

**APPLICATION AND AFFIDAVIT  
FOR ELECTRICAL COMPLIANCE PERMIT AND/OR  
MEDICAL MARIJUANA CAREGIVER SERVICES**

The applicant, \_\_\_\_\_, being sworn, states:

1. He or she **owns and occupies** the parcel of property identified below:

\_\_\_\_\_

And applicants contact information is as below:

\_\_\_\_\_  
Applicant Name & Address

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
email address

2. He or she is either:

**More than 200 amp Electrical.**

The owner and occupant of property who needs more than 200 amperes electrical service for the following purposes (be specific):

\_\_\_\_\_

\_\_\_\_\_

**OR –**

**Marijuana Caregiver.**

A registered primary caregiver under the Michigan Medical Marijuana Act who resides at this property and who grows, stores or supplies medical marijuana to no more than five registered qualifying patients at the property in accordance with the Michigan Medical Marijuana Act. By signing below, I acknowledge that:

- (a) I have read, understand and agree to abide by Section 1.40 of Article 1 of the Zoning Ordinance pertaining to Medical Marijuana Uses.

(b) I am the only registered primary caregiver occupying the property described above.

(c) I will provide my caregivers license from the State of Michigan.

(d) I have requested and received my (PRE) Principle Residence Exemption at this address.

3. All applicants:

I understand that I must renew an electrical service application/affidavit annually and by signing below agree to make all structures serviced by more than 200 amps electrical service available for inspection by the Township fire inspector.

I acknowledge that I must notify the Township Clerk of any changes in use from those described above when and as they happen on this property.

I understand that any incorrect or inaccurate representations made above may be grounds for the Township to revoke its approval with penalties as prescribed by Lapeer Township Ordinance(s).

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Subscribed and sworn before me on

\_\_\_\_\_, 20\_\_.

RESERVED  
FOR  
NOTARY  
STAMP / SEAL

**FOR TOWNSHIP USE ONLY**

This parcel is exempt from yearly inspections (AG use, geothermal) and/or permit fee (2A) based on:

\_\_\_\_\_  
\_\_\_\_\_

Signed

Date

\$25.00 Yearly fee MMC

\_\_\_\_\_ Paid date

\_\_\_\_\_ Ck/cash

**TOWNSHIP OF LAPEER  
ELECTRICAL COMPLIANCE  
ORDINANCE NO. 19.1**

An ordinance to regulate electrical service capacity within the Township and to provide penalties for the violation thereof.

**THE TOWNSHIP OF LAPEER HEREBY ORDAINS:**

**Section 1. Findings of Fact.**

The Township Board hereby finds that:

- A. No more than 200 amperes electrical service is necessary for nearly all residential applications;
- B. Except in extraordinary circumstances, electrical service in excess of 200 amperes is appropriate only for commercial or industrial applications or certain agricultural ones;
- C. Township approval for over 200 amperes electrical service for residential structures or structures accessory to residential uses is necessary to protect the health, safety and welfare of Township residents.

**Section 2. Electrical Compliance Permit.**

- A. Persons must apply for and receive from the Township an electrical compliance permit when seeking to install electrical service of more than 200 amperes in any of the following circumstances:
  - (i) For any structure or accessory structure in the AE, R1A, R1B or R1C zoning districts;
  - (ii) For any structure used as a dwelling or dwelling unit in any zoning district.
- B. An application for such service shall be on a form prepared by the Township and signed by the owner of the parcel to receive such service.
- C. An application shall be renewed annually.

**Section 3. Standards for Permit Approval or Disapproval.**

The Township or its designee shall approve an application for an electrical compliance permit or renewal of such permit when the following standards are met:

- A. When the applicant demonstrates that the requested service is necessary for all residential applications within the structure or structures receiving such service;
- B. When the applicant demonstrates that the requested service is necessary for all applications on property that has qualified for an agricultural-products exemption under MCL 205.94(1)(f);
- C. Upon approval following inspection from the Township designated inspector; and all fees paid as established by motion of the Township board.

**Section 4. Disapproval; appeal.**

Persons aggrieved by a decision of the Township Board may appeal that decision to the Township Board no later than fourteen (14) days after receipt of the Supervisor's decision. The Township Board must overturn the Supervisor's decision upon a finding that his decision was:

- (i) Arbitrary or capricious;
- (ii) Based on an erroneous finding of a material fact; or
- (iii) An abuse of discretion.

**Section 5. Penalty.**


Any person who shall violate a provision of this ordinance shall be responsible for a municipal civil infraction subject to the penalties specified in the Lapeer Township Civil Infraction Ordinance.

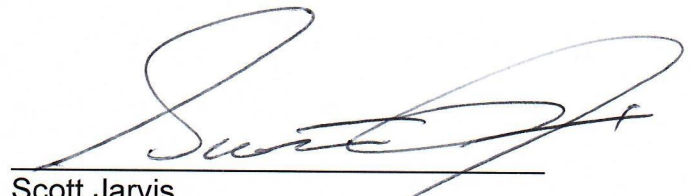
**Section 6. Effective date.**

This ordinance shall take effect thirty days after publication.

Voting for: D. Walker, P. Thick, W. Marshall, N. Bradford, S. Jarvis  
Voting against: None

The chair declared the ordinance adopted.

  
Dawn M. Walker  
Township Clerk

  
Scott Jarvis  
Township Supervisor

Lapeer Township  
Excerpt from Zoning Ordinance No. 1  
Section 1.40 Medical Marijuana Uses

Section 1.40 MEDICAL MARIJUANA USES.

1. Intent

- a. Voters in the State of Michigan approved the referendum authorizing the use of marijuana for certain medical conditions.
- b. The intent of the referendum was to enable certain specified persons who comply with the registration provisions of the law to legally obtain, possess, cultivate / grow, use and distribute marijuana and to assist specifically registered individuals identified in the statute without fear or criminal prosecution under limited, specific circumstances.
- c. Despite the specifics of the state legislation and the activities legally allowed as set forth therein, marijuana is still a controlled substance under Michigan law and the legalization of obtaining, possession, cultivation/growth, use and distribution in specific circumstances has a potential for abuse that should be closely monitored and to the extent permissible regulated by local authorities.
- d. If not closely monitored or regulated, the presence of marijuana even for the purposes legally permitted by the legislation can present an increase for illegal conduct and / or activity and this threat affects the health, safety and welfare of the residents of Lapeer Township.
- e. It is the intention of Lapeer Township that nothing in this Ordinance be construed to allow persons to engage in conduct that endangers others or causes a public nuisance, or to allow use, possession or control of marijuana for non-medical purposes or allow activity relating to cultivation / growing, distribution or consumption of marijuana that is otherwise illegal.

2. *Medical Marijuana Dispensary, Compassion Centers or other similar operation for the consumption of medicinal marijuana.* It shall be unlawful for any person or entity to own, manage, conduct, or operate a medical marijuana dispensary, compassion center or other similar operation, or to participate as an employee, contractor, agent or volunteer, or in any other manner or capacity, in any medical marijuana dispensary, compassion center, or other similar operation in Lapeer Township.

3. *Registered Primary Caregiver.* A registered primary caregiver, in compliance with the General Rules of the Michigan Department of Community Health, the Michigan Medical Marijuana Act P.A. 2008, Initiated Law, MCL 333.26423(d) and the requirements of this section, shall be permitted to grow marijuana as a home occupation subject to the applicable provisions of [Section 8.00\(6\)](#). Nothing in the section, or in any other regulatory provision, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marijuana not in strict compliance with the Act and the General Rules. Also, since Federal Law is not affected by the Act or General Rules, nothing in this section, or in any other regulatory provision, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal Law. The Michigan Medical Marijuana Act does not protect users, caregivers or the owners of properties on which the medical use of marijuana is occurring from Federal Prosecution, or from having their property seized by Federal authorities under the Federal Controlled Substances Act. The following requirements for a registered primary caregiver shall apply:

- a. The medical use of marijuana shall comply at all times and in all circumstances with the Michigan Medical Marijuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time;
- b. A registered primary caregiver must be located outside of a one-thousand (1,000) foot radius from any public park, library or school, including child care or day care facilities operated by a school, to insure community compliance with Federal "Drug-Free School Zone" requirements;
- c. Not more than one (1) primary caregiver shall be permitted to service qualifying patients on a single parcel or approved living unit;
- d. All medical marijuana shall be contained within the main building in an enclosed, locked facility inaccessible on all sides and equipped with locks or other security devices that permit access only by the registered primary caregiver or qualifying patient;
- e. All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of the residential structure in which electrical wiring, lighting and/or watering devices that support the production of marijuana are located;
- f. That portion of the residential structure where energy usage and heat exceeds typical residential use, such as a grow room, and the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Lapeer Township Fire Code Official to insure compliance with the Michigan Fire Protection Code.
- g. The property, dwelling and all enclosed, locked facilities shall be available for inspection upon request by the zoning administrator, building official or law enforcement official.

Lapeer Township  
Excerpt from Zoning Ordinance No. 1  
Section 8.00(6) Home Occupations – Tier 1

6. Home Occupations – Tier 1

- a. Home occupations are those that clearly fall within the definition contained in this ordinance and exclude those that require a Special Use Permit.
- b. No person other than members of the family residing on the premises shall be engaged in such occupation.
- c. Home occupation shall not require exterior alterations of the dwelling unit.
- d. One (1) sign shall be permitted, as provided in Section 4.05.5.
- e. No stock in trade may be kept or article sold or offered for sale in the dwelling, except such as are produced by such home occupation. No merchandise shall be displayed or sold outside the dwelling unit anywhere on the premises.
- f. On-site parking shall be provided in other than the required front yard at a ratio of one (1) parking space for each one hundred (100) square feet of building area used for home occupation purposes.
- g. Front yard, rear yard, and side yard requirements shall conform to the minimums established for single-family dwellings in this district.
- h. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses of persons off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference with any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.
- i. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of the floor area of the dwelling unit, excluding any attached garage, shall be used for the purposes of the home occupation, and shall be carried out completely within such dwelling, excluding any attached garage.
- j. There shall be no change in the outside appearance of the structure or premises, or other visible evidence of the conduct of such home occupation.
- k. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood.