

# Pennsylvania's Medical Marijuana Industry

Is the grass greener in the other zone?



American Planning Association  
**Pennsylvania Chapter**

**APA PA Annual Conference**

by:

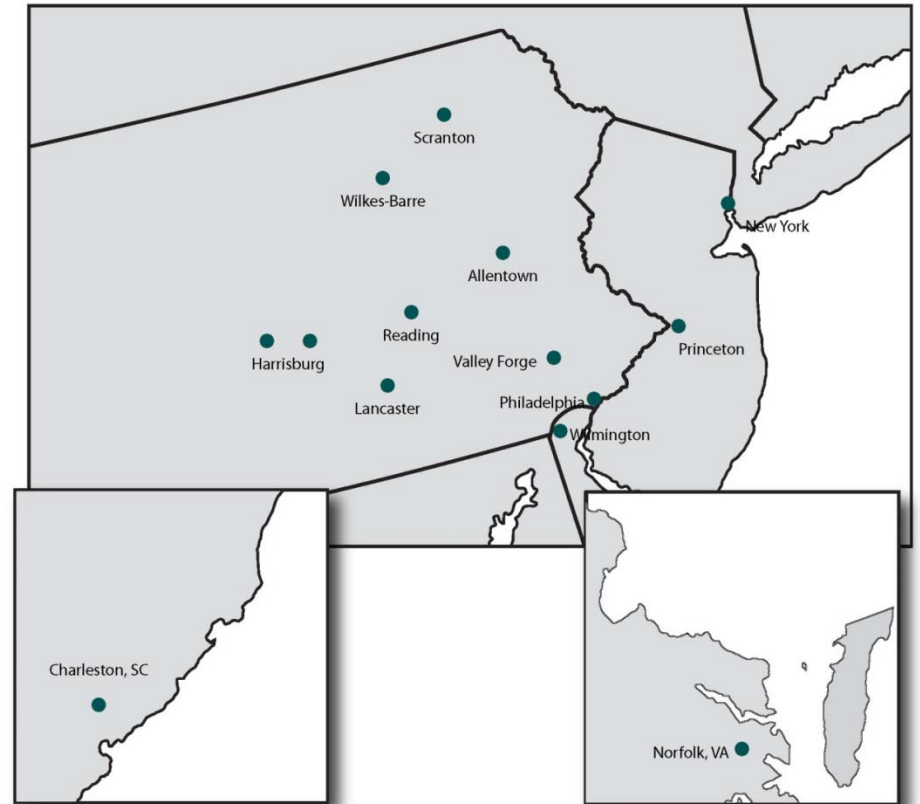
**STEVENS & LEE**  
LAWYERS & CONSULTANTS

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October 24, 2017

# About Stevens & Lee

- Full-service law firm that is part of Stevens & Lee/Griffin, a multidisciplinary professional services platform
- 14 Offices
- 6 States
- 150 Lawyers



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# Today's Speakers



**Nick Rodriquez-Cayro**

- Focuses his practice on the representation of clients in highly regulated industries, including medical marijuana, gaming and liquor, with emphasis on government regulatory, corporate, finance, white collar crime and litigation matters within these sectors
- During the drafting of the initial medical marijuana legislation, Senate Bill 3, Nick worked with numerous legislators regarding various aspects of the proposed law
- Additionally, he represents the Pennsylvania Medical Cannabis Industry Group (PAMCIG), the largest Pennsylvania cannabis industry trade association, and has worked with PAMCIG and other stakeholders in drafting fair and efficient regulations for Pennsylvania's medical marijuana industry
- Previously served for more than four years as Vice President, Secretary and General Counsel to MTR Gaming Group, Inc., a publicly traded gaming company, and as the first Senior Chief Counsel of the Pennsylvania Gaming Control Board for both the licensing and enforcement divisions



**Charles Suhr**

- Concentrates his practice in real estate with an emphasis on land development
- Represents landowners and developers in obtaining municipal approvals for residential, commercial and industrial developments and appears before local planning commissions, governing bodies and zoning hearing boards throughout south central Pennsylvania
- Has successfully challenged municipal land development decisions and zoning hearing board decisions in the Courts of Common Pleas and the Pennsylvania Commonwealth Court and has also successfully brought and defended procedural challenges to the adoption of municipal zoning ordinances
- Prior to attending law school, Charlie worked as a geostatistician in the South African gold mining industry, where he tested and implemented underground sampling methods and procedures and valuated gold and other ore reserves
- Today, he uses his technical background, analytical skills and understanding of spatial components to gain a thorough understanding of the engineering and other technical aspects of a land development project, which helps his clients gain successful municipal approvals

## Today's Speakers (cont'd)



**Tammy Fox**

- Concentrates her practice in state and local regulatory law
- Represents clients in state and local tax matters and incentives, and also assists the gaming industry, regulated utilities and insurance companies in state regulatory matters
- In addition, Tammy works with firm-affiliated company Griffin Stevens & Lee Consulting in governmental revenue and operational consulting
- Prior to Stevens & Lee, Tammy served as an adviser to the Pennsylvania House Republican Caucus, most recently as Executive Director of the House Finance Committee and formerly as staff counsel to the House Judiciary Committee
- In her role as Executive Director of the House Finance Committee, she served as principal adviser to the chair and committee members on issues related to state tax policy and state tax code, including various tax rates, categorization and taxation of business transactions and corporate finance transactions, taxation of investments, banking tax, corporate tax, partnership tax, tax credits, sales tax, local tax authority, pension reform and property tax

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# Background

- How we previously thought of Marijuana



# Background



# Background

- Marijuana's classification as a Schedule I controlled substance under the Federal Controlled Substances Act puts it in the same category as the most dangerous drugs out there
- As a matter of federal law, it is illegal to grow, process, distribute or possess marijuana and there are harsh criminal and civil penalties for doing so
- The federal government, to date, has not chosen to assert the doctrine of preemption under the Supremacy Clause in the case of medical marijuana



# The Federal Window opens, if ever so slightly

- On August 29, 2013 U.S. D.A.G. James M. Cole issues the first of two memos providing “guidance in light of state ballot initiatives that legalize under state law . . . marijuana production, processing, and sale.”
- Still illegal under Federal Law

# The Federal Window opens, if ever so slightly

- On February 14, 2014 D.A.G. Cole issues second memo is titled, “Guidance Regarding Marijuana elated Financial Crimes”
- Simultaneously, FinCEN issues a memo entitled “BSA Expectations Regarding Marijuana-Related Businesses”
  - SARS: Marijuana Limited, Priority & Termination

# February 14, 2014 Memo

- A February 2014 memo issued by the U.S. Attorney General's office acknowledged state legislation and regulation of the medical marijuana industry, but focused on the following eight overriding federal priorities from an enforcement perspective:
  1. Preventing the distribution of marijuana to minors;
  2. Preventing revenue from the sale of marijuana from going to criminal enterprises, gangs, and cartels;
  3. Preventing the diversion of marijuana from states where it is legal under state law in some form to other states;
  4. Preventing state-authorized marijuana activity from being used as a cover or pretext for the trafficking of other illegal drugs or other illegal activity;
  5. Preventing violence and the use of firearms in the cultivation and distribution of marijuana;
  6. Preventing drugged driving and the exacerbation of other adverse public health consequences associated with marijuana use;
  7. Preventing the growing of marijuana on public lands and the attendant public safety and environmental dangers posed by marijuana production on public lands; and
  8. Preventing marijuana possession or use on federal property.

## February 14, 2014 Memo

- DOJ expects that states which have enacted laws authorizing marijuana-related conduct will implement clear, strong and effective regulatory and enforcement systems in order to minimize the threats posed by the eight federal enforcement priorities
- DOJ defers to the states for enforcement, and would generally take no action to enforce federal marijuana laws in states that had legalized marijuana usage and implemented these systems

# What is going on in the U.S.

- Marijuana is illegal at the federal level, though 29 states, including PA, have varying degrees of medical marijuana legalization on the books. The amendment doesn't extend to recreational marijuana, which is legal in eight states.
- The growth of legal use of medical marijuana in the United States is projected to continue to rise rapidly, despite the lack of availability of the banking system to facilitate such growth and the specter of criminal violations of federal law



# Act 16 of 2016

## Medical Marijuana in Pennsylvania

- In April 2016 Pennsylvania enacted legislation authorizing the growing, processing and dispensing of “medical marijuana in the Commonwealth of Pennsylvania by state licensed medical marijuana organizations (MMOs)
  - The term “medical marijuana” refers to using the whole unprocessed marijuana plant or its basic extracts to treat a disease or symptom. This includes its pills, oils, liquids, tinctures and medically appropriate forms for vaporization or nebulization, but not flower or edibles
- The Act also authorizes “possession” when dispensed to a patient who possesses a DOH medical marijuana ID card pursuant to a registered physician’s “recommendation” or to a licensed caregiver

# Act 16 of 2016

## Medical Marijuana in Pennsylvania

- Under the Act DOH to establish a six (6) regions within the Commonwealth and grant 75 permits to MMOs (25 to growers/processors and 50 to dispensaries)
  - Permits will be issued to “provide an adequate amount of medical marijuana to patients and caregivers in all areas of the Commonwealth;” therefore, regionally
- DOH has the exclusive power to grant or deny permits
  - Determining factors include the ability of the applicant to implement controls and security, to possess good moral character, to carry on the purpose of license, to obtain required land financing and implement and maintain operational/technical requirements
  - Applicants have “a right to cure” if DOH is not satisfied that the applicant should be issued a permit

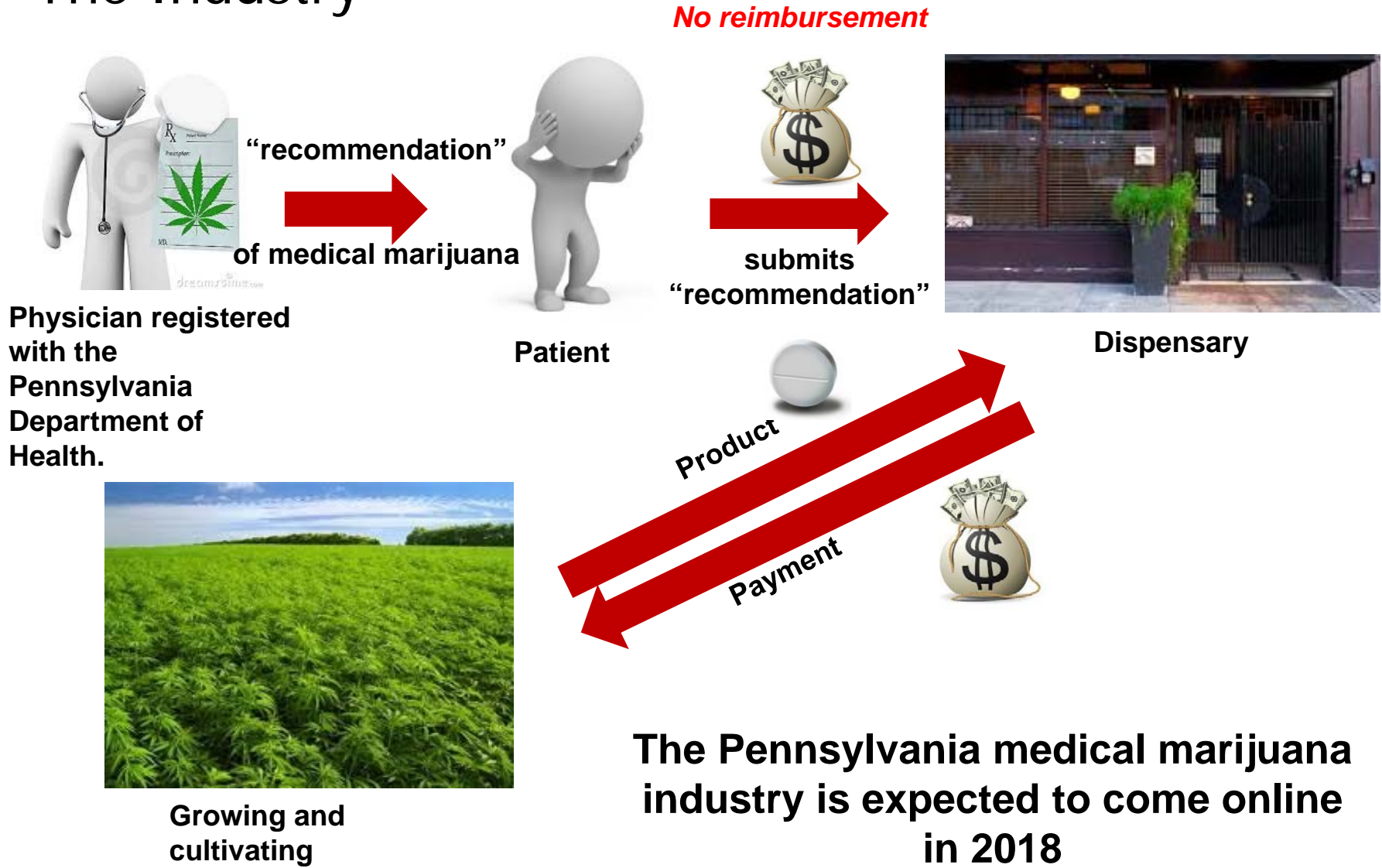
# Act 16 of 2016

## Medical Marijuana in Pennsylvania

- Individuals convicted of *any* criminal offense related to the sale or possession of illegal drugs, narcotics or controlled substances cannot be affiliated with an MMO
  - This includes Principals, employees and financial backers who holding either paid or volunteer positions
  - This will be controversial considering many simple possession charges may be misdemeanors and in some cases summary offenses
- On March 20, 2017 Applications for Grower Processors and Dispensaries were due
- On June 20, 2017 the DOH issued 12 of the 25 Grower/Processor Permits available
- On June 29, 2017 the DOH issued 27 of the 50 Dispensary permits available



# The Industry



# Permitting Basics

## Registered Physicians

- Possess a valid current license to practice medicine in Pennsylvania
- Complete a four-hour training course regarding the latest scientific research on medical marijuana
- Annual renewal to be included in the practitioner registry
- Imposes a duty on registered practitioners to monitor their patients for the continued authorized use of medical marijuana



## Growers/Processors

- \$10K initial application fee; \$200K permit fee
- Yearly renewals are \$10k filed no less than four months prior to expiration
- Applicant must verify \$2M in capital, \$500,000 of which must be on deposit with a financial institution
- Number of Grower/Processor permits initially limited to 25
- May only grow, store, harvest or process medical marijuana in an indoor, enclosed, secure facility located within this Commonwealth



# Permitting Basics

## Dispensaries

- \$5K Application Fee; \$30k Permit Fee per location
- Yearly renewals are \$5k filed no less than four months prior to expiration
- Applicant must verify \$150k in capital, which must be on deposit with a financial institution
- Number of Dispensary permits initially limited to 50; however, each Dispensary permit may open up to three locations





## Impact on Financial Institutions

# Issues for Financial Institutions

- Once the Act is fully operational after implementing regulations have been adopted, licensed growers will be able to sell to licensed distributors, who will sell to licensed dispensaries, who will sell to buyers who have been certified as having an eligible medical condition
- Even though half of the states have enacted medical marijuana statutes or recreational marijuana sales, marijuana remains a Schedule I controlled substance under federal law, and is therefore still illegal under federal law
- Despite the 2013 Department of Justice Memorandum states that the DOJ does not intend to enforce federal law against entities operating in strict compliance with state law

# Issues for Financial Institutions

- Entities engaged in the marijuana business in the states which have enacted legislation similar to Pennsylvania are not able to obtain traditional banking services – not even checking accounts – because of federal laws (primarily directed against money laundering and terrorists) that require banks to file Suspicious Activity Reports (SARs) even for marijuana businesses operating in accordance with state law
  - Although not illegal per se, as a practical matter, banks cannot afford the extraordinarily strict compliance and oversight that the federal banking regulators demand for this industry, and virtually no bank in the U.S. will knowingly maintain a customer engaged in the marijuana industry
  - The cost to comply is simply too great, and the penalties and fines for inadvertently missing a requirement are too severe

# A Cash-Based Business



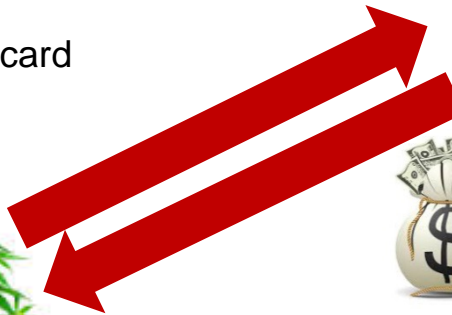
Physician provides patient with a signed certification stating the patient has a serious medical condition.



Patient applies to DOH for a medical marijuana identification card



Dispensary



NOTE: No debit or credit cards, checks or mobile apps – all transactions are in **CASH**

# What is going now?

- No more than 6 months from the date of issuance of a permit, a medical marijuana organization shall notify the Department, on a form prescribed by the Department, that it is operational. 28 Pa. Code 1141.42
- Will MMOs make it?
- 177 GP Applications and 280 Dispensary Applications were received by DOH.
- It is estimated there are over 200 Administrative Appeals pending before DOS and all applicants are entitled to a debriefing - - - there have been no debriefings.
- Commonwealth Court - Keystone Relief vs. DOH, 399 MD 2017



# What is going now?

- **Trump – Sessions DOJ**

- "I've never felt that we should legalize marijuana . . . It doesn't strike me that the country would be better if it's being sold on every street corner. We do know that legalization results in greater use." U.S. Attorney General Jeff Sessions, Sept. 20, 2017.
- As a U.S. Attorney in Alabama in the 1980s, Sessions said he thought the KKK "were OK until I found out they smoked pot."



# Zoning

# ZONING per Act 16

- Section 2107. Zoning.
- The following apply:
  - (1) A grower/processor shall meet the same municipal zoning and land use requirements as other manufacturing, processing and production facilities that are located in the same zoning district.
  - (2) A dispensary shall meet the same municipal zoning and land use requirements as other commercial facilities that are located in the same zoning district.

# Sample Ordinances – Two Extremes

- **Extreme #1**

An ordinance of the Board of Supervisors of the Township of Hanover, County of Northampton, Commonwealth of Pennsylvania to amend the Code of Ordinances by amending the text of the “Hanover Township Zoning Ordinance” Chapter 185 to provide for the establishment and regulation of medical marijuana facilities and repealing all ordinances inconsistent herewith.

# SECTION 3: Chapter 185 Zoning of the Code of Ordinances of Hanover Township

Chapter 185 Zoning, of the Code of Ordinances of Hanover Township is hereby amended by amending Article II, Interpretations and Definitions; Section 185-12

Definitions by adding the following definitions to read as follows:

- A. ACADEMIC CLINICAL RESEARCH CENTER – An accredited medical school within this Commonwealth that operates or partners with an acute care hospital licensed within this Commonwealth pursuant to the Act.
  
- B. CAREGIVER – The individual designated by a patient to deliver Medical Marijuana

## SECTION 3: Chapter 185 Zoning of the Code of Ordinances of Hanover Township (cont'd)

- C. CERTIFIED MEDICAL USE – The acquisition, possession, use or transportation of Medical Marijuana by a patient, or the acquisition, possession, delivery, transportation or administration of Medical Marijuana by a caregiver, for use as part of the treatment of the patient’s serious medical condition, as authorized by certification by the Commonwealth pursuant to the Act.
  
- D. CLINICAL REGISTRANT – An entity that:
  - 1. Holds a **permit** both as a Grower/Processor and a Dispensary pursuant to the Act; and
  - 2. Has a contractual relationship with an Academic Clinical Research Center under which the Academic Clinical Research Center or its affiliate provides advice to the entity, regarding, among other areas, patient health and safety, medical applications and dispensing and management of controlled substances

## SECTION 3: Chapter 185 Zoning of the Code of Ordinances of Hanover Township (cont'd)

- E. COMMONWEALTH – Shall mean the Commonwealth of Pennsylvania.
- F. DISPENSARY – A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a current and valid permit issued by the Department of Health (“DOH”) of the Commonwealth to dispense Medical Marijuana pursuant to the provisions of the Act.
- G. DISPENSARY FACILITY – Any building or structure used to dispense Medical Marijuana by a licensed Dispensary.
- H. FORM OF MEDICAL MARIJUANA – The characteristics of the Medical Marijuana recommended or limited for a particular patient, including the method of consumption and any particular dosage, strain, variant and quantity or percentage of Medical Marijuana or particular active ingredient.

## SECTION 3: Chapter 185 Zoning of the Code of Ordinances of Hanover Township (cont'd)

- I. GROWER/PROCESSOR – A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a current and valid permit from the DOH to grow and process Medical Marijuana in the Commonwealth, pursuant to the provisions of the Act.
- J. GROWER/PROCESSOR FACILITY – Any building or structure used to grow Medical Marijuana by a licensed Grower/Processor that has a current and valid license from the DOH pursuant to the Act.
- K. MEDICAL MARIJUANA – Marijuana for certified medical use as legally permitted by the Commonwealth and the provisions of the Act.
- L. MEDICAL MARIJUANA FACILITY – A Dispensary Facility or a Grower/Processor Facility



## SECTION 3: Chapter 185 Zoning of the Code of Ordinances of Hanover Township (cont'd)

- M. MEDICAL MARIJUANA DELIVERY VEHICLE OFFICE – Any facility used to house delivery vehicles for supplying marijuana plants or seeds to one or more Grower/Processor Facilities and/or Dispensary Facilities.
- N. REGISTRY – The registry established by the DOH for all Medical Marijuana organizations and practitioners in the Commonwealth pursuant to the provisions of the Act.

# SECTION 8: Chapter 185 Zoning of the Code of Ordinances of Hanover Township

Section 185-54 Conditional Uses; Subsection 185-54 E Specific Standards for conditional uses shall be amended by adding the following paragraphs (23), (24), (25) and (26) to read as follows:

## **(24) GROWER/PROCESSOR FACILITY**

- a. Grower/Processor Facility which grows Medical Marijuana must be owned and operated by a Grower/Processor legally registered with the Commonwealth and possess a current and valid Medical Marijuana Permit from DOH pursuant to the Act.
- b. Grower/Processor Facility which grows Medical Marijuana can only do so in an indoor, enclosed, and secure building which includes electronic locking systems, electronic surveillance and other features required by the DOH. The Grower/Processor Facility shall not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other motor vehicle.

## SECTION 8: Chapter 185 Zoning of the Code of Ordinances of Hanover Township (cont'd)

### **(24) GROWER/PROCESSOR FACILITY** (cont'd)

- c. The maximum floor area of Grower/Processor Facility shall be limited to 20,000 square feet, of which sufficient space must be set aside for secure storage of marijuana seeds, related finished product, and marijuana related materials used in production or for required laboratory testing.
- d. There shall be no emission of dust, fumes, vapors, odors, or waste into the environment from and Grower/Processor Facility where Medical Marijuana growing, processing or testing occurs.
- e. Marijuana remnants and byproducts shall be secured and properly disposed of in accordance with the DOH policy or policies and shall not be placed within any unsecure exterior refuse containers.

## SECTION 8: Chapter 185 Zoning of the Code of Ordinances of Hanover Township (cont'd)

### **(24) GROWER/PROCESSOR FACILITY** (cont'd)

- f. The Grower/Processor Facility shall provide only wholesale products to other Medical Marijuana Facilities. Retail sales and dispensing of Medical Marijuana and related products is specifically prohibited at Grower/Processor Facility.
- g. Grower/Processor Facility may not be located within 1,000 feet of property line of a public, private, or parochial school or day care center. This distance shall be measured in a straight line from the closest exterior wall of the building or portion thereof in which the business is conducted or proposed to be conducted, to the closest property line of the protected use, regardless of the municipality in which it is located.
- h. All external lighting serving a Grower/Processor Facility must be shielded in such a manner to not allow light to be emitted skyward or onto adjoining properties.

# SECTION 8: Chapter 185 Zoning of the Code of Ordinances of Hanover Township (cont'd)

## **(24) GROWER/PROCESSOR FACILITY** (cont'd)

- i. Parking requirements will follow the parking regulations found in Sections 185-17, 185-18 and 185-33 C of the Township of Hanover Zoning Ordinance.
- j. A buffer planting is required where Grower/Processor Facility adjoins a residential use or district in accordance with Section 185-38 M. (12) of the Township of Hanover Zoning Ordinance.
- k. Entrances and driveways to a Grower/Processor Facility must be designated to accommodate the anticipated vehicles used to service the facility.

# SECTION 8: Chapter 185 Zoning of the Code of Ordinances of Hanover Township (cont'd)

## **(24) GROWER/PROCESSOR FACILITY** (cont'd)

- l.** The Grower/Processor Facility shall require a Site Plan review and approval if it is utilizing an existing facility and Land Development review and approval if a new facility is being built and utilized pursuant to the provisions of the Township of Hanover Ordinances.
- m.** Any and all other provisions contained in the Act affecting the construction, use and operation of a Grower/Processor Facility.
- n.** Any Medical Marijuana Facility lawfully operating pursuant to the Act shall not be considered in violation of these provisions by the subsequent location of a public, private or parochial school or day care center.

# SECTION 8: Chapter 185 Zoning of the Code of Ordinances of Hanover Township (cont'd)

## **(26) DISPENSARY FACILITY**

- a. A Dispensary Facility must be owned and operated by a legally registered Dispensary in the Commonwealth and possess a current and valid Medical Marijuana permit from the DOH pursuant to the Act.
- b. A Dispensary Facility may only dispense Medical Marijuana in an indoor, enclosed, permanent, and secure building and shall not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other motor vehicle.
- c. Dispensary Facility may not operate on the same site that a Grower/Processor Facility is located.

# SECTION 8: Chapter 185 Zoning of the Code of Ordinances of Hanover Township (cont'd)

## **(26) DISPENSARY FACILITY** (cont'd)

- d. Dispensary Facility shall have a single secure public entrance and shall implement appropriate security measures to deter and prevent the theft of Medical Marijuana and unauthorized entrance into areas containing Medical Marijuana, all of which shall be in accordance with the Act.
- e. Permitted hours of operation of a Dispensary Facility shall be 8AM to 8PM [of the same calendar day].
- f. A Dispensary Facility shall be a maximum of 3,000 gross square feet, of which no more than 500 square feet shall be used for secure storage of Medical Marijuana, and shall have an interior customer waiting area equal to a minimum of twenty-five (25) percent of the gross floor area of the Dispensary Facility.



# SECTION 8: Chapter 185 Zoning of the Code of Ordinances of Hanover Township (cont'd)

## **(26) DISPENSARY FACILITY** (cont'd)

- g.** Dispensary Facility shall:

  - 1.** Not have a drive-through service;
  - 2.** Not have outdoor seating areas;
  - 3.** Not have outdoor vending machines;
  - 4.** Prohibit the administering of, or the consumption of Medical Marijuana on the premises; and
  - 5.** Not offer direct or home delivery service
  
- h.** A Dispensary Facility may dispense only Medical Marijuana to certified patients and caregivers as set forth in the Act and shall comply with all lawful, applicable health regulations, including those of the DOH.

# SECTION 8: Chapter 185 Zoning of the Code of Ordinances of Hanover Township (cont'd)

## **(26) DISPENSARY FACILITY** (cont'd)

- i. A Dispensary Facility may not be located within 1,000 feet of a property line of a public, private or parochial school or a day care center. This distance shall be measured in a straight line from the closest exterior wall of the building or portion thereof in which the business is conducted or proposed to be conducted, to the closest property line of the protected use, regardless of the municipality in which it is located.
  
- j. Dispensary Facility shall be a minimum distance of 1,000 feet from the next nearest Medical Marijuana Facility. This does not include complimenting or supporting businesses covered by different definitions. This distance shall be measured in a straight line from the closest exterior walls of the buildings or portions thereof in which the businesses are conducted or proposed to be conducted, regardless of the municipality in which it is located. This separation distance does not apply to the distance between the Grower/Processor Facility or Academic Clinical Research Centers and the specific Dispensary Facility they serve, or with which they partner.

# SECTION 8: Chapter 185 Zoning of the Code of Ordinances of Hanover Township (cont'd)

## **(26) DISPENSARY FACILITY** (cont'd)

- k. Any Medical Marijuana Facility lawfully operating pursuant to the Act shall not be rendered in violation of these provisions by the subsequent location of a public, private or parochial school or day care center.
- l. All external lighting serving Dispensary Facility must be shielded in such a manner to not allow light to be emitted skyward or onto adjoining properties.
- m. Parking requirements will follow the parking schedule found in Sections 185-17, 185-18 and 185-33C. of the Township of Hanover Zoning Ordinance. Off-Street Parking Regulations shall utilize those listed for medical and dental offices including outpatient clinics.

# SECTION 8: Chapter 185 Zoning of the Code of Ordinances of Hanover Township (cont'd)

## **(26) DISPENSARY FACILITY** (cont'd)

- n. A buffer planting is required where a Dispensary Facility adjoins a residential use or district pursuant to Section 815-30 E.(3) of the Township of Hanover Zoning Ordinance.
- o. Entrances and driveways to a Dispensary Facility must be designed to accommodate the anticipated vehicles used to service the facility.
- p. The Dispensary Facility shall require a Site Plan review and approval if it is utilizing an existing facility and a Land Development review and approval if a new facility is being built and utilized pursuant to the Township of Hanover Ordinances.
- q. Any and all other provisions contained in the Act affecting the construction, use and operation of a Dispensary Facility.

# Sample Ordinances – Two Extremes

- **Extreme #2**

An ordinance of the Township of Silver Spring, Cumberland County, Pennsylvania amending Ordinance No. 95-10, as amended, which provides zoning within the Township of Silver Spring, to provide for the production and processing of medical marijuana in the I-1 Light Industrial Zoning District and to provide for dispensaries of medical marijuana in the C-3 Highway Commercial Zoning District.

# SECTION 1

The definitions of the terms “Medical Marijuana,” “Dispensary,” and “Grower/Processor” as set forth below are hereby inserted in Section 112 [Definitions] of Article 1 [Background Provisions] of the Silver Spring Township Zoning Ordinance (hereinafter “Zoning Ordinance”), originally adopted as Ordinance Number 95-10 and thereafter amended, in appropriate alphabetical order as follows:

- A. DISPENSARY – person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a permit from the Department of Health of the Commonwealth under Pennsylvania Act 16 of 2016, as hereafter amended, to dispense medical marijuana. The term does not include a health care medical marijuana organization under Chapter 19, 35 P.S. §§ 10231.1901 through 10231.1908, as hereafter amended.

## SECTION 1 (cont'd)

- B. GROWER/PROCESSOR – A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a permit from the Department of Health of the Commonwealth under Pennsylvania Act 16 of 2016, as hereafter amended, to grow and process medical marijuana. The term does not include a health care medical marijuana organization under Chapter 19, 35 P.S. §§ 10231.1901 through 10231.1908, as hereafter amended.
  
- C. MEDICAL MARIJUANA – Marijuana for certified medical use set forth in Pennsylvania Act 16 Of 2016, as hereafter amended.

## SECTION 2

Section 212.2 [Permitted Uses] of the Zoning Ordinance is hereby amended to include the following additional use permitted by right (with subsections 25 [Mini-warehouses] and 26 [regarding accessory uses] renumbered to 26 and 27 respectively):

- Medical Marijuana Dispensary, subject to compliance with all Pennsylvania statutory laws and regulations, and zoning and land use requirements and other laws of the Township.



## SECTION 3

Section 212.2 [Permitted Uses] of the Zoning Ordinance is hereby amended to include the following additional use permitted by right (with subsections 18 [Commercial day care facilities] and 19 [regarding accessory uses] renumbered to 19 and 20 respectively):

- Medical Marijuana Grower/Processor, subject to compliance with all Pennsylvania statutory laws and regulations, and zoning and land use requirements and other laws of the Township.

QUESTIONS?

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