

PROPOSED
Ray Township Marijuana Caregiver's Zoning Ordinance Amendments

Revise Section 211 - C, Marijuana Caregivers, of the Ray Township Zoning Ordinance to read:

- C. Registered Primary Caregiver. A registered primary caregiver, in compliance with the General Rules of the Michigan Department of Community Health, The Act, and the requirements of this section, shall be permitted to grow marijuana in the I-1 Industrial Zoning District subject to the applicable provisions contained herein. Nothing in this section, or 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 any other regulatory provision, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal Law. The 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.
1. A registered primary caregiver may only grow, cultivate, manufacture, process, and store marijuana on a parcel zoned I-1, Industrial within Ray Township.
 2. The registered primary caregiver is responsible for utilizing an enclosed locked facility upon the industrially zoned parcel, compliant with the MMMA for cultivating, growing, manufacturing, processing, and storing marijuana for medical use only. The enclosed locked facility utilized by the primary registered caregiver shall provide separation by fully enclosed walls, or fences, for plants that are grown on behalf of each registered qualifying patient, on whose behalf the registered primary caregiver is furnishing Marijuana for medical use, so it is accessible only to the primary caregiver and registered patient. The processing and storing of medical marijuana are permitted only by registered primary caregivers and registered qualifying patients.
 3. The registered primary caregiver may grow up to a maximum of 72 plants, but no more than 12 plants for each individual registered qualifying patient as outlined in the MMMA.
 4. The registered primary caregiver is responsible for providing the security necessary to assure that growing marijuana and usable product are accessible for use only by the primary registered caregiver for transfer to, only to registered qualifying patients who are registered to the registered primary caregiver and must fully comply with the provisions of the MMMA.

5. A Certificate of Occupancy is required, and must be obtained from the Township before the presence of marijuana is allowed on the parcel.
6. The operations of a registered primary caregiver within an industrial zoning district shall only be permitted upon the issuance of a Zoning Certificate of Compliance to Cultivate Medical Marijuana.
7. A complete and accurate application shall be submitted on a form provided by the Township, along with submission of the required application fee. The application fee shall be an amount determined by resolution of the Township Board.
 - a. The compliance certificate application shall include the name and address of the applicant; the address of the property; a copy of the current state registration card issued to the primary caregiver; a full description of the nature and types of equipment that will be used in marijuana cultivation and processing; and a description of the location at which the use will take place.
 - b. The planning and zoning administrator may require additional information necessary to demonstrate compliance with all requirements. The planning and zoning administrator shall review the application to determine compliance with this section, the MMMA and the MRTMA, and any applicable Michigan Regulatory Agency General Rules. A certificate shall be granted if the application demonstrates compliance with this section and the MMMA.
8. The use shall be maintained in compliance with the requirements of this section and the MMMA. Any departure shall be grounds to revoke the certificate and take other lawful action. If a certificate is revoked, the applicant shall not engage in the activity unless and until a Zoning Certificate of Compliance to Cultivate Medical Marijuana is obtained.
9. Information treated as confidential under the MMMA, including the primary caregiver registry identification card and any information about qualifying patients associated with the primary caregiver, which is received by the Township, shall be maintained separately from public information submitted in support of the application. It shall not be distributed or otherwise made available to the public and shall not be subject to disclosure under the Freedom of Information Act.