



ANTWERP TOWNSHIP HOME OCCUPATION REGISTRATION – PRIMARY CAREGIVER BUSINESS (MEDICAL MARIHUANA ACT)

The Zoning Ordinance requires the operator of a home occupation to register the business with the Zoning Administrator. The business of a Primary Caregiver supplying Medical Marihuana in accordance with the Michigan Medical Marihuana Act is allowed only as a home occupation. A home occupation must comply at all times with the conditions listed on Page 2 of this form, as well as the additional requirements for Primary Caregivers, listed on the "Information for Primary Caregivers" sheet (please request a copy from the Township office). **THE INFORMATION GIVEN ON THIS FORM IS CONFIDENTIAL AND IS NOT SUBJECT TO THE MICHIGAN FREEDOM OF INFORMATION ACT.** Your name, address and other information may not be disclosed by the Township except if required under the Medical Marihuana Act. There is no fee for this registration.

Applicant Name: _____

Address of Business: _____

City: _____ State: _____ Zip Code: _____

Phone Number(s): _____ E-mail: _____

I hereby attest that all information on this application is, to the best of my knowledge, true and accurate. I have read the requirements for a Home Occupation, as stated on the back of this form, as well as the additional requirements for a Primary Caregiver on the "Information for Primary Caregivers" sheet, and I further certify that the home occupation at the above address conforms with all of the requirements.

Signature: _____ **Date:** _____

Applicant is the: Owner Lessee

Property Owner's Name (if different from applicant): _____

Street Address: _____

City: _____ State _____ Zip Code: _____

Phone Number(s): _____ E-mail: _____

Description of Business (attach additional sheets if necessary). Include information on any special equipment used in the business, such as lighting, plumbing, etc. Do NOT include names of qualifying patients.

RETURN FORM TO TOWNSHIP OFFICES UPON COMPLETION

Note to staff: the information on this form is CONFIDENTIAL . Disclosure of any information in violation of the Medical Marihuana Act carries significant fines and sentences . Do not create an electronic record of this form.	
TO BE COMPLETED BY TOWNSHIP	
Date application received and accepted: _____	Staff Initials: _____
Date forwarded to Zoning Administrator: _____	Staff Initials: _____
Zoning Administrator comments _____	
Zoning Admin. approval _____	Date: _____

ANTWERP TOWNSHIP: HOME OCCUPATIONS (PRIMARY CAREGIVER BUSINESS)

A *home occupation* is defined as: “Any use customarily and traditionally conducted entirely within a single family dwelling or accessory structure which, except for a sign allowed by this Ordinance, is generally not discernible from outside the dwelling, is carried on by the occupant(s) thereof, only utilizes equipment customarily found in a single family dwelling, such as a computer and computer peripherals, telephone, and similar, and which is clearly incidental and secondary to the use of the residence for dwelling purposes” (Section 2.5, Antwerp Township Zoning Ordinance). The business of a primary caregiver providing medical marihuana to qualified patients, in accordance with the Medical Marihuana Act, is only allowed as a home occupation.

A home occupation is permitted as an allowed accessory use in any residential zoning district. A home occupation is approved by the Zoning Administrator. As long as the home occupation is operated in accordance with the requirements of the Zoning Ordinance, no further approvals or licenses are required. For primary caregivers, there are additional requirements. Please refer to the “Information for Primary Caregivers” sheet for these requirements.

OPERATIONAL REQUIREMENTS FOR PRIMARY CAREGIVERS: Section 5.4.D of the Zoning Ordinance lists the operational requirements for a home occupation. Subsections 1-12 list the requirements applicable to all home occupations, including primary caregivers. In addition, a primary caregiver business is subject to the following:

- a. The medical use of marihuana shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act and the administrative rules of the Department of Community Health.
- b. A registered caregiver must be located outside of a 1,000 foot radius from any school or library as defined by the Michigan Public Health Code, to insure compliance with the Federal Drug Free School Zone requirements.
- c. Not more than one primary caregiver shall be permitted to operate a home occupation in a single dwelling.
- d. All medical marihuana shall be grown and contained within the principal building in an enclosed, locked facility inaccessible on all sides and equipped with locks or other security devices that permit access by the registered primary caregiver or registered qualifying patient. Marihuana plants may not be visible from the exterior of the dwelling.
- e. All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of the residential structure in which electrical wiring, lighting or watering devices that support the cultivation, growing or harvesting of marihuana are located.
- f. If a room with windows is utilized as a growing location, any lighting methods that exceed normal residential usage between the hours of 11:00 pm to 7:00 am shall employ shielding methods, without alteration to the exterior of the residence, to prevent ambient light spillage that may create a distraction for adjacent residential properties.
- g. No sign advertising the business of a registered caregiver may be erected on the premises or be visible outside the premises.
- h. Marihuana may not be consumed in an area visible to the public or occupants of adjacent properties.
- i. Not more than one qualifying patient who is not a resident of the home may be present in the home at any time.
- j. That portion of the residential structure where energy usage and heat exceeds typical residential use, such as a grow room, or where the storage of any chemicals such as herbicides, pesticides and fertilizers occurs, shall be subject to inspection and approval by the Fire Department to ensure compliance with applicable provisions of the fire code.
- k. Nothing in this subsection shall be construed to encourage or condone violations of state or federal law.

By signing this form on the front side, you are certifying that the home occupation will be operated only in conformance with the above requirements (including the additional requirements for home occupations).

FOR MORE INFORMATION

See the Township web site, www.antwerptownship.com, or contact:

Township Offices
24821 Front Street
Mattawan, MI, 49071-9598
(269) 668-2615

Zoning Administrator:
David Jirousek, AICP
616-540-1794
hcplanning@outlook.com