



City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

July 7, 2017

Resident/Owner

Re: Home Occupation Informational Meeting

Dear Sir/Madam:

We would like to make you aware of a new ordinance in the City of Lansing, which requires certain in-home operations to register as a "Home Occupation." High electricity usage, i.e. exceeding 3500 kWh per month, or the emission of fumes or odors can be dangerous to the homeowner as well as to neighbors. In an effort to promote safety, the City of Lansing will begin registering home occupations and performing safety inspections. If you believe that you may qualify as a home occupation or would like to learn more about this new ordinance, we invite you to attend our upcoming informational meeting on July 18, 2017 at 4:00 pm at Foster Community Center, 200 North Foster Avenue, Lansing, MI 48912.

If you have any questions please feel free to contact our office at (517) 483-4320. We look forward to working together towards a safer community.

Sincerely,

James D. Smiertka
City Attorney

Cc: Property Owner/Occupant

ako/JDS

HOME OCCUPATION FAQ'S

1. What is a Home Occupation?

"Home occupation," as defined in Ordinance 1206, means a business conducted in a dwelling unit by a person of legal or equitable interest in the dwelling unit. Common examples of what may fall under the label of home occupation are in-home hairdressers, medical marijuana caregivers, and dog groomers.

2. What is the Home Occupation Registration Ordinance?

An ordinance that provides for the registration and inspection of any building or structure in a residentially-zoned district where the operation of a home occupation within such building or structure utilizes electricity that exceeds 3500 kWh (kilowatt hours) per month or where the operation emits gases, fumes, smoke, or odors outside of the building or structure and across a residential property boundary line; and to provide civil infraction penalties for noncompliance of said ordinance.

3. Where can I get a copy of the ordinance?

A copy of the ordinance can be obtained at the City of Lansing Code Enforcement Office located at 316 N. Capital Street in downtown Lansing. The ordinance can also be found at the link below:

https://library.municode.com/mi/lansing/ordinances/code_of_ordinances?nodeId=816890

4. Why is it necessary?

Homes with high, sustained use of electricity or emission of fumes can present a clear and present danger to the electrical grid and the public health, safety, and welfare; or present a public nuisance to the residents of the City of Lansing. It is in the public interest that such home occupation be inspected for safety reasons at least annually.

5. Who does it apply to?

Anyone who operates a home occupation, or, an owner of a residential building who permits another to operate a home occupation, as defined in the above-referenced ordinance.

6. How do I comply with the ordinance?

A qualifying home occupation operator must both register as a home occupation and comply with an annual safety inspection as scheduled.

7. How do I register and set up an inspection?

You can register and set up an inspection by:

- a. Appearing in person at the City of Lansing Code Enforcement Office located at 316 N. Capital Street in downtown Lansing; or

- b. Mailing your registration form and payment to at the City of Lansing Code Enforcement Office located at 316 N. Capital Street in downtown Lansing and contacting the Code Enforcement Office at 517-483-4361 to schedule your inspection.

8. Are there fees associated?

Yes:

- a. \$265 Registration (one-time fee due at the time of registration)
- b. \$215 Inspection fee (paid annually)**

9. What happens if I fail to comply or fail to meet compliance?

Failure to register a home occupation may subject the property owner to a municipal civil infraction pursuant to Chapter 203 of the Code and Section 202.99 of the Code shall apply to each such civil infraction.

10. I am a medical marijuana caregiver as defined in the Michigan Medical Marihuana Act. Do I fall under the Home Occupation Ordinance?

If you are a medical marihuana caregiver, as defined under the Michigan Medical Marihuana Act, and you elect to grow plants in your home, you may be subject to the Home Occupation registration **if** you utilize more than 3500 kWh per month or if your grow operation produces fumes or odors outside of the residence.

11. What about HIPAA Protection?

The Health Insurance Portability and Accountability Act is intended to protect an individual's private medical records and health information. No health information will be recorded when someone registers as a home occupation operator and inspections will not include inquiry into health information.

12. Where can I get more information?

Additional information can be obtained at the City of Lansing Code Enforcement Office located at 316 N. Capital Street in downtown Lansing or by contacting the Code Enforcement Office at 517-483-4361.

HOME OCCUPATION FORM

City of Lansing, Code Compliance Office, 316 N. Capitol Ave., Lansing, MI 48933-1238 (517) 483-4361

The Owner/Manager is responsible for scheduling all required inspections. Call (517) 483-4361 to schedule.

Lack of inspection can lead to fines, vacating the property and other penalties. Completing this form does not finish the registration process.

Fill out items 1-8 completely. PLEASE PRINT

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|---|---|---|
| 1. New Registration <input type="checkbox"/> New Owner <input type="checkbox"/> Change of Address, etc. <input type="checkbox"/> Date: _____ | | |
| 2. Property Address: _____ <small>NUMBER N S E W STREET NAME & Ave, Ct, Sq, Dr, Row, Way, Place, Circle St, Blvd, Lane, Etc</small> | 3a. Single Building <input type="checkbox"/> (Check One) Single Family Dwelling <input type="checkbox"/> Duplex <input type="checkbox"/> Owner Occupied Y N (circle one) 3 or More Units <input type="checkbox"/> Boarding House <input type="checkbox"/> Residential Care Facility <input type="checkbox"/> | |
| IS THIS A RENTAL PROPERTY YES/NO (Please circle yes or no) If property is non home owner occupied please fill out box 5 also | | |
| 4. Owner(s) Name(s): _____ Business Name: _____ <small>(If applicable)</small> Mailing Address: _____ <small>(Do NOT give PO Box)</small> | 5. Property Owner/Agent/Lessor Name(s): _____ Business Name: _____ <small>(If applicable)</small> Mailing Address: _____ <small>(Do NOT give PO Box)</small> | |
| Phones: Day (_____) _____ Ext _____ / Evening (_____) _____ Ext _____ Phones Emergency: (if different from above) (_____) _____ Ext _____ Phones: Cell (_____) _____ / Fax (_____) _____ Ext _____ E-mail address _____ | Phones: Day (_____) _____ Ext _____ / Evening (_____) _____ Ext _____ Phones Emergency: (if different from above) (_____) _____ Ext _____ Phones: Cell (_____) _____ / Fax (_____) _____ E-Mail address _____ | |
| 6. No. of Guest Rooms _____ No. of Efficiency Units _____ No. of 1 Bedroom Units _____ No. of 2 Bedroom Units _____ No. of 3 Bedroom Units _____ No. of 4 or More Bdrm Units _____ TOTAL NO. OF UNITS: _____ | 7. Send Correspondence / Billings to: Owner / Agent (Circle One) Contact for Inspection Appointment: Owner / Agent (Circle One) | Office Use Only PLEASE SEND FEES WITH THIS APPLICATION Make checks payable to: CITY OF LANSING Registration Fee Due: _____ Inspection Fee Due: _____ TOTAL AMOUNT DUE: _____ |

If this is a NEW REGISTRATION, an inspection is required *immediately*. Payment and the Registration form must be received before and inspection can be scheduled. The responsible party must contact (517) 483-4361 to schedule the inspection. If statements made in the document are found to be inaccurate By the Zoning, Code Compliance or any other City of Lansing Department, the responsible party will be liable for unpaid fees and/or other consequences.

8. I do hereby swear or affirm that all statements made by me in this application are correct to the best of my knowledge.

Signature of Responsible party _____ **Date** _____ **Signature Owner** _____ **Date** _____

For Office Use Only: Rec'd by: _____ Area #: _____ Entered by: _____ To Zoning: _____
White – Office Copy Yellow – Inspector's Copy Pink-Owner's Copy Revised 03/23/2017