



OFFICE OF THE CITY CLERK  
MEDICAL MARIHUANA DIVISION

47450 Woodward Avenue  
Pontiac, Michigan 48342  
Phone: (248) 758-3200  
Fax: (248) 758-3160

**CITY OF PONTIAC MEDICAL MARIHUANA FACILITY APPLICATIONS**  
**RULES AND PROCEDURES FOR HEARING OFFICER APPEALS**

In accordance with Section 16 of City of Pontiac Ordinance No. 2357(B), the City Clerk has appointed Grewal Law PLLC to serve as Hearing Officer to hear appeals from applicants whose applications for a medical marihuana facility have been denied. In order to ensure an orderly and efficient appeal process, the following rules and procedures for Hearing Officer appeals are hereby adopted:

1. An appellant who wishes to appeal the denial of its application shall file a written statement fully setting forth the grounds for appeal within 14 days after notice of the denial has been mailed to the applicant's last known address. Written statements of appeal must be filed by mail or in person with the City Clerk's office.
2. Appellants should ensure that their most current mailing address and e-mail address are on file with the City Clerk's office for purposes of receiving notice.
3. Written statements of appeal shall be typed, in the English language, on 8½ by 11 inch paper, in 12 point font size, and double spaced preferably completed on the attached Hearing Officer Appeal Form. While the Hearing Officer is not imposing a page limit on the written statements of appeal, applicants are strongly encouraged to present their arguments as concisely as possible with reference to the specific applicable sections of the Ordinance (2357B).
4. Written statements of appeal shall include the following information: (a) the name of the appellant; (b) the appellant's proposed address; (c) the name, telephone number, and e-mail address of the appellant's representative or contact person for purposes of the appeal; (d) the date that the written statement of appeal was submitted to the City Clerk's office; and (e) a copy of the notice of denial.
5. Written statements of appeal shall be limited exclusively to the information submitted with the application; an appellant may not supplement their application with their written statement of appeal. The Hearing Officer shall not consider any information submitted in an appellant's written statement of appeal that was not part of the appellant's application prior to the denial.
6. The appellant's entire application submission is part of the record on appeal. As a result, appellants are discouraged from attaching their entire application as an exhibit to their written statement of appeal. Appellants would be well served to attach as an exhibit to their written statement of appeal only the excerpt or excerpts of their application that are germane to the issue or issues raised in their written statement of appeal.
7. Within 14 days of receipt of an appellant's written statement of appeal, the Hearing Officer shall contact the appellant's representative or contact person to schedule a hearing on the appeal. Hearings shall be conducted by way of videoconference technology. Instructions for joining the hearing shall be transmitted to the appellant's representative or contact person in

advance of the hearing. The City Clerk's office shall maintain a copy of the instructions for joining the videoconference hearings so that the hearings shall be available for public viewing.

8. Hearings shall be limited to 15 minutes, unless the Hearing Officer determines that good cause exists to extend the amount of time for the hearing. Appellants who anticipate needing more than 15 minutes for their hearing are encouraged to indicate the facts and circumstances that justify good cause for an extended hearing in their written statement of appeal. Appellants are discouraged from reading from their written statement of appeal at the hearing and should be prepared to answer questions from the Hearing Officer about the specific issues raised in their written statement of appeal. The hearing shall be limited exclusively to the issues raised in the appellant's written statement of appeal; no new issues on appeal may be raised at the hearing.
9. If an appellant wishes to waive its opportunity to participate in a live hearing with the Hearing Officer and rest their appeal solely on their written statement of appeal, the applicant should clearly indicate on the first page of their written statement of appeal "NO ORAL ARGUMENT."
10. Following the conclusion of the hearing, the Hearing Officer shall prepare a written report and recommendation for the City Clerk to make a decision on the matter. The City Clerk shall mail a copy of his decision on the matter to the appellant's address referenced in paragraph 2.
11. Following a denial of an application by the City Clerk after review by the Hearing Officer, an appellant who wishes to appeal the denial of its application may further appeal to the medical marijuana commission by filing a written statement fully setting forth the grounds for appeal within 30 days after notice of the denial has been mailed to the appellant. Written statements of appeal must be filed by mail or in person with the City Clerk's office. The medical marijuana commission shall only overturn a decision or finding of the City Clerk if it finds such decision or finding to be arbitrary or capricious and not supported by material, substantial, and competent facts on the whole record considered by the City Clerk in arriving at such decision or finding.

Dated: March 1, 2021

Application Name \_\_\_\_\_

Application Number \_\_\_\_\_

**City of Pontiac  
Medical Marihuana Facility Permit Application  
Hearing Officer Appeal Form**

<b>Appellant Name (Applicant)</b>		<b>Address</b>	
<b>City</b>	<b>State</b>	<b>Zip Code</b>	
<b>Appellant's Representative or Contact Person for Purposes of Appeal</b>			
<b>Phone Number</b>		<b>Email Address</b>	

**Written Statement of Appeal**

**\*If You Require Additional Space, You May Attach An Addendum, All Attachments To This Appeal Form Should Be Clearly Labeled With Your Appellant (Application) Name and Application Number; Failure To Properly Label Attachments May Result In Your Appeal Being Delayed.**

Appellant Representative or Contact Person

Print Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_