

**From:** Rob Zimmer <[RZimmer@skymintbrands.com](mailto:RZimmer@skymintbrands.com)>

**Sent:** Thursday, August 19, 2021 3:04 PM

**To:** Markee, Kimberly <[kmarkee@waterfordmi.gov](mailto:kmarkee@waterfordmi.gov)>

**Subject:** Marijuana License Merger Questions

Hello,

My name is Rob Zimmer and I'm contacting you on behalf of Skymint Brands. We are going through a merger and had a few questions surrounding that process with regards to your local rules and procedures.

From reading your local ordinances about Marijuana, regarding transfers of licenses your ordinance says, "Licenses are not transferrable or assignable to a different location or licensee".

Does this mean if our company merged with another company who has already applied for a license in Waterford, do we (the new company) need to file a whole new application or can we amend the application already filed (by the previous company, pre-merger) to reflect the change of information?

Additionally, I had three more questions:

- 1) Is there a waiting list for licenses that have been approved but can not be awarded because of license cap in Waterford?
- 2) If an existing license is abandoned by a company (and there is no waiting list) does the available license go to a general lottery for all applicants?
- 3) If there is no waiting list, or lottery for new licenses, what would be the timetable for approval for a new application (assuming the application was pertaining to a currently in-operation and approved marijuana store in Waterford)?

Thank you for your help and clarification on these issues!

-Rob Zimmer



**Robert Zimmer**

Mgr., Licensing and Government Affairs

**Mobile:** 734-649-8541

**Email:** [RZimmer@skymintbrands.com](mailto:RZimmer@skymintbrands.com)

**3948 Rancho Dr. Ann Arbor, Michigan 48108**

**<https://www.skymintbrands.com>**

**TOWNSHIP RESPONSES**

Merger Question. At this time and under the current Ordinance

- a. A new application by the new entity would be required because there are no pending applications for medical marijuana facility licenses authorized by Ordinance Section 10-298(a). All prior applications for provisioning center,

grower, and processor licenses (the only types applied for) have been approved, denied or withdrawn.

b. New provisioning center and grower license applications are not being accepted per Ordinance Sections 10-300(b) and 10-301(g) as amended by Ordinance No. 2021-001 on April 12, 2021.

1. As noted above, all prior license applications have been acted on. Applications that were not approved were either withdrawn or denied. There is no waiting list and the Ordinance does not provide for one.

2. There currently are no existing licenses, just Township Board approvals of licenses that may not be issued by the Township Clerk until all requirements specified in Ordinance Section 10-303(i) have been satisfied within the time allowed. If a Township Board license approval expired before all requirements were satisfied for issuance, that type of license would again be available. If it was a provisioning center or grower license, it would then be up to the Township Board to determine if the Ordinance should be amended to allow applications to be accepted for that license. The current Ordinance does not provide for a lottery of any nature.

3. It is not possible to answer this hypothetical question. Even if a timetable could be provided, it would be for a decision, not just an approval, of a new application. However, the reference in this question to "approved marijuana store" has been interpreted to be a provisioning center, new license applications for which are not even being accepted under the current Ordinance. Additionally, a currently operating and approved provisioning center would not have an abandoned Township license, which Township Ordinance Sections 10-057 and 10-298(e) say is not transferrable to a different licensee.