

CITY OF NILES  
BERRIEN COUNTY, MICHIGAN

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE CITY OF NILES ZONING ORDINANCE; TO AMEND SECTION 213 TO ADD NEW DEFINITIONS PERTAINING TO MEDICAL MARIHUANA FACILITIES; TO AMEND SECTION 325 PERTAINING TO NONCONFORMING PROVISIONS FOR MEDICAL MARIHUANA FACILITIES; TO AMEND SECTION 405, TABLE 4-2 TO INCLUDE NEW LAND USES PERTAINING TO MEDICAL MARIHUANA FACILITIES; TO AMEND SECTIONS 506, AND 508 TO PERMIT MEDICAL MARIHUANA FACILITIES AS A SPECIAL LAND USE, AND TO AMEND ARTICLE 8 TO PROVIDE REGULATIONS FOR MEDICAL MARIHUANA FACILITIES.

THE CITY OF NILES, BERRIEN COUNTY MICHIGAN, ORDAINS:

**Section 1. Amendment of Section 213.** Section 213 of the City of Niles Zoning Ordinance is amended to include the following definitions, in alphabetical order:

**Medical Marihuana Facility:** One of the following commercial entities:

**Grower:** A licensee that is a commercial entity located in this State that cultivates, dries, trims, or cures and packages marihuana for sale to a processor or provisioning center (as defined in MCL 333.27102).

**LARA:** The Michigan Department of Licensing and Regulatory Affairs

**Licensee:** An entity that holds a license issued under the Medical Marihuana Facilities Licensing Act, Act 281 of 2016, as amended, (MCL 333.27101 *et seq.*) that allows the licensee to operate as one of the following, specified in the license: (as defined in MCL 333.27102)

1. A grower
2. A processor
3. A secure transporter
4. A provisioning center
5. A safety compliance facility

**Processor:** A licensee that is a commercial entity located in this State 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. (as defined in MCL 333.27102)

**Provisioning center:** A licensee that is a commercial entity located in this State 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 where marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the Michigan medical marihuana act (Initiated Law 1 of 2008) is not a provisioning center for purposes of this Ordinance. (as defined in MCL 333.27102)

**Registered Qualifying Patient:** A qualifying patient who has been issued a current registry identification card under the Michigan medical marihuana act or a visiting qualifying patient as that term is defined in section 3 of the Michigan medical marihuana act, MCL 333.26423. (as defined in MCL 333.27102)

**Registered Primary Caregiver:** A primary caregiver who has been issued a current registry identification card under the Michigan medical marihuana act. (as defined in MCL 333.27102)

**Safety Compliance Facility:** A licensee that is a commercial entity that receives marihuana from a marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol (THC) and other cannabinoids, returns the test results, and may return the marihuana to the marihuana facility. (as defined in MCL 333.27102)

**Secure Transporter:** A licensee that is a commercial entity located in this State that stores marihuana and transports marihuana between marihuana facilities for a fee. (as defined in MCL 333.27102)

**Section 2. Amendment of Section 325.** Section 325 of the City of Niles Zoning Ordinance is amended to include the following subsection 7, which reads as follows:

7. **Medical Marihuana Facilities.** The following provisions relate to medical marihuana facilities within the City of Niles. In instances where there is a conflict between this section and other applicable provisions of this Ordinance, the more restrictive regulations shall control.
  - a. No marihuana facilities operating or purporting to operate prior to December 15th 2017, shall be deemed to have been a legally existing use nor shall the operations of such marihuana facility be deemed a legal nonconforming use pursuant to this Section 325.
  - b. A property owner or operator of a medical marihuana facility shall not have vested rights or nonconforming use rights that would serve as a basis for failing to comply with this ordinance or any applicable amendment thereto.
  - c. Discontinuation of a State medical marihuana facility license shall be also considered a discontinuance of a medical marihuana facility, at which time any special land use granted by the City pursuant to this Ordinance would be considered ineffective.

**Section 3. Amendment of Section 405, Table 4-2.** Section 405, Table 4-2 “Uses Permitted by Right and as Special Land Uses” of the City of Niles Zoning Ordinance is amended to include the following land uses in alphabetical order:

USES	LDR	MDR	CB	NC	RC	OC	IND	OS
Medical Marihuana Facility – Grower							SLU	
Medical Marihuana Facility – Processor							SLU	
Medical Marihuana Facility – Provisioning Center					SLU		SLU	
Medical Marihuana Facility – Safety Compliance Facility							SLU	
Medical Marihuana Facility – Secure Transporter							SLU	

**Section 4. Amendment of Section 506, b.** Section 506,b of the City of Niles Zoning Ordinance is amended to include the following land use, in alphabetical order:

- ◆ Medical Marihuana Facility – Provisioning Center subject to **Section 845**.

**Section 5. Amendment of Section 508, b.** Section 508,b of the City of Niles Zoning Ordinance is amended to include the following land use, in alphabetical order:

- ◆ Medical Marihuana Facility – Grower subject to **Section 845**.
- ◆ Medical Marihuana Facility – Processor subject to **Section 845**.
- ◆ Medical Marihuana Facility – Provisioning Center subject to **Section 845**.
- ◆ Medical Marihuana Facility – Safety Compliance Facility subject to **Section 845**
- ◆ Medical Marihuana Facility – Secure Transporter subject to **Section 845**.

**Section 6. Amendment of Article Eight.** Article Eight of the City of Niles Zoning Ordinance is amended to include a new Section 845, which reads as follows:

## **SECTION 845 MEDICAL MARIHUANA FACILITIES**

### **General Regulations for all Medical Marihuana Facilities**

It is the intent of this Section to authorize the establishment of certain types of medical marijuana facilities in the City of Niles and to provide for the adoption of reasonable restrictions to protect the public health, safety, and general welfare of the community at large; retain the character of neighborhoods and business districts; and mitigate potential impacts on surrounding properties and persons.

It is further the intent of this Section to implement the provisions of the Michigan Medical Marihuana Facilities Licensing Act (Public Act 281 of 2016; MCL 333.27101, et. seq.) with respect to local zoning and land use, and to permit the growing, processing, sale, and distribution of medical marihuana consistent with applicable State statutes.

Nothing in this Chapter purports to permit activities that are otherwise illegal under State or local law, and nothing in this ordinance is intended to grant immunity from criminal or civil prosecution, penalty, or sanction for the cultivation, manufacturing, possession, use, sale, or distribution of marijuana, in any form, that is not in compliance with the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCL 333.26421 et seq.; the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq.; the Marihuana Tracking Act, MCL 333.27901 et seq.; and all other applicable rules promulgated by the State of Michigan.

1. Medical marihuana facilities as defined by this Ordinance shall be subject to the following regulations:
  - a. Any uses or activities found by the State of Michigan or a court with jurisdiction to be unconstitutional or otherwise not permitted by State law may not be permitted by City of Niles. In the event that a court with jurisdiction declares some or all of this Section invalid, the City of Niles may suspend the acceptance of applications for special land use permits pending the resolutions of the legal issue in question.
  - b. An operator of a medical marihuana facility shall at all times have a valid Medical Marihuana Facility license issued by the City of Niles pursuant to Ordinance No. \_\_\_\_\_, as amended, and a State operating license as issued by LARA pursuant to the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq.
  - c. Separation of licensed premises; one building may be used for one or more types of marihuana facilities, provided that the locational requirements and all other standards for each type of medical marihuana facility are satisfied. A grower facility and processor facility are separate medical marihuana commercial entities requiring separate licenses and separate premises. In addition to all other application requirements for separate premises, each business shall:
    - 1) Have separate operations, ventilation, security, and fire suppression systems, and separate access from a public area.
    - 2) Be divided within a building from floor to roof. Unless higher performance is required by applicable law, there must be a minimum of a one-hour fire separation between a medical marihuana business and any adjacent business.
  - d. All medical marihuana facilities established pursuant to the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq. shall only be permitted upon receiving special land use approval in accordance with this Article.
  - e. Operation and Safety/Security Plans; In addition to the materials required for Site Plan Review in Article 10, an application for a medical marihuana facility shall also include a comprehensive facility operation and safety plan.
    - 1) A comprehensive facility operation plan for the medical marihuana commercial entity which shall contain, at minimum, a safety/security plan indicating how the applicant will comply with the requirements of this Ordinance and any other applicable law, rule or regulation.
    - 2) The safety/security plan shall include details of security arrangements and will be protected from disclosure as provided under Michigan Freedom of Information Act, MCL 15.231 et seq. If the City finds

that such documents are subject to disclosure, it will attempt to provide at least two (2) business days' notice to the applicant prior to such disclosure.

- 3) The security plan must include, at a minimum, the following security measures:
  - a) Cameras. The medical marijuana business shall install and use security cameras to monitor and record all areas of the premises (except in restrooms) where persons may gain or attempt to gain access to medical marijuana or cash maintained by the medical marijuana business entity. Cameras shall record operations of the business to the off-site location, as well as all potential areas of ingress or egress to the business with sufficient detail to identify facial features and clothing. Recordings from security cameras shall be maintained for a minimum of forty-five (45) days in a secure offsite location in the City or through a service over a network that provides on-demand access, commonly referred to as a "cloud." The offsite location shall be included in the security plan submitted to the City and provided to the City of Niles Police Department upon request, and updated within seventy-two (72) hours of any change of such location. Security cameras shall be directed to record only the subject property and may not be directed to public rights-of-ways as applicable, unless required to comply with licensing requirements of the State of Michigan.
  - b) Use of Safe for Storage. The medical marijuana business shall install and use a safe for storage of any processed medical marijuana and cash on the premises when the business is closed to the public. The safe shall be incorporated into the building structure or securely attached thereto. For medical marijuana-infused products that must be kept refrigerated or frozen, the business may lock the refrigerated container or freezer in a manner authorized by the City in place of use of a safe so long as the container is affixed to the building structure.
  - c) Alarm system. The medical marijuana business shall install and use an alarm system that is monitored by a company that is staffed twenty-four (24) hours a day, seven (7) days a week. The security plan submitted to the City shall identify the company monitoring the alarm, including contact information, and updated within seventy-two (72) hours of any change of monitoring company.
  - d) For grower and processing facilities, a plan that specifies the methods to be used to prevent the growth of harmful mold and compliance with limitations on discharge into the wastewater system of the City;
  - e) A lighting plan showing the lighting outside of the medical marijuana facility for security purposes and compliance with applicable City requirements;
  - f) A plan for disposal of any medical marijuana or medical marijuana-infused product, including any/all byproducts and/or waste products that is not sold to a patient or primary caregiver in a manner that protects any portion thereof from being possessed or ingested by any person or animal.
  - g) A plan for ventilation of the medical marijuana facility that describes the ventilation systems that will be used to prevent any odor of medical marijuana off the premises of the business. For medical marijuana facilities that grow medical marijuana plants, such plan shall also include all ventilation systems used to control the environment for the plants and describe how such systems operate with the systems preventing any odor leaving the premises. For medical marijuana businesses that produce medical marijuana-infused products, such plan shall also include all ventilation systems used to mitigate noxious gases or other fumes used or created as part of the production process.
  - h) A description of all toxic, flammable, or other materials regulated by a federal, State, or local authority that would have jurisdiction over the business if it was not a medical marijuana business, that will be used or kept at the medical marijuana business, the location of such materials, and how such materials will be stored.
  - i) A Statement of the amount of the projected daily average and peak electric load anticipated to be used by the business and certification from a licensed electrician that the premises are equipped to safely accept and utilize the required or anticipated electric load for the facility.

- j) Prior to making a modification to a structure that would require a building permit or which would alter or change items required by this subsection, the licensee shall submit to the City and have an approved completed application for modification of premises in the form provided by the City.
  - k) Unless higher performance is required by applicable law, there must be a minimum of a one-hour fire separation wall between a medical marihuana facility and any adjacent business or residence.
  - l) A description of the security plan shall be submitted with the application for a City operating license. The security system, shall be maintained in good working order and provide twenty-four hours per day coverage. A separate security system is required for each facility.
- 4) Parking shall comply with Article VI of this Ordinance.
  - 5) In order to be eligible for a special land use permit, the medical marihuana facility must be in the licensing process with the State of Michigan, and then must be at all times in compliance with the laws of the State of Michigan including but not limited to the Michigan Medical Marihuana Act, MCL 333.26421 et seq.; the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq.; and the Marihuana Tracking Act, MCL 333.27901 et seq.; and all other applicable rules promulgated by the State of Michigan. No medical marihuana facility shall be operated, nor shall a certificate of occupancy be issued, until the appropriate State operating license is obtained from LARA and submitted to the City of Niles, and all fees related to the application, including applicant escrows, are paid by the applicant.
  - 6) A medical marihuana facility as defined by this ordinance, or activities associated with the licensed growing, processing, testing, transporting, or sales of marihuana, shall not be permitted as a home occupation or accessory use, nor may they include accessory uses, except as otherwise provided in this ordinance and permitted by the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq.
  - 7) Pursuant to MCL 333.7410 et seq., medical marihuana facilities shall not be located within 1,000 feet of a school property or a library.
  - 8) Unless otherwise provided or exempted by this Section, medical marihuana facilities shall comply with all other applicable standards of this Ordinance.
  - 9) The license required by Ordinance \_\_\_\_ of the City of Niles and the State of Michigan shall be prominently displayed on the premises of a medical marihuana facility;
  - 10) Disposal of medical marihuana shall be accomplished in a manner that prevents its acquisition by any person who may not lawfully possess it and otherwise in conformance with State law;
  - 11) All chemicals or hazardous substances used in the growing, processing, testing or storage of medical marihuana shall be stored and used in strict compliance with manufacturer recommendations and all applicable federal, State or local regulations.
  - 12) Signage for Medical marihuana facilities shall comply with the requirements of Article 7, and the requirements of this subsection. All signage and advertising for a medical marihuana facility shall comply with all applicable provisions of this Code and the City Zoning Code.
    - a) Where there is a conflict between the standards of Article 7 and the following standards, the more restrictive standards shall control:
    - b) Only two signs shall per permitted on a parcel containing a medical marihuana facility.
    - c) Signs located on lots containing medical marihuana facilities shall not be illuminated. Signs with flashing, oscillating or intermittent lights are prohibited.
    - d) One wall sign affixed to a building containing a medical marihuana facility is permitted and shall not exceed 50 square feet.
    - e) One pole or monument sign located on a lot containing a medical marihuana facility is permitted and shall not exceed 32 square feet.
    - f) Warning Signs: There shall be posted in a conspicuous location inside of each facility at least one (1) legible sign containing the content of this section warning that:

- i. The possession, use or distribution of marihuana is a violation of federal law;
  - ii. It is illegal under State law to drive a motor vehicle or to operate machinery when under the influence of, or impaired by marihuana; and
  - iii. No one under the age of eighteen (18) is permitted on the premises
- g) In addition, it shall be unlawful for any licensee to:
- i. Use signage or advertising with the word "marihuana", "marijuana" or "cannabis" or any other word, phrase or symbol commonly understood to refer to marihuana or any advertising material that would appeal to minors;
  - ii. Advertise in a manner that is inconsistent with the medicinal use of medical marihuana or use advertisements that promote medical marihuana for recreational or any use other than medicinal purposes.

13) All medical marihuana facilities shall provide landscaping as required by Section 316 of this Ordinance.

14) The nonconforming provisions of Section 325(7) shall apply to all medical marihuana facilities.

**2. Visibility of activities; control of emissions.**

- a. All activities of medical marihuana commercial entities, including, without limitation, the cultivating, growing, processing, displaying, manufacturing, selling, and storage of medical marihuana and medical marihuana-infused products shall be conducted indoors and out of public view.
- b. No medical marihuana or paraphernalia shall be displayed or kept in a business so as to be visible from outside the licensed premises.
- c. Sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances from exiting a medical marihuana commercial entity must be provided at all times. In the event that any odors, debris, dust, fluids or other substances exit a medical marihuana commercial entity, the owner of the subject premises and the licensee shall be jointly and severally liable for such conditions and shall be responsible for immediate, full clean-up and correction of such condition. The licensee shall properly dispose of all such materials, items and other substances in a safe, sanitary and secure manner and in accordance with all applicable federal, State and local laws and regulations.
- d. No person, tenant, occupant, or property owner shall permit the emission of medical marihuana odor from any source to result in detectable odors that leave the premises upon which they originated and interfere with the reasonable and comfortable use and enjoyment of another's property.
- e. The City of Niles may use a field olfactometer to measure and quantify odor strength in the ambient air.

- i. Field olfactometry calculates the "Dilution-to-Threshold" (D/T) ratio as:

$$D/T = \frac{\text{Volume of Carbon-Filtered Air}}{\text{Volume of Odorous Air}}$$

- ii. All properties with medical marihuana onsite will be maintain a score of seven (7) D/T or less at the property line
- iii. Any property found out of compliance will be required to remediate the odor within 72 hours. If the D/T remains noncompliant, the license will be revoked until the odor level is compliant with this Section.
- f. Whether or not a medical marihuana odor emission interferes with the reasonable and comfortable use and enjoyment of a property shall be measured against the objective standards of a reasonable person of normal sensitivity.
- g. A grower or a processor shall install and maintain in operable condition a system which precludes the emission of medical marihuana odor from the premises.

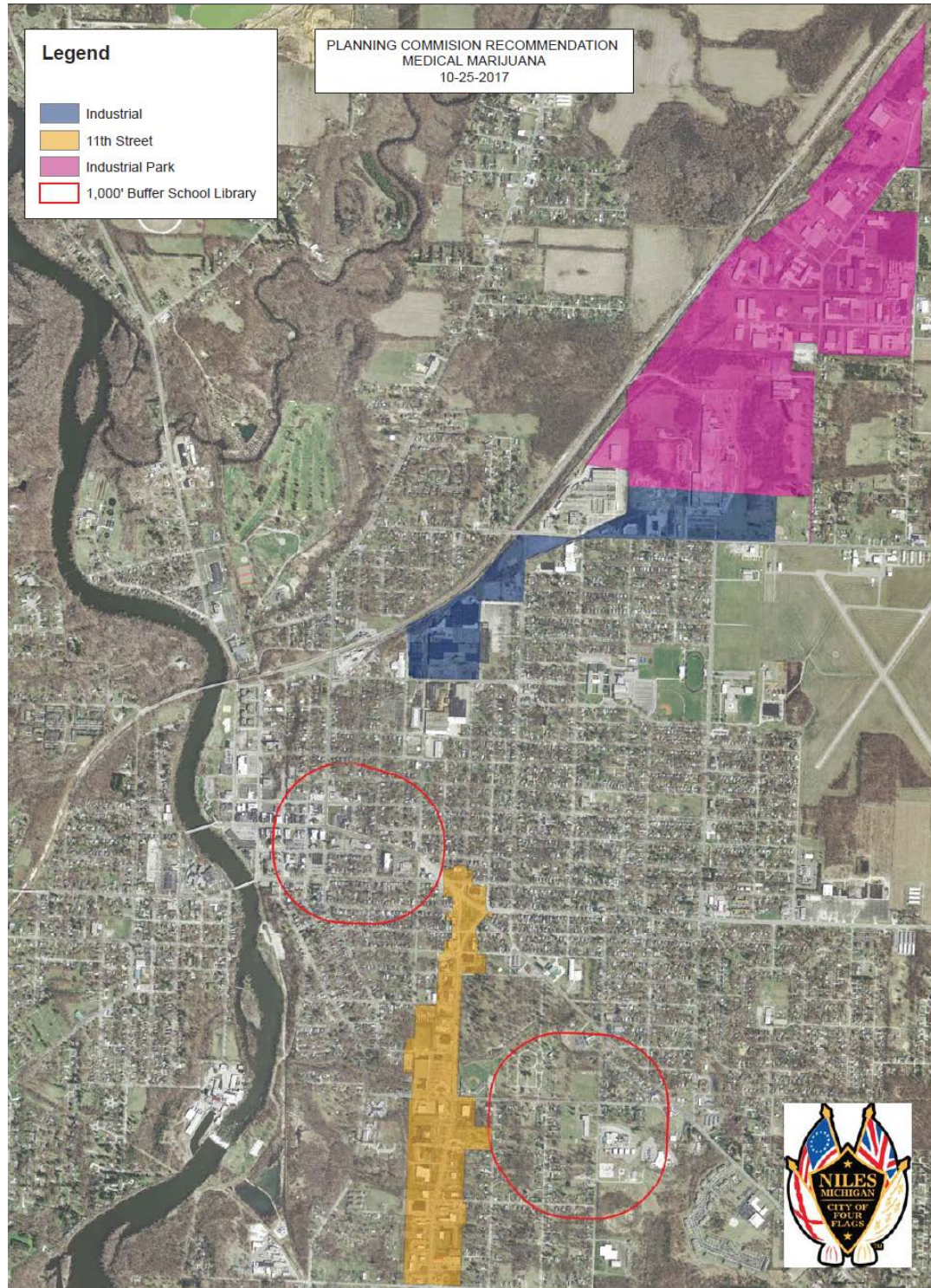
**3. Additional requirements**

- a. No medical marihuana business may use metals, butane, propane, or other flammable product, or

produce flammable vapors, to process medical marijuana unless the process used and the premises are verified as safe and in compliance with all applicable codes by a qualified industrial hygienist.

- b. The City may require the business to obtain verification from a qualified industrial hygienist that the manner in which the business is producing medical marijuana complies with all applicable laws and does not produce noxious or dangerous gases or odors or otherwise create a danger to any person or entity in or near the businesses.

**4. Siting Criteria.** Medical marijuana facilities shall be only permitted by special land use in accordance with the following map.



**5. Medical Marijuana cultivation/Growers.**

- a. Cultivation, generally.

- 1) No medical marihuana cultivation shall be conducted openly or publicly.
  - 2) Medical marihuana cultivation shall comply with all applicable requirements of the laws and regulations of the City and the State.
  - 3) Medical marihuana cultivation shall not occur in detached outbuildings.
  - 4) All medical marihuana cultivation shall take place in a locked and enclosed space.
- b. All medical marihuana products kept on premises where medical marihuana plants are grown shall be stored in a locked and enclosed space.
  - c. The use of any lighting for indoor medical marihuana cultivation shall be limited to light-emitting diodes (LEDs), compact fluorescent lamps (CFLs) or other fluorescent lighting. All high-density (HID) lighting, including but not limited to, mercury-vapor lamps, metal-halide (MH) lamps, ceramic MH lamps, sodium-vapor lamps, high-pressure sodium (HPS) lamps and xenon short-arc lamps, may only be allowed with permission of the City of Niles Utilities Director or their designee.
  - d. No medical marihuana cultivation activity shall result in the emission of any gas, vapors, odors, smoke, dust, heat or glare that is noticeable at or beyond the property line of the structure (including dwellings) at which the cultivation occurs. Sufficient measures and means of preventing the escape of such substances from a dwelling must be provided at all times. In the event that any gas, vapors, odors, smoke, dust, heat or glare or other substances exit a dwelling, the owner of the subject premises shall be liable for such conditions and shall be responsible for immediate, full clean-up and correction of such condition. The owner shall properly dispose of all such materials, items and other substances in a safe, sanitary and secure manner and in accordance with all applicable federal, State and local laws and regulations. In the event there is a lessee of the subject premises, the owner and the lessee shall be jointly and severally liable for such conditions.
  - e. As required by the MMFLA, Growers shall only be permitted on parcels within the IND – Industrial district and within the permissible areas as illustrated on the map in subsection (2) above.
  - f. Light cast by fixtures within the building shall not be visible from outside the building.
  - g. The building shall be equipped with an activated carbon filtration system or other comparable odor control system to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter. The facility shall not emanate odors at any time that are readily detectible at the property line.
  - h. Doors and windows to a growing facility shall remain closed, except for the minimum length of time needed to allow people to reasonably enter or exit the building.
  - i. In instances where a grower is within a building containing multiple principal uses, all other uses within shall be subject to special land use review pursuant to Article Eight of this Ordinance.

## **6. Processing Facilities**

- a. As required by the MMFLA Processors shall only be permitted on parcels within the IND – Industrial district and within the permissible areas as illustrated on the map in subsection (2) above.
- b. Light cast by fixtures within the building shall not be visible from outside the building.
- c. The building shall be equipped with an activated carbon filtration system or other comparable odor control system to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter. The facility shall not emanate odors at any time that are readily detectible at the property line.
- d. Doors and windows to a growing facility shall remain closed, except for the minimum length of time needed to allow people to reasonably enter or exit the building.



- e. The City may require security cameras, which shall be directed to record only the subject property and may not be directed to public rights-of-ways as applicable, unless required to comply with licensing requirements of the State of Michigan.
- f. In instances where a processing facility is within a building containing multiple principal uses, all other uses within shall be subject to special land use review pursuant to Article Eight of this Ordinance.

## **7. Provisioning Centers**

- a. Provisioning centers shall only be permitted in buildings located on parcels within the IND – Industrial, or RC Regional Commercial district and within the permissible areas as illustrated on the map in subsection (2) above.
- b. All activities of a provisioning center, including all sales/transfers of medical marihuana, shall be conducted within the structure and out of public view. A provisioning center shall not have a walk-up window or a drive-thru window service.
- c. Unless otherwise permitted, public or common areas of the medical marihuana provisioning center must be separated from restricted or non-public areas of the provisioning center by a permanent barrier. No medical marihuana is permitted to be stored, displayed, or transferred in an area accessible to the general public.
- d. Medical marihuana products shall not be smoked, ingested, or otherwise be consumed in the building or on the property occupied by the provisioning center.
- e. The exterior appearance of a provisioning center shall remain compatible with the exterior appearance of buildings already constructed or under construction within the immediate area. The exterior shall be maintained as to prevent blight or deterioration or substantial diminishment or impairment of property values within the immediate area. New buildings shall be constructed in accordance with the adopted plans and policies of the City of Niles.
- f. Provisioning centers shall be equipped with an activated carbon filtration system or other comparable odor control system to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter. The facility shall not emanate odors at any time that are readily detectible at the property line.
- g. In instances where a provisioning center is within a building containing multiple principal uses, all other uses within shall be subject to special land use review pursuant to Article Eight of this Ordinance.

## **8. Safety Compliance Facilities**

- a. Medical marihuana products shall not be smoked, ingested, or otherwise be consumed in the building or on the property occupied by the safety compliance facility.
- b. Doors and windows to a safety compliance facility shall remain closed, except for the minimum length of time needed to allow people to reasonably enter or exit the building.
- c. In instances where a safety compliance facility is within a building containing multiple principal uses, all other uses within shall be subject to special land use review pursuant to Article Eight of this Ordinance.

## **9. Secure Transporters**

- a. Medical marihuana products shall not be smoked, ingested, or otherwise be consumed in the building or on the property occupied by the secure transporter.
- b. Doors and windows to a secure transporter shall remain closed, except for the minimum length of time needed to allow people to reasonably enter or exit the building.
- c. In instances where a secure transporter is within a building containing multiple principal uses, all other uses within shall be subject to special land use review pursuant to Article Eight of this Ordinance.

**EFFECTIVE DATE:** This ordinance shall take effect twenty (20) days after the final passage thereof.

Proposed by Councilmember:

Supported by Councilmember:

Roll Call:

Ayes:

Nays:

Absent:

ORDINANCE DECLARED ENACTED.

The foregoing Ordinance was enacted by the City Council of the City of Niles, State of Michigan, on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, and approved by its Mayor and Clerk on said date.

CITY OF NILES

By: \_\_\_\_\_

N. Shelton, Mayor

and \_\_\_\_\_

Linda Casperson, Clerk