



Building Department

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Cultivation of Marijuana Residential - Ordinance Acknowledgement Form

The Charter Township of Shelby Zoning Ordinance, Section 4.66, prohibits the cultivation of patient caregiver marijuana in residential zoning districts. The cultivation of medical marijuana for registered qualifying patients or any individuals over the age of twenty-one (21) is permitted in their principal residence subject to the following:

- The cultivation of marijuana shall only be for persons in their principal residence.
- If a registered qualifying patient, or individual twenty-one years or older, is not the owner of the premises, then written consent must be obtained from the property owner to ensure the owner's knowledge of the use of the premises as permitted by this section, and the registered qualifying patient and individual twenty-one years or older shall maintain written proof that the use of the property under this section is approved by the property owner.
- The cultivation of marijuana is limited to 12 plants.
- The marijuana shall be in an enclosed locked facility, inaccessible on all sides and equipped with locks or other security devices that permit access only by the registered qualifying patient and individuals twenty-one years or older.
- All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any alterations of any portion of the structure in support of or in association with the cultivation of marijuana.
- The storage of any chemicals such as herbicides, pesticides, and fertilizers, shall be subject to inspection and approval by the Shelby Township Building Department.
- The separation of plant resin from a marijuana plant by butane extraction or any other method that utilizes a substance with a flashpoint below 100 degrees Fahrenheit in any public place, a motor vehicle, inside a residential structure or the curtilage of a residential structure is prohibited.
- If a room with windows is utilized as a marijuana-cultivation location, any lighting methods that exceed usual residential use between the hours of 11:00 p.m. and 6:00 a.m. shall employ shielding methods, without alteration to the exterior of the residence or dwelling unit, to prevent ambient light spillage that causes or creates a distraction or nuisance to adjacent residential properties.
- No person other than the registered qualifying patient or individual twenty-one years or older shall be engaged or involved in the growing, processing, handling of marijuana.
- Use of the registered qualifying patient's residential dwelling unit for medical marijuana or an individual twenty-one years or older for recreational marijuana related purposes, shall be clearly incidental and subordinate to its use for residential purposes. Not more than one hundred (100) square feet of any residential dwelling unit and/or accessory structure on a residential lot, shall be used for the growing, processing, and handling of medical or recreational marijuana. Any modifications to the dwelling unit made for the purpose of cultivating medical or recreational Marijuana shall comply with all applicable building, electrical, mechanical, and fire safety code requirements, including all requisite permit applications and related inspections. No part of an

accessory building, detached garage, pole barn, or similar building or structure shall be used for the growing, processing, or distribution of medical or recreational marihuana unless such building or structure has been inspected and approved for the building, electrical, mechanical, and fire safety requirements of such use and fits the definition of an enclosed, locked facility.

- No equipment or process shall be used in growing, processing, or handling medical or recreational Marihuana which creates noise, vibration, glare, light, fumes, odors, or electrical interference detectable to the normal senses at or beyond the property line of the registered patient's or individual's over the age of twenty-one's residential property. In case of electrical interference, no equipment or process shall be used which creates visual or audible interference with any radio, television, or similar receiver off the premises or causes fluctuation of line voltage off the premises.

I have submitted application(s) for alterations at my home located at:

Address: _____

Permit Number: _____

Check all the proposed alterations that apply:

- Electrical wiring and lighting
- HVAC equipment
- Plumbing
- General building construction (walls, insulation, ceiling, etc.)

I hereby certify that the alterations are made for the following reasons:

- registered marihuana patient cultivation in accordance with the Michigan Medical Marihuana Act
- cultivation of recreational marihuana by person twenty-one (21) years or older pursuant to the Michigan Regulation and Taxation of Marihuana Act
- alterations will not be used to cultivate marijuana as a registered patient caregiver pursuant to the Michigan Medical Marihuana Act or for recreational marihuana by person twenty-one (21) years or older pursuant to the Michigan Regulation and Taxation of Marihuana Act

I have read and understand the Shelby Township Zoning regulations pertaining to the cultivation of marijuana and hereby certify that I will comply. I further agree to schedule and consent to all inspections required to obtain the permits requested.

Owner Signature

Date

Owner Name (printed)

RVSD 06/10/2021