

HOUSE BILL No. 4012

January 15, 2015, Introduced by Rep. Kelly and referred to the Committee on Agriculture.

A bill to amend 2006 PA 110, entitled
"Michigan zoning enabling act,"
by amending section 204 (MCL 125.3204).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 204. (1) A zoning ordinance adopted under this act shall
2 provide for the use of a single-family residence by an occupant of
3 that residence for a home occupation to give instruction in a craft
4 or fine art within the residence. This ~~section~~-SUBSECTION does not
5 prohibit the regulation of noise, advertising, traffic, hours of
6 operation, or other conditions that may accompany the use of a
7 residence under this ~~section~~-SUBSECTION.

8 (2) THIS SUBSECTION SHALL BE KNOWN AND MAY BE CITED AS THE
9 "HOMESTEAD SUBSISTENCE FARMING ACT". IF A STRUCTURE IS LAWFULLY
10 USED AS A RESIDENCE UNDER A ZONING ORDINANCE, THE PRODUCTION OF
11 FARM PRODUCTS ON THE PROPERTY WHERE THE STRUCTURE IS LOCATED, FOR

1 CONSUMPTION BY THE RESIDENTS OR TRANSFER BY THE RESIDENTS, IS A
2 LAWFUL USE AND IS NOT SUBJECT TO A SPECIAL USE OR CONDITIONAL USE
3 PERMIT OR PROCEDURE. THIS SUBSECTION DOES NOT PROHIBIT SALES OF
4 FARM PRODUCTS ABOVE A DE MINIMIS VALUE IF OTHERWISE AUTHORIZED BY
5 LAW. AS USED IN THIS SUBSECTION:

6 (A) "FARM PRODUCTS" MEANS FRUITS, VEGETABLES, DAIRY PRODUCTS,
7 OR REASONABLE NUMBERS OF POULTRY, LIVESTOCK, OR OTHER FARM ANIMALS.

8 (B) "TRANSFER" INCLUDES FOOD STAND OR SIMILAR SALES OF A DE
9 MINIMIS VALUE OR TRADING OR SHARING.