

Waterford approves new rules for land use of marijuana

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Enforcement of Waterford Township's new land-use rules regarding medical marijuana will now be under the code enforcement department.

The new regulations were approved at a board meeting on March 28.

Complaints of zoning-use violations must be directed to the Waterford Community Planning and Development Department, said Robert Vallina, community development and planning director.

That department is at Waterford Township Hall at 5200 Civic Center Drive.

One of the resolution's rules states that a medical marijuana caregiver must only grow for patients in the caregiver's home.

"For a complaint to be considered a violation of the zoning ordinance, the township's code enforcement staff must observe and document a preponderance of evidence that a violation exists; all while observing and respecting private property rights," Vallina said.

"If no violations are observed, then the complaint is closed out."

For documented violations, the code enforcement staff will issue a correction warning.

If a warning is issued and the violator does not comply, the code enforcement staff will take steps to bring the matter to court for compliance resolution.

Michael Komorn, a Southfield-based attorney who has defendants involved in medical marijuana cases, called the new regulation "absurd."

Komorn explained that often caregivers do not want to grow in a particular jurisdiction because officials there have made it clear they may raid such operations.

The Waterford restriction “doesn’t make a lot of sense,” he said.

“It seems a kneejerk reaction, not based in knowledge and not contemplating the community’s needs.”

The township planning commission studied the matter of medical marijuana and concluded that “it is the State of Michigan Legislative and Administrative officials’ responsibility to clarify the Michigan Medical Marijuana Act as it pertains to allowing and regulating medical marijuana land uses.”

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