

City of East Tawas Michigan
County of Iosco, State of Michigan

Ordinance No. 352
Adopted: May 6, 2019
Effective: May 27, 2019

AN ORDINANCE TO amend Ordinance No. 304 adopted on June 2, 2003 and amended by codification as Ordinance No. 343 on June 10, 2013 by repealing Ordinance No. 340 Medical Marihuana, adopted September 4, 2012 and amend Section 44-73 (b) and 44-285 (12) of the Zoning Ordinance by deleting or amending language as indicated.

Section 44-73 (b) (2) Conformance to other public laws, rules and regulations and delete or amend the following language:

Amend language to read:

- (1) The growth/cultivation of marihuana as defined in the Michigan Medical Marihuana Act, PA 2008, Initiated Law, as amended.

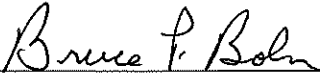
Section 44-285 (12) Home Occupations by deleting specified language.

Home occupations shall be permitted in all detached single-family residential dwellings and shall include such customary home occupations as: hairdressing, millinery, dressmaking, bookkeeping, and accounting services, real estate and insurance sales, professional offices, woodworking, arts and crafts, pottery making, antique collection and sales and other similar occupations, and other home occupations involving the production of goods and services legally operating in detached single-family homes. **Delete following language** - and as well involving the growth/cultivation of marihuana or the provision of services to a qualifying patient by a primary caregiver as defined in, provided by and subject to the Michigan Medical Marihuana Act, PA 2008, Initiated Law, as amended, and as provided in subsection (L), below.

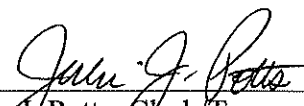
Delete language as follows:

12. The following restrictions apply relative to any home occupation involving the growth/cultivation of marihuana or the provision of services to a qualifying patient by a primary caregiver as defined in, provided by and subject to the Michigan Medical Marihuana Act, PA 2008, Initiated Law, as amended:
 - a. A Medical Marihuana Home Occupation shall not be located or operated within 1,000 feet of another Medical Marihuana Home Occupation.
 - b. The applicant must be at least twenty-one (21) years of age.
 - c. The applicant shall submit a floor plan of the premises showing the following:

1. The location of the entry, demonstrating that there is an unobstructed view of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms;
 2. The location of all lighting fixtures used for the home occupation;
 3. Identification of all portions of the premises to which patrons will not be permitted access;
 4. Identification of the use of each room or other area of the premises, and;
 5. Identification of any areas of the premises that will be used for the growth/cultivation of marihuana, as well as the total square footage thereof.
- d. The applicant shall submit proof that the proposed operator of the Medical Marihuana Home Occupation has been issued a registry identification card relative to the growth/cultivation of marihuana or the provision of services to a qualifying patient by a primary caregiver as per the Michigan Medical Marihuana Act, PA 2008, Initiated Law, as amended.
- e. No persons under the age of 18 shall be permitted in the area of the premises used for the Medical Marihuana Home Occupation at any time, unless the person is a registered qualifying patient and/or is accompanied by his parent or legal guardian.
- f. By applying for a Home Occupation use permit hereunder, the owner of the premises and/or operator of the Medical Marihuana Home Occupation thereon gives his/her/its consent to inspection of the premises for purposes of determining compliance with this Ordinance and all other applicable laws by agents, officers or representatives of the City of East Tawas, Tawas Police Authority, County of Iosco and State of Michigan.



Bruce P. Bolen, Mayor



Julie J. Potts, Clerk/Treasurer