intended for human consumption in a manner other than smoke inhalation.
- (j) "Michigan Medical Marihuana Act" or "MMMA" means the Michigan Medical Marihuana Act of 2008, as amended.
- (k) "Person" means an individual, corporation, limited liability company, partnership, limited partnership, limited liability partnership or other legal entity.
- (1) "Processor" means a licensee that is 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.
- (m) "Provisioning Center" means a licensee that is 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 at which marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A non-commercial location used by a primary caregiver to assist a qualifying patient is not a provisioning center for purposes of this ordinance.
- (n) "Registered Primary Caregiver" means a primary caregiver who has been issued a current registry identification card under the MMMA.
- (o) "Registered Qualifying Patient" means a qualifying patient who has been issued a current registry identification card under the MMMA.
- (p) "Registry Identification Card" means that term as defined in Section 3 of the MMMA.
- (q) "Rules" means the rules promulgated under the Michigan Administrative Procedures Act, to implement Act 281.
- (r) "Safety Compliance Facility" means a licensee that is a commercial entity that receives marihuana from a marihuana facility or registered primary caregiver, and tests it for contaminates and other adverse substances; returns the test results to the party requesting the testing; and may return the tested marihuana to the marihuana facility that submitted the marihuana.

- (s) "Secure Transporter" means a licensee that is a commercial entity that stores marihuana and transports marihuana between marihuana facilities for a fee.
- (t) "State Operating License" means a license that is issued under Act 281 that allows the licensee to operate as one of the following, specified in the license: a grower, processor, securer transporter, provisioning center or safety compliance facility.
- (u) "Statewide Monitoring System" means the Internet-based, statewide database established and maintained by the State Department of Licensing and Regulatory Affairs under the Michigan Marihuana Tracking Act, Act 282 of the Public Acts of Michigan of 2016, as amended, for the purpose of enabling authorized parties and agencies to confirm or verify relevant information with respect to medical marihuana uses authorized by Act 281.
- (v) "Usable Marihuana" means the dried leaves, flowers, plant resin or extract of the marihuana plant, but does not include the seeds, stalks and roots of the plant.

Section 3. **Authorized Marihuana Facilities**.

- (a) The following types of marihuana facilities may be established and operated by a licensee in the Village, subject to compliance with Act 281, the Rules promulgated thereunder and this ordinance:
 - (1) Grower.
 - (2) Provisioning center.
 - (3) Secure transporter.
 - (4) Processor.
 - (5) Safety compliance facility.
- (b) A marihuana facility shall be established and operated only by a person who has been issued a State operating license. The facility shall be operated only so long as the State operating license remains in effect and only in accordance with the terms of the license.
- (c) A marihuana facility shall be established only by a person who has been issued a Village permit under the terms of this ordinance. The facility shall be operated only so long as the Village permit remains in effect and only in accordance with the terms of the permit.
- (d) A marihuana facility shall be established and operated only in a zone district that permits that type of marihuana facility under the terms of the Village zoning ordinance and only after a zoning permit has been issued with respect to the facility by the Village.
- (e) A marihuana facility shall comply with the applicable provisions of the Village construction codes. Permits under such codes shall be secured if required.

- (f) A marihuana facility shall not be a home occupation under the terms of the zoning ordinance.
- (g) A marihuana facility shall not be located within 1000 feet of a pre-existing public or private school providing education in kindergarten or any of the grades 1 through 12.

Section 4. Village Marihuana Grower Permit.

- (a) The Village shall not issue or authorize any marihuana grower permits, but if the Village later amends this ordinance to authorize such facilities at a later date, they shall be subject to the requirements of this Section 4.
- (b) A marihuana grower permit shall only be issued to a person who has been issued a grower license under Section 501 of the Act. The permit shall be valid only as long as the grower's grower license is in effect.
- (c) A marihuana grower permit shall authorize the holder of the permit to grow not more than 2 Class A licenses.
- (d) A grower shall operate only so long as its Village permit is in effect and only in accordance with the terms of the permit and this ordinance.
- (e) A grower shall operate only in a zone district which permits marihuana grower use under the terms of the Village zoning ordinance.
- (f) A grower shall operate only on the property and at the address specified in the grower's permit.
- (g) A grower may sell marihuana plants or marihuana seeds to another grower. Such plants or seeds shall be transferred to another grower only by means of a secure transporter.
- (h) A grower shall sell marihuana, other than marihuana seeds, only to a processor or provisioning center, except that it may sell marihuana plants to another grower.
- (i) A grower shall transfer marihuana to a processor or a provisioning center only by means of a secure transporter.
- (j) A grower shall not have an ownership interest or a financial interest in a secure transporter or a safety compliance facility.
- (k) To be eligible for a grower permit, a grower shall have at least two years of experience as a registered primary caregiver, or the grower shall have, as an active employee, a person who has at least two years' experience as a registered primary caregiver.
- (l) During the time that a grower holds a grower permit, it shall not be a registered primary caregiver, nor shall it employ a person who is then a registered primary caregiver.

(m) A grower shall enter all marihuana transactions, its current marihuana inventory and other required information into the statewide monitoring system as required by the Act.

Section 5. Village Processor Permit.

- (a) The Village shall not issue or authorize any marihuana processor permits, but if the Village later amends this ordinance to authorize such facilities at a later date, they shall be subject to the requirements of this Section 5.
- (b) A marihuana processor permit shall only be issued to a person who has been issued a processor's license under Section 502 of the Act. The marihuana processor permit shall be valid only so long as the processor's State operating license is in effect.
- (c) A marihuana processor shall operate only so long as its Village permit is in effect and only in accordance with the terms of the permit and this ordinance.
- (d) A processor shall operate only in a zone district which permits marihuana processor use under the terms of the Village zoning ordinance.
- (e) A processor shall operate only on the property and at the address specified in the processor's permit.
- (f) The processor permit shall authorize the purchase of marihuana only from a marihuana grower licensed under Act 281.
- (g) The processor permit shall authorize the sale of marihuana or marihuana-infused products only to a provisioning center.
 - (h) A processor shall transfer marihuana only by means of a secure transporter.
- (i) During the time that a processor holds a processor permit, it shall not have an ownership interest or a financial interest in a secure transporter or safety compliance facility, nor shall any investor in the processor have any such interest.
- (j) To be eligible for a processor permit, a processor shall have at least two years' experience as a registered primary caregiver, or shall have, as an active employee, a person who has at least two years' experience as a registered primary caregiver.
- (k) During the time that a processor holds a processor permit, it shall not be a registered primary caregiver, nor shall it employ a person who is a registered primary caregiver.
- (l) A processor shall enter all marihuana transactions, its current marihuana inventory and other required information into the statewide monitoring system as required by the Act.

Section 6. Village Secure Transporter Permit.

- (a) The Village shall not issue more permits than the maximum number of permits authorized for secure transporter facilities in the applicable district for each district.
- (b) A secure transporter permit shall only be issued to a person who has been issued a secure transporter's license under Section 503 of the Act. The secure transporter permit shall be valid only so long as the secure transporter's State operating license is in effect.
- (c) A secure transporter shall operate only so long as its Village permit is in effect, and only in accordance with the terms of the permit and this ordinance.
- (d) A secure transporter shall have only one office or other single location in the Village. The office or location shall be only in a zone district which permits such use under the terms of the Village zoning ordinance. The office or other single location of the secure transporter shall be only on the property and at the address specified in the secure transporter permit.
- (e) A secure transporter may receive, store, transport and deliver marihuana between marihuana facilities within or outside the Village.
- (f) The secure transporter permit shall authorize the permit holder to receive, store, transport and deliver marihuana and money associated with the purchase or sale of marihuana between marihuana facilities, for a fee, upon the request of only a person who has legal custody of marihuana or money associated with the purchase or sale of marihuana between marihuana facilities.
- (g) A secure transporter shall not transport marihuana to a registered qualifying patient or to a registered primary caregiver.
- (h) A secure transporter shall not have an ownership interest or a financial interest in a grower, processor, provisioning center or safety compliance facility, nor shall the secure transporter have an investor who has an interest in any of them.
- (i) A secure transporter shall not be a registered qualifying patient or a registered primary caregiver.
- (j) A secure transporter shall enter all marihuana transactions, its current marihuana inventory and other required information into the statewide monitoring system as required by the Act.
- (k) Each motor vehicle driver of a secure transporter who transports marihuana shall have a state chauffeur license.
- (1) Each motor vehicle operated by a secure transporter shall be operated only with at least two persons, one of whom shall remain with the motor vehicle at all times during the transportation and delivery of marihuana.

- (m) Marihuana being transported by a secure transporter shall be contained in one or more sealed containers and shall not be accessible while being transported.
- (n) A motor vehicle of a secure transporter that transports marihuana shall not bear markings or any other indication that it is carrying marihuana or a marihuana-infused product.
- (o) A secure transporter shall permit inspection by a law enforcement officer at any time during the transportation of marihuana, for the purpose of determining compliance with the Act and this ordinance.

<u>Section 7.</u> Village Marihuana Provisioning Center License.

- (a) The Village shall not issue more permits than the maximum number of permits authorized for marihuana provisioning center facilities in the applicable district for each district.
- (b) A provisioning center permit shall only be issued to a person who has been issued a provisioning center license under Section 504 of the Act. The provisioning center permit shall be valid only so long as the provisioning center's State operating license is in effect.
- (c) A provisioning center shall operate only so long as its Village permit is in effect and only in accordance with this ordinance.
- (d) A provisioning center shall be located only in a zone district that permits such use under the terms of the Village zoning ordinance. It shall be located only at the property and address specified in the provisioning center permit.
- (e) A provisioning center shall purchase and receive marihuana only from a marihuana grower or marihuana processor.
- (f) A provisioning center shall sell or transfer marihuana to only a registered qualifying patient or registered primary caregiver.
- (g) A provisioning center shall sell or transfer marihuana to a registered qualifying patient or registered primary caregiver only after the marihuana has been tested by a safety compliance facility and bears the label required by law for retail sale.
- (h) All transfers and delivery of marihuana to a provisioning center from a separate marihuana facility shall be only by means of a secure transporter.
- (i) A provisioning center shall transfer marihuana for testing to a safety compliance facility, and shall receive tested marihuana from a safety compliance facility, only by means of a secure transporter.
- (j) The holder of a provisioning center permit shall not have an ownership interest or a financial interest in a secure transporter or a safety compliance facility, nor shall the provisioning center have an investor that has either of such interests in either of them.

- (k) A provisioning center shall enter all marihuana transactions, its current marihuana inventory and other required information into the statewide monitoring system as required by the Act and other state requirements.
- (1) Before selling or otherwise transferring marihuana to a registered qualifying patient, or to a registered primary caregiver on behalf of a registered qualifying patient, a provisioning center shall consult the statewide monitoring system to determine whether the qualifying patient and, if applicable, the primary caregiver, holds a valid and current registry identification card and, further, that the proposed sale or transfer will not exceed the daily marihuana purchasing limit established by the Marihuana Licensing Board.
- (m) A provisioning center permit shall prohibit the sale, consumption or use of alcohol or tobacco products on the premises of the provisioning center.
- (n) The provisioning center permit shall prohibit a physician from conducting a medical examination or issuing a medical certification document on the premises of the provisioning center, for the purpose of a person obtaining a registry identification card.

Section 8. Village Safety Compliance Facility Permit.

- (a) The Village shall not issue more permits than the maximum number of permits authorized for safety compliance facilities in the applicable district for each district.
- (b) A safety compliance facility permit shall only be issued to a person who has been issued a safety compliance facility license under Section 505 of the Act. A safety compliance facility shall be located only within a zone district that permits such use under the terms of the Village zoning ordinance.
- (c) A safety compliance facility shall be located only on the property and at the address specified in the safety compliance facility permit.
- (d) A safety compliance facility shall receive marihuana from, test marihuana for and return the tested marihuana to only a marihuana grower, processor, secure transporter or provisioning center.
- (e) The holder of a safety compliance facility permit shall not have an ownership interest or a financial interest in a marihuana grower, secure transporter, processor or provisioning center, nor have an investor with any such interest in any of them.
- (f) A safety compliance facility permit shall authorize the holder of the permit to perform the following testing of marihuana:
- (1) To perform tests to certify that marihuana is reasonably free of chemical residues, such as fungicides and insecticides.
- (2) To use standard test methods to determine the presence and levels of relevant marihuana compounds or components as specified in Act 281.

02578287 2

- (3) To perform tests to determine whether marihuana complies with the standards for purity of marihuana as determined by the Marihuana Licensing Board.
- (4) To performing other tests necessary to determine compliance with such other minimum standards for the growing or processing of marihuana as provided in the Act or the Rules promulgated thereunder.
- (g) A safety compliance facility shall be accredited by an entity approved by the Marihuana Licensing Board not later than one year after the date its State operating license is issued, or shall otherwise comply with such other accreditation requirements specified in Act 281 or in the Rules promulgated thereunder.
- (h) A safety compliance facility shall enter all marihuana transactions, its current marihuana inventory and other required information into the statewide monitoring system as required by the Act and other state requirements.
- (i) A safety compliance facility shall have a laboratory space that is secured and that cannot be entered by the general public.
- (j) A safety compliance facility shall employ at least one person who has an advanced degree in a medical or laboratory science.

Section 9. Zoning Ordinance Provisions.

- (a) The Village zoning ordinance shall specify the zone districts in which a marihuana facility may be located and operated. A marihuana facility shall not be established or operated in any zone district which does not permit it.
- (b) Only a single marihuana facility shall be located on a lot or parcel, except that a grower, processor and/or provisioning center, or any combination thereof, may be located together on a single parcel, if permitted under the Michigan Medical Marihuana Facilities Licensing Act.
- (c) The zoning ordinance shall include provisions on all relevant land use aspects of each type of marihuana facility. A marihuana facility, licensee and permit holder shall comply with all such applicable provisions.
- (d) The zoning ordinance shall include penalties for the violation of any of its provisions on the establishment and operation of marihuana facilities.

Section 10. Village Marihuana Facility Permits.

- (a) A marihuana facility shall be established and operated in the Village only if permitted under the terms of this ordinance.
- (b) A person shall apply for a marihuana facility permit on a Village application form, and shall pay the prescribed application fee, and shall make any required escrow deposit, toward payment of Village expenses in the matter, at the time of application.

02578287 2

- (c) The application shall include the following information and other submittals, and such other information as the Village may require in order to verify compliance with Act 281, the Rules and this ordinance:
- (1) The applicant's name, home and business address, e-mail address (if any), and telephone number(s).
- (2) The address, legal description and permanent parcel number of the property on which the marihuana facility is proposed to be located.
- (3) The name and address of the owner of record of the property on which the marihuana facility is to be located, if not owned by the applicant, and a signed copy of the lease or other legal instrument whereby the owner has permitted the applicant to establish and operate the proposed marihuana facility on the property.
- (4) The type of marihuana facility, under Act 281, which the applicant proposes.
 - (5) A copy of the applicant's current State operating license.
- (6) A complete site plan of the property on which the marihuana facility would be located and operated. The scope and contents of the site plan shall be as stated in Chapter 14 of the Village zoning ordinance, except such elements or components thereof as are determined by the Village clerk to be not relevant or necessary for the purpose of issuance of the permit or determination of compliance with Act 281 and this ordinance.
- (d) The application shall be submitted to the Village clerk. It shall be subject to the clerk's approval, consistent with this ordinance, Act 281 and the Rules.
- (e) Upon receiving an application, the clerk shall review it to determine whether it is complete under the terms hereof and the Act. If it is not complete, the clerk shall return the application, the application fee and any escrow deposit to the applicant. An incomplete application that is returned by the clerk shall not be deemed submitted and shall not have precedence of consideration over any other application.
- (f) Upon determining that an application is complete, the clerk shall assign a number to it, based on the order in which it was received. Other applications, if any, may be received, but they shall be reviewed for completeness only in the order received, and, if complete, shall be considered for approval of a permit only in the order received, and only if a permit for the same type of marihuana facility is then available.
- (g) The clerk shall approve an application, deny it, or approve it with conditions in the permit necessary to verify or assure compliance with this ordinance and the Act. In considering issuance of a permit, the clerk shall apply the following standards:
- (1) The marihuana facility shall comply with Act 281, other applicable state laws and the Rules.

- (2) The marihuana facility shall comply with this ordinance.
- (3) The location of the marihuana facility shall comply with applicable provisions of the Village zoning ordinance.
- (4) The site plan of the marihuana facility shall comply with the applicable site plan requirements for such a facility under the terms of the zoning ordinance.
- (h) If the application is approved, the clerk shall issue a marihuana facility permit to the applicant on a Village permit form for such purpose, after the applicant has paid the marihuana facility fee for the one-year duration of the permit. If the applicant has not paid the facility fee within 10 days after written notice that the application has been approved, the application shall no longer be approved and the applicant shall be notified in writing accordingly. The permit shall include terms and conditions consistent with this ordinance, any conditions imposed by the clerk, and such other provisions as are relevant to the type of marihuana facility, the location thereof and anticipated operations.
- (1) If the application is denied, the clerk shall so inform the applicant by letter, which shall include the reasons for the denial.
- (2) An applicant shall have the right to appeal a permit denial to the Village Council. The appeal shall be submitted in writing and shall state the grounds for appeal and other relevant information the applicant may include. The written appeal shall be submitted not later than 10 days after the date of the clerk's written denial of the application; if the written appeal is not received by the clerk by that time, the right of appeal shall have lapsed and be of no further effect.

The applicant's appeal and any supporting materials shall be submitted to the clerk, who shall forward the same to the Village Council, together with copies of the denied application, the letter stating the grounds for denial of the application and other relevant materials in the Village's file on the matter. The clerk may include a memorandum to the Village Council stating the clerk's response to the stated grounds for the appeal.

- (3) The applicant's appeal shall be scheduled to be heard at a Village Council meeting. The applicant shall be given at least 10 days' written notice of the date, time and place for the hearing of the appeal. At the appointed time, the applicant may address the Council concerning the appeal. The Village Council shall render its decision on the appeal by adopting a motion or resolution affirming or reversing, in whole or in part, the decision of the clerk. The written decision on the appeal, whether by motion or resolution, shall be forwarded to the applicant.
 - (i) The permit shall be for a period not longer than one year.
- (j) The permit shall be renewable annually. A permit holder desiring renewal shall apply for the same by completing a Village form for such purpose, shall pay any required renewal fee and shall make any required escrow deposit for reimbursement of Village expenses in the matter.

- (1) With the renewal application, the applicant shall submit either a revised site plan, if any of the elements of the previously submitted site plan have changed, or otherwise the applicant shall submit a statement that the previous site plan remains accurate as to the matters depicted therein.
- (2) The clerk shall consider the renewal application in the same manner and under the same requirements as for an original application, except that in considering the renewal, the clerk may consider any violations on the part of the applicant during the previous period of the permit.
- (3) The clerk shall approve the renewal application, reject it or approve it with conditions. If approved, a new permit, for a period of one year, shall be issued to the applicant. If rejected, the clerk shall state the grounds thereof in a letter to the applicant. Any such rejection shall be appealable to the Village Council.
- (4) Upon receiving a renewed permit, the applicant shall pay to the Village the annual marihuana facility fee. The renewed permit shall not be valid until the fee is paid.
- (k) By accepting a permit, the applicant shall consent to inspection of the applicant's marihuana facility by Village officials and/or by the Village Police Department, upon reasonable notice, to verify compliance with this ordinance and the Act. Such inspection may include examination of the applicant's submissions of information into the statewide monitoring system.
- (1) Information that the Village obtains from an applicant relating to a Village permit under this Section is exempt from disclosure under the Michigan Freedom of Information Act, in accordance with Section 205 of Act 381. Neither the clerk nor other Village official or employee shall disclose any such information in response to a Freedom of Information Act request. All papers and other materials received from an applicant, prepared by the Village or other materials, including e-mails and other electronic-based materials, shall be filed separately from other Village files.
- Section 11. Annual Marihuana Facility Fee. There is hereby established an annual non-refundable Village marihuana facility fee (the "facility fee") in the amount of \$5,000 for each permitted marihuana facility. If more than one licensed marihuana facility is established at one location, a separate facility fee shall nevertheless be paid for each license and associated facility. Timely payment of the facility fee is a condition of the marihuana facility permit.

Section 12. **Violations and Penalties**.

(a) A violation of this ordinance is a municipal civil infraction, for which the fines shall be not less than \$250 for the first violation and not less than \$500 for a subsequent

violation, and in addition to all other costs and expenses provided by law. For purposes of this Section, a subsequent offense means a violation of the provisions of this ordinance committed by the same person within six months of a previous violation of the same provision for which the person admitted responsibility or was determined to be responsible.

- (b) Each day during which any violation continues shall be deemed a separate offense.
- (c) In addition, the Village may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.
- (d) The Village ordinance enforcement officer is authorized to issue municipal civil infraction citations for any violation of a provision of this ordinance if the officer has reasonable cause to believe that an infraction has occurred, based upon personal observation or on the report of a person who has allegedly witnessed the infraction.
- (e) If a citation is based solely on the complaint of a person who allegedly witnessed the violation, and not upon the personal observation of the enforcement officer, then the citation shall be approved in writing by the Village President and the Village attorney.
- (f) Citations shall be numbered consecutively and shall be in a form approved by the State Court Administrator's Office.
 - (g) Citations shall be served on the alleged violator as provided by law.
- (h) Citations shall require an appearance at the district court within a reasonable time after the citation has been issued.
- (i) The procedures for the admission or denial of responsibility, request for informal or formal hearings and all other matters relating to processing of citations for civil infractions shall be as provided by law.

Section 13. **Revocation of Permit**.

- (a) A marihuana facility permit may be revoked by the clerk for non-compliance with Act 281, other applicable state laws, this ordinance, the zoning ordinance or other applicable Village ordinances. Such revocation shall be in addition to the available remedies under Section 12.
- (b) The clerk shall give written notice to the permit holder of the clerk's intent to revoke the permit. The notice shall state the reasons for the proposed revocation. The notice shall state that the applicant may attend a hearing before the clerk, and may be heard, as to the revocation. At least 10 days' notice of the hearing shall be given; the notice shall state the date, time and place of the hearing. At or prior to the hearing, the applicant may submit written comments with respect to the proposed revocation.

- (c) Following the hearing, the clerk may, in writing, revoke the permit, elect not to revoke the permit or may impose additional terms and conditions in the permit for the purpose of gaining compliance as to the matters for which revocation was considered.

 (d) The revocation of a permit shall not entitle the permit holder to any refund.
- (d) The revocation of a permit shall not entitle the permit holder to any refund of the annual marihuana facility fee or other fees or charges paid under the terms of this ordinance; any unused escrow deposit amounts shall be returned.
- (e) A permit holder may appeal the revocation of a permit to the Village Council, by filing a written appeal with the clerk within 10 days after the clerk has issued the written revocation, but there shall be no appeal after such period of time. The hearing of the appeal and the notice thereof shall be carried out under the same procedures and with the same notice as is provided in this ordinance for an appeal of a denial of a marihuana facility application.

Section 14. **Publication and Effective Date**. This ordinance shall become effective twenty (20) days after its publication or twenty (20) days after the publication of a summary of its provisions in a local newspaper of general circulation in the Village.

AYES:	Members:		-	
NAYS:	Members:		-	
ORDINANCE DECLARED ADOPTED.				
		Karla Tacy, Clerk Village of Paw Paw		

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Paw Paw at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

> Karla Tacy, Clerk Village of Paw Paw