

# HOUSE BILL No. 4266

February 23, 2017, 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. AS USED IN THIS SUBSECTION:

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

6 (B) "TRANSFER" INCLUDES ALL OF THE FOLLOWING:

7 (i) FOOD STAND OR SIMILAR SALES OF A DE MINIMIS VALUE.

8 (ii) FOOD STAND OR SIMILAR SALES ABOVE A DE MINIMIS VALUE IF  
9 OTHERWISE AUTHORIZED BY LAW.

10 (iii) TRADING.

11 (iv) SHARING.