

apprise the ordinarily observant person, it shall be unlawful to park a vehicle any day between the hours of 3:00 a.m. and 7:00 a.m. of the same day on those sections or segments of the public highways or streets within an area bounded by the Detroit River, Lodge Freeway, Fisher Freeway and Chrysler Freeway, or on the following streets or avenues:

Alger from Brush to Beaubien
 Brush from Holbrook to south limits on Highland Park
 Brush from Holbrook to Fisher Freeway
 Cabacier from Jefferson West to Fort Cass from Fisher Freeway to Grand Boulevard West
 Chandler Park Drive from Dickerson to Alter Road
 Chandler Park Drive from Whittier to Moross
 Charlevoix from Joe. Campau to east city limits
 Chicago West from Nardin to Spinoza
 Conant from Carpenter to Dequindre
 Conner from Jefferson to McNichols
 Davison from McNichols to east limits to Highland Park
 Davison from Wyoming to west limits of Highland Park
 Dexter from Grand Boulevard to Fenkell
 Dix from Oakwood to Dearborn
 Dix from Woodmore to west city limits
 Edsel Ford Freeway Service Roads
 Eight Mile Road from Five Points Road to Kelly Road
 Fenkell from Twelfth to Telegraph
 Forest from Wabash to St. Antoine
 Forest from Russell to McClellan
 Fort from Sixth to south city limits
 Fourteenth from Fort to Oakman Boulevard
 Grand Boulevard from West Jefferson to East Jefferson
 Grand River from Fisher Freeway to Five Points Road
 Grand River left turn out off at Chicago
 Gratiot from Chrysler Freeway to Eight Mile Road East
 Gratiot left turn out off at Conner
 Gratiot left turn out off at Van Dyke
 Greenfield from south city limits to Eight Mile Road West
 Greenlawn from Davison to Schoolcraft
 Hamilton from Pallister to south limits of Highland Park
 Harper from Mt. Elliott to Morang
 Holbrook from Brush to Beaubien
 James Couzens Service Road from Wyoming to Eight Mile Road West
 Jefferson East from Chrysler Freeway to east city limits
 Jefferson West from Civic Center Drive to Cabacier
 Jefferson West from West Grand Boulevard to west city limits
 John Lodge Freeway Service Roads
 John R. from Fisher Freeway to south limits Highland Park
 Joe. Campau from Jefferson to Gratiot

Joy Road from Livernois to west city limits
 Kelly from Morang to Eight Mile Road East
 King from Brush to Beaubien
 Lafayette from Sixth to Fisher Freeway
 Lahser from Outer Drive to Eight Mile Road West
 Larned from Mt. Elliott to Chrysler Freeway
 Livernois from Jefferson West to Eight Mile Road West
 Linwood from Oakman to Fenkell
 Mack from Wayburn to east city limits
 Merrill Plaisance from Woodward to Pontchartrain
 McClellan from Forest to Warren
 McDougall from Jefferson East to Gratiot
 McGraw Weir from Michigan to Wyoming
 McNichols from Gratiot to Five Points Road
 Michigan from Sixth to Wyoming
 Miller from Fort to Dearborn
 Moross from Mack to Seven Mile Road East
 Mound from Caniff to Eight Mile Road East
 Mt. Elliott from Jefferson East to Gratiot
 Oakman from Linwood to city limits of Highland Park
 Oakwood from Fort to west city limits
 Outer Drive from south city limits to Livernois
 Outer Drive from Conner to Mack
 Outer Drive from Dequindre to McNichols
 Outer Drive from Ecorse city limits to Dumfries
 Plymouth from Grand River to west city limits
 Pontchartrain from McNichols to Seven Mile Road
 Schoolcraft from Ewald Circle to Telegraph
 Second from Fisher Freeway to south limits of Highland Park
 Second from McNichols to Merrill Plaisance
 Seven Mile Road from Five Points to Moross Road
 Schaefer from River Rouge city limits to Mollon
 Schaefer from Tireman to Schoolcraft
 Southfield Freeway Service Roads
 Telegraph from Puritan to Eight Mile Road West
 Temple from Woodward to John Lodge Freeway
 Third from Grand River to south limits of Highland Park
 Third from McNichols to Merrill Plaisance
 Tireman from West Grand Boulevard to Greenfield
 Twelfth from Fort West to Fenkell
 Van Dyke from Forest to Eight Mile Road East

~~Vernor from west city limits to Fourteenth~~

~~Vernor from Gratiot to east city limits~~

~~Wabash from Warron to Forest~~

~~Warren from Ann Arbor Trail to Greenfield~~

~~Warron from west city limits to Mack~~

~~Woodward from Fisher Freeway to south limits of Highland Park~~

~~Woodward from McNichols to Eight Mile Road~~

~~Wyoming Tireman to Eight Mile Road~~

~~Wyoming from DTRR to one hundred thirty feet south of Michigan~~ **REPEALED.**

Sec. 55-6-24. Parking between lot line and curb.

No person shall stop, stand or park a vehicle on that portion of the highway located between the property lot lines and the curb, unless permitted by action of the department of transportation, except, that in residential districts where the distance between the curb and the sidewalk is greater than twenty (20) feet and where a curb cut and driveway approach has been constructed, it shall be lawful to park one motor vehicle, other than a commercial vehicle, in such a driveway approach in a manner so as to be at right angles to the curb and so as not to extend over either the curb or sidewalk. Such parking in a driveway approach shall be restricted to the owners or occupants of the property contiguous thereto or to persons having permission of such owners or occupants to so park. **REPEALED.**

Sec. 55-6-25. Parking vehicles for sale on highways.

No person shall stand or park on a highway a motor vehicle upon which or near which any sign, wording or legend is printed or attached indicating that or any other motor vehicle is offered for sale. **REPEALED.**

Sec. 55-6-26. Parking to unload freight.

When practicable, merchandise and freight shall be discharged and loaded from the side of the vehicle nearest the curb. When such handling is impracticable because of the size or weight of the packages, merchandise or freight, the vehicle may back to the curb, but it shall not stand at an angle which will obstruct the operation of other vehicles. **REPEALED.**

Sec. 55-6-27. Standing or parking in loading zones.

Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no operator shall stop a vehicle for any purpose or length of time, other than for the expeditious loading or unloading of passengers, nor stand a commercial vehicle for any purpose other than for the reasonable time to unload or load materials or merchandise in any loading zone, during the hours when the provisions applicable for loading zones

are in effect. Except as provided in this section, no operator shall stand or park a vehicle in a loading zone. **REPEALED.**

Sec. 55-6-28. Parking in "pick-up zones."

Motor vehicles may be parked in a "pick-up zone" for a period of time not to exceed fifteen (15) minutes, for the purpose of loading or unloading merchandise or materials of a heavy or bulky nature only in commercial establishments located adjacent to such pick up zone. It shall be unlawful for motor vehicles to stand or park in such pick up zones for any purpose except for loading or unloading. It shall be unlawful for motor vehicles permitted under this section to park in a pick-up zone for a period exceeding fifteen (15) minutes at any one time. **REPEALED.**

Sec. 55-6-29. Standing or parking in front of driveways, churches, hospitals, theaters and other public buildings.

No person shall stand or park a vehicle in front of the entrance to any church, hospital, public building, public or private driveway, auditorium, theater or office building during such times when a large number of people gather therein. **REPEALED.**

Sec. 55-6-30. Parking of horse drawn vehicles.

When a horse drawn vehicle is backed to the curb, the operator shall turn the horses in the direction in which the traffic is proceeding, with the horses' heads at a right angle to the vehicle. **REPEALED.**

Sec. 55-6-31. Authority of police to move illegally parked vehicles; same to be ticketed upon removal.

Whenever any vehicle shall be found parked in a place where parking is not permitted, such vehicle may be removed and conveyed, by or under the direction of a member of the police department, by means of towing the same or otherwise, to a place where parking is legal or permitted. Such motor vehicle shall be ticketed for a violation of this Code or other parking ordinances of the city. **REPEALED.**

Sec. 55-6-32. Responsibility of owner for violations.

(a) Prima facie responsible. If a vehicle is stopped, standing or parked in violation of state statute, or local ordinance prohibiting or restricting the stopping, standing, or parking of a vehicle and the violation is a civil infraction, the person in whose name that vehicle is registered in this state or another state at the time of the violation is prima facie responsible for the violation.

(b) Affirmative defense. The owner of a vehicle cited for a stopping, standing or parking violation pursuant to subsection (a) may assert as an affirmative defense that the vehicle in question, at

the time of the violation, was in the possession of a person whom the owner had not knowingly permitted to operate the vehicle.

(e) Right of registered owner to recover damages or costs. The registered owner of a vehicle who is found to be responsible for a civil infraction as the result of subsection (a) has the right to recover in a civil action against the person who parked, stopped, or left standing the vehicle in question damages in the amount of any civil fine or costs, or both, imposed pursuant to law. The registered owner of a vehicle may provide in a written agreement that the person who parked, stopped, or left standing the vehicle in violation of a state statute or local ordinance, when the violation is a civil infraction, shall indemnify the registered owner for any civil fine and costs imposed upon the registered owner for that civil infraction.

(d) Issuance of citation or notice to operation. A police officer or other authorized municipal employee who issues a civil infraction citation or parking violation notice for a vehicle that is stopped, standing or parked in violation of a state statute or a local ordinance prohibiting or restricting the stopping, standing, or parking of a vehicle may issue the citation or notice for the violation to the operator of the vehicle if the operator is present at the time of the violation. REPEALED.

DIVISION 2. PARKING METERS

Sec. 55-6-44. Definitions.

For the purposes of this division, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Operator shall mean every individual who operates a vehicle as the owner thereof or as the agent, employee or permittee of the owner.

Street shall mean any public street, avenue, road, boulevard, highway or other public place located in the city and established for the use of vehicles.

Vehicle shall mean any carriage or other contrivance used or capable of being used as a means of transportation on land, except railroad rolling stock operated on tracks. REPEALED.

Sec. 55-6-45. Off street parking sites defined as highways.

Off street parking sites owned by the city wherein parking is regulated by meters shall be defined as highways within the intent of this chapter, but shall be open only as access roadways to the parking spaces provided. REPEALED.

Sec. 55-6-46. Authority of department of transportation to establish parking meter zones; limitation on use of parking meters.

The department of transportation is hereby authorized and directed to establish, from time to time, where, in its opin-

ion, traffic conditions warrant the same, zones to be known as parking meter zones, upon such streets of the city as are selected by it for the location of such zones, and therein it shall cause parking meters to be installed and shall cause parking meter spaces to be designated as provided in this article. The city council shall approve all parking meter locations where the time limit for parking is for more than two (2) hours. Such parking meters may be used only to aid the enforcement of the applicable regulations hereunder. REPEALED.

Sec. 55-6-47. Signals to indicate legal parking time and expiration thereof; maximum amounts of parking time for designated coins.

(a) Each parking meter shall be installed and set to display, either automatically upon the deposit of a coin of United States currency therein or manually by the deposit of such coin and turning a designated mechanical device, a single indicating legal parking or standing for a period of time not exceeding the limit of parking time which has been or may be established for that area or zone of the street upon which such parking meter is installed, and shall continue to operate from the time of deposit of such coin therein until the expiration of the proportion of time as provided in the following schedule:

- (1) One cent coin, proportionate parts of time, each equal to one-fifth of the limit of time regulated by regulations adopted hereunder, but not to exceed twelve (12) minutes;
- (2) Five cent coin, not to exceed one hour of time;
- (3) Ten cent coin, not to exceed two (2) hours of time;
- (4) Twenty five cent coin, not to exceed ten (10) hours of time.

(b) Each meter shall also be so arranged that upon the expiration of such legal parking time, it will indicate, by a mechanical operation and the display of proper signal, that the lawful parking period has expired. REPEALED.

Sec. 55-6-48. Marking of spaces; parking within lines.

The department of transportation is hereby instructed to have lines or markings painted or placed upon the curb or upon the street adjacent to each parking meter for the purpose of designating the parking space for which such meter is to be used. Each vehicle parking or standing alongside or next to any parking meter shall park or stand within the lines or markings so established. It shall be unlawful to park or stand any vehicle across any such line or marking, or to park or stand such vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings. REPEALED.

Sec. 55-6-49. Manner of parking.

When a parking space in any parking motor zone is parallel with the adjacent curb or sidewalk, any vehicle parking or standing in such parking space shall be parked or stood so that the foremost part of such vehicle shall be alongside of and nearest to the parking meter. When a parking space in any parking motor zone is diagonal to the curb or sidewalk, any vehicle parked or stood in such parking space shall be parked or stood with the foremost of such vehicle directed at and nearest to such meter. **REPEALED.**

Sec. 55-6-50. Deposit of coins in meters; use of unexpired time on meters.

When any vehicle is parked or standing in any space alongside of or next to which a parking meter is located, in accordance with the provisions of this division, the operator of such vehicle, upon entering the parking space, shall immediately deposit or cause to be deposited a coin of United States currency, as provided in section 55-6-47, in such parking meter, and shall place such meter in operation either automatically or by turning a mechanical device designated to place such meter in operation. The parking space then may be lawfully occupied by such vehicle during the period of parking or standing time which has been prescribed for the part of the street on which such parking space is located. If such vehicle shall remain parked or shall remain standing in any such parking space beyond the parking or standing time limit fixed for each parking space, the parking meter shall display a sign or signal showing illegal parking or standing, and in that event such vehicle shall be considered as parked overtime and beyond the period of legal parking or standing time; and the parking or standing of the vehicle where any such meter is located shall be a violation of this division. Any person placing a vehicle in a parking motor space, which meter indicates that unused time has been left thereon by the previous occupant of that space, shall not be required to deposit a coin for the use of such unused time, provided, that after the expiration of such unused time, it shall be unlawful to permit this same vehicle to occupy such space until the lapse of one legal period of time which has been prescribed for this space. **REPEALED.**

Sec. 55-6-51. Parking beyond legal time; overtime parking.

It shall be unlawful for any person to cause, allow, permit or suffer any vehicle to stand or to be parked overtime beyond the period of legal parking or standing time established for any parking motor zone. **REPEALED.**

Sec. 55-6-52. Deposit of slugs, etc., in meters.

It shall be unlawful to deposit or cause

to be deposited in any parking motor any slug, devices or substitutes for any coin of the United States. **REPEALED.**

Sec. 55-6-53. Injury, etc., to meters.

It shall be unlawful for any person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this division. **REPEALED.**

Sec. 55-6-54. Disposition of funds from meters.

The coins required to be deposited in parking meters, as provided in this division are hereby levied and assessed to provide for the proper regulation and control of traffic upon the streets. The coins deposited in such meters shall be collected by the duly authorized agents of the city treasurer and shall be deposited by the city treasurer in a special fund to be known as "parking motor fund" from which fund, upon vouchers approved by the finance director, payment shall be made to cover the cost of purchasing, acquiring and installing parking meters, the cost of supervision, inspection service, maintenance, supply of parts, the cost of collection and the enforcement of this article. Any balance remaining after use of the funds as provided in this section shall be used, upon due appropriation by the city council, for the acquisition and installation of other traffic control devices and for the acquisition, construction and operation of off street parking facilities.

Secs. 55-6-55 — 55-6-65. Reserved. REPEALED.**DIVISION 3. PARKING INOPERABLE VEHICLES****Sec. 55-6-66. "Inoperable vehicle" defined; applicability of division.**

For the purpose of this division, an "inoperable vehicle" is hereby defined as any motor vehicle which is currently not capable of being started and safely and properly operated on the highway and which does not bear a valid and current license plate. This division shall not apply to licensed junkyards or to licensed automotive dealers, gasoline stations and commercial garages engaged in the repair and maintenance of automobiles. **REPEALED.**

Sec. 55-6-67. Permit to park in certain zones — Required.

It shall be unlawful to park or for an owner of property to permit any inoperable vehicle on any property having zoning classifications of R-1, R-2, RM, RMA, RM4, RMU, P-1, B-1A, B-1, B-2 and B-6 without a permit as provided in this division. **REPEALED.**

Sec. 55-6-68. Same — Application.

Application shall be made to the chief of police by appearance at the police precinct station having jurisdiction over the area in which an inoperable vehicle is to be parked, within ninety six (96) hours

after the time when such parking has been commenced and by filing on a form furnished by the chief of police a statement of the following:

- (1) Address of the premises where the vehicle is to be parked;
- (2) Name and address of the owner or person in control of the premises, and a statement attesting to his permission for such vehicle to be parked and the date of such permission;
- (3) Name and address of the registered owner of the inoperable vehicle for which the permit is sought; the registration or title shall be presented to the officer issuing the permit;
- (4) Description of the inoperable vehicle for which a permit is sought as to make, model, year of manufacture, last license issued and condition which rendered it inoperable;
- (5) Estimated length of time, not to exceed sixty (60) days, for which the permit is being requested in order to restore the vehicle to operating condition;
- (6) The signature of the applicant.

REPEALED.

Sec. 55-6-69. Same — Issuance; term; posting inside vehicle; renewal; transferability.

At his discretion, the chief of police or his delegated precinct officers may issue a permit based on a proper application. Such permit shall be valid for a period not to exceed sixty (60) days from date of application. A copy of such permit shall be posted inside the vehicle for which it was issued by affixing to the windshield or window in such a manner as to be readily visible at all times. Any permit may be renewed at the discretion of the chief of police upon filing of a new application. No permit shall be transferable to any other person. **REPEALED.**

Sec. 55-6-70. Same — Conditions.

Every permit for storage of an inoperable vehicle on private property shall be subject to the conditions that:

- (1) No nuisance or safety hazard shall be created or maintained;
- (2) All broken glass or partially detached parts shall be either removed and disposed of as rubbish or secured in a manner to prevent hazard;
- (3) Trunk or storage compartment shall be kept locked or otherwise secured adequately to prevent possible entrapment of a child;
- (4) Wheels or tires shall not be removed from the vehicle except for repairs;
- (5) The last issued license plates shall be kept on the vehicle;
- (6) The vehicle shall not be elevated or blocked in any unsafe manner;
- (7) All parts or components removed from the vehicle shall not be stored in the open;

(8) No waste oil or other fluids shall be allowed to flow on the ground or pavement;

(9) The vehicle may be parked only in the rear yard of residential property;

(10) No violation of the zoning ordinance shall be created;

(11) All information furnished by the applicant as required by section 55-6-68 is essentially correct, and any false statement will be a violation of this division. **REPEALED.**

Sec. 55-6-71. Same — Revocation; notice to cease storage.

Any permit issued under authority of this division may be revoked at the discretion of the chief of police, when in his opinion a violation of section 55-6-70 exists. Notice of such revocation shall be delivered to the permittee or posted conspicuously on the vehicle, along with a notice to cease storing such vehicle and remove it to a proper storage or disposal location. The permittee shall remove the vehicle within ten (10) days after receiving such notice or after the notice is posted. **REPEALED.**

Sec. 55-6-72. Same — Fee.

The chief of police shall collect a fee of one dollar at the time of issuance of each permit for storage of inoperable vehicle or renewal thereof. No part of this fee shall be refundable. **REPEALED.**

Secs. 55-6-73 — 55-6-83. Reserved. REPEALED.

DIVISION 4. ABANDONED VEHICLES
Sec. 55-6-84. Authority of chief of police to remove vehicles.

The chief of police is hereby authorized to remove, cause to be removed or arrange for the removal, from the streets of the city and private property within the city, any vehicle that has been abandoned. **REPEALED.**

Sec. 55-6-85. When vehicles deemed abandoned.

The following conditions are required before any vehicle shall be deemed to be an abandoned vehicle:

(1) The vehicle shall be abandoned when it has remained on a public street, highway, alley or public place for a period of forty-eight (48) continuous hours or more and from its condition and the surrounding circumstances, shall reasonably appear to be unclaimed, discarded, deserted or abandoned.

(2) A vehicle is deemed abandoned on private property when it has remained on the private property for a period of forty-eight (48) continuous hours or more without the consent of the owner or lessee of the property, or for a period of forty-eight (48) continuous hours or more after the consent of the owner has been revoked. **REPEALED.**

Sec. 55-6-86. Storage of vehicles.

Where any abandoned vehicle is

removed by the chief of police, he shall store such vehicle in any appropriate place as provided for by the city council. REPEALED.

Sec. 55-6-87. Redemption.

Should the owner or person legally entitled to possession of such vehicle be located, such vehicle shall be delivered to him upon the payment of the redemption fee provided for under section 55-14-4. REPEALED.

Sec. 55-6-88. Sale of vehicles when not claimed by owner.

If the owner or person entitled to the possession of an abandoned vehicle does not reclaim such vehicle as provided in section 55-6-87 within forty five (45) days, then such vehicle shall be claimed by the city as its personal property, provided, that notice of the claim of the city to its property rights in such vehicle or vehicles and of the proposed sale of the same by the police department, shall be advertised at least once in a daily newspaper published in the city; provided, that if a vehicle, when found abandoned, has a value of less than one hundred dollars (\$100.00), the police department may deliver it to a garage keeper within the county to be disposed of by him. Whenever a vehicle is turned over to a garage keeper under this provision, the police department shall prepare a "report of an abandoned vehicle" on forms as provided by the secretary of state and turn the report over to the garage keeper. The garage keeper shall then complete the information required in the box provided and forward the "report of an abandoned vehicle" to the office of secretary of state, vehicle division, within ten (10) days of the date the vehicle is delivered into his custody and shall thereafter dispose of such vehicle in accordance with the provisions of section 252, Act 300, P.A. of 1949, as amended, being section 257.252, Code 1948 [MSA 9.1952]. REPEALED.

Sec. 55-6-89. Owner to pay cost of advertisements, etc., when vehicle reclaimed.

If the owner or person legally entitled to possession makes claim for an abandoned vehicle any time before the sale, the commissioner of police shall, upon the proper proof of the claim, deliver the vehicle to such owner or person entitled to possession; provided, that the amount of the redemption fee provided for under section 55-14-4 and expenses incurred for advertisements are paid to the commissioner of police. REPEALED.

Sec. 55-6-90. Reimbursement of police department for expenses.

The police department shall be reimbursed for all expenses incurred by it under the terms of this division from money received from the sale of such vehicle. REPEALED.

DIVISION 5. IDLING PROHIBITION FOR COMMERCIAL VEHICLES EXCEEDING GROSS VEHICLE WEIGHT RATING FOR 8,500 POUNDS

Sec. 55-6-91. Applicability.

This division shall apply to all on-road, commercial vehicles that are propelled by diesel fueled and non diesel fueled engines, which exceed a gross vehicle weight rating of eight thousand five hundred (8,500) pounds. REPEALED.

Sec. 55-6-92. Prohibition.

A person who, or municipality or corporate entity which, owns, operates, or leases a commercial vehicle, including a bus or truck, which exceeds a gross vehicle weight rating of eight thousand five hundred (8,500) pounds, the motive power for which is provided by a diesel or nondiesel fueled engine, or owns, leases, or occupies land and has the actual or apparent dominion or control over the operation of a commercial vehicle, including a bus or truck present on such land, the motive power for which the commercial vehicle is provided by a diesel or nondiesel fueled engine, shall not allow or permit the idling, as defined in section 55-1-1 of this Code, of said vehicle's engine for more than five (5) consecutive minutes per 60 minute period, except as permitted by Section 55-6-93 of this Code. REPEALED.

Sec. 55-6-93. Exceptions.

The prohibition in section 55-6-92 of this Code shall not apply where:

- (a) A diesel or non diesel fueled commercial vehicle, including a bus or truck, is forced to remain motionless because of the traffic conditions on a public road over which the operator has no control;
- (b) Regulations adopted by federal or state agencies that have superseding jurisdiction require the maintenance of a specific temperature for passenger comfort, provided, that the idling time specified in section 55-6-92 of this Code may be increased, but only to the extent necessary to comply with such regulations;
- (c) The idling of a diesel or non diesel fueled primary propulsion engine is necessary to power work related mechanical or electrical operations other than propulsion, for example, mixing or processing cargo or straight truck refrigeration, or to perform maintenance, provided, that this exemption does not apply when idling for cabin comfort or to operate non-essential on-board equipment;
- (d) Fire, police, and public utility trucks or other vehicles that are performing emergency services;
- (e) Trucks owned or operated by persons engaged in mining and quarrying are used within the confines of such person's property;
- (f) A diesel fueled truck is to remain motionless for a period exceeding two (2) hours and, during which period, the ambient temperature is continuously below

twenty five (25) degrees Fahrenheit or 3.8 Celsius;

(g) A commercial vehicle, as defined in section 55-1-1 of this Code, that is queued for or is undergoing a state authorized periodic or roadside emissions inspection;

(h) A hybrid electric vehicle, as defined in section 55-1-1 of this Code, idling for the purpose of providing energy for battery power or recharging another form of energy storage;

(i) Commercial vehicles used for agricultural purposes on a farm; or

(j) Electric, hydrogen, or natural gas powered vehicles. **REPEALED.**

Sec. 55-6-94. Violations, penalties, and costs.

(a) The operator and/or registered owner of a vehicle who is violating section 55-6-92 of this Code shall be issued a notice or civil infractions as follows:

(1) First violation: A written warning notice issued to the operator and/or to the registered owner.

(2) Second and subsequent violation: A civil infraction in the amount of one hundred and fifty dollars (\$150.00) issued to the operator and/or a civil infraction in the amount of five hundred dollars (\$500.00) issued to the registered owner.

(3) Potential number of violations:

a. In one 60 minute period, up to three (3) civil infractions may be issued;

b. In the second continuous 60 minute period, up to four (4) civil infractions may be issued; and

c. In any subsequent continuous 60 minute period, up to nine (9) civil infractions may be issued.

d. A person who is found to be responsible for a civil infraction that is used under this division shall be assessed costs in accordance with section 55-2-31(c) and (e) of this Code. **REPEALED.**

Sec. 55-6-95 — 55-6-100. Reserved. REPEALED.

ARTICLE VII. EQUIPMENT ON VEHICLES

DIVISION 1. GENERALLY

Sec. 55-7-1. Brakes.

Vehicles shall be equipped with brakes in compliance with the following requirements:

(1) Generally. Every motor vehicle, other than a motorcycle, when operated upon a highway, shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two (2) separate means of applying the brake, each of which makes shall be effective to apply the brakes to at least two (2) wheels. If these two (2) separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two (2) wheels.

(2) Motorcycles and bicycles with motors attached. Every motorcycle and bicycle with motor attached, when operated upon a highway, shall be equipped with at least one brake, which may be operated by hand or foot.

(3) Trailers and semitrailers. Every trailer or semitrailer of a gross weight of three thousand (3,000) pounds or more, when operated upon a highway, shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab.

(4) Required on all wheels. Every new motor vehicle, trailer or semitrailer hereafter sold in this state and operated upon the streets of this city shall be equipped with service brakes upon all wheels of every such vehicle; except, that any motorcycle, and any semitrailer of less than fifteen hundred (1500) pounds gross weight need not be equipped with brakes; provided, that the provisions of this subsection shall not apply to a trailer or semitrailer owned by a farmer and used exclusively in connection with the farming operations of such farmer and not used for hire.

(5) Combination of vehicles. In any combination of motor drawn vehicle, means shall be provided for applying the rearmost trailer brakes, for any trailer equipped with brakes, in approximate synchronism with the brakes on the towing vehicle and developing the required braking effort on the rearmost wheels at the fastest rate; or means shall be provided for applying braking effort first on the rearmost trailer equipped with brakes; or both of the above means capable of being used alternatively may be employed.

(6) Mechanical connection. One of the means of brake operation shall consist of a mechanical connection from the operating level to the brake shoes or bands. This brake shall be capable of holding the vehicle or combination of vehicles stationary under any condition of loading on any up or down grade upon which it is operated.

(7) Brake shoes used for service and hand operation. The brake shoes operating within or upon the drums on the vehicle wheels of any motor vehicle may be used for both service and hand operation.

(8) Stopping distances. Every motor vehicle or combination of motor drawn vehicles shall be capable at all times and under all conditions of loading of being stopped on a dry, smooth, level road free from loose material, upon application of the service (foot) brake, within the distances specified below, or shall be capable of being decelerated at a sustained rate corresponding to these distances:

a. Vehicle or combination of vehicles having brakes on all wheels: Thirty (30)

feet to stop from twenty (20) miles per hour; deceleration at fourteen (14) feet per second.

b. Vehicles or combinations of vehicles not having brakes on all wheels: Forty (40) feet to stop from twenty (20) miles per hour; deceleration at ten and seven-tenths (10.7) feet per second.

(9) Adjustment. All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle. **REPEALED.**

Sec. 55-7-2. Operation of vehicles with unsafe brakes declared nuisance; impoundment of vehicles.

The operation of vehicles in the city equipped with brakes that do not comply with the provisions of state law, and section 55-7-1 is hereby declared to be a nuisance. Whenever any vehicle shall be operated on the streets or highways of the city equipped with faulty or defective brakes, as defined in the statutes of the state, this Code and other ordinances of the city, such vehicle may be removed and conveyed by or under the direction of a member of the police department, by means of towing the same or otherwise, to a vehicle pound. Before the owner or person in charge of such vehicle shall be permitted to remove the same from the custody of the police department, under its own power, he shall furnish evidence of his identity and ownership, shall repair or cause the brakes of such vehicle to be repaired, and he shall pay the impounding fees therefor. **REPEALED.**

Sec. 55-7-3. Hours.

Every motor vehicle, when operated upon a highway, shall be equipped with a horn, in good working order, capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet. **REPEALED.**

Sec. 55-7-4. Sirens, whistles, etc.

It shall be unlawful, except as otherwise provided in this section, for any vehicle to be equipped with or for any person to use upon a vehicle any siren, exhaust, compression or spark plug whistle or for any person at any time to use a horn otherwise than as a reasonable warning or to make unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device. Every police and fire department and fire patrol vehicle and any ambulance used for emergency calls may be equipped with a bell, siren or exhaust whistle. **REPEALED.**

Sec. 55-7-5. Mirrors.

No operator shall drive a motor vehicle on a highway which motor vehicle is so constructed or loaded as to prevent the driver from obtaining a view of the highway to the rear by looking backward from the driver's position, unless such vehicle is equipped with a mirror so located as to

reflect to the driver a view of the highway to the rear of such vehicle. In addition, all motor vehicles shall be equipped with an outside rearview mirror on the driver's side which shall be positioned to give the driver a rear viewing angle from the driver's side which shall be positioned to give the driver a rear viewing angle from the driver's side of the vehicle. Every commercial vehicle of one-half ton capacity or more operating upon the public highways of the city shall be equipped with two (2) mirrors, one on each side, so adjusted that the operator shall have a clear view of the highway behind such commercial vehicle. The outside mirrors shall not be deemed to be a part of vehicle for the purpose of determining the maximum width under any ordinance. **REPEALED.**

Sec. 55-7-6. Television receivers in vehicles.

It shall be unlawful for any person to own, operate or equip a motor vehicle to be driven upon the thoroughfares, highways, streets, alleys or boulevards within the city with a television viewer, screen or other means of visually receiving a television broadcast which can be viewed by or reflected to the operator of such vehicle or which interferes in any manner with the safe operation of such vehicle. **REPEALED.**

Sec. 55-7-7. Reserved. REPEALED.

Sec. 55-7-8. Excessive smoke.

No person shall operate or cause to be operated upon any street, highway, or other public place a motor vehicle, while stationary or moving, which emits from any source any unreasonable, excessive or unnecessary smoke, obnoxious or noxious gases or vapor. **REPEALED.**

Sec. 55-7-9. Defective or damaged steering, windshield, bumpers or fenders.

No person shall drive a motor vehicle upon the highway while such vehicle has a defective steering apparatus, broken or defective bumper, defective windshield or defective or damaged fenders, to the extent that such damaged or defective fender constitutes a hazard to other persons or property. **REPEALED.**

Sec. 55-7-10. Windshield wipers.

Every windshield on a motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle. **REPEALED.**

Sec. 55-7-11. Operation of motor vehicle equipped with studded tires.

It shall be unlawful for any person to operate a motor vehicle equipped with studded tires, as defined by compiled laws of Michigan, section 257.710 [MSA 9.2410], except during the period extending from November first of each year to May first of the following year. **REPEALED.**

Sec. 55-7-12. Vehicles carrying substances capable of leaking, being dropped, etc. Construction generally; unloading contents.

No vehicle shall be operated or parked on the streets, highways, freeways, alleys or on public or private property in the city unless such vehicle is so constructed or loaded as to prevent its contents from escaping therefrom, as more specifically hereinafter provided:

(1) Every such vehicle shall have a tight body to prevent the scattering or dropping of the contents, excepting natural moisture. No vehicle shall be operated on the streets where substances fall off or are blown off, and all such vehicles, when necessary, shall have an adequate covering to prevent the contents from falling on the streets. Such covering shall be of canvas or other suitable material.

(2) No liquid substances, including tar and similar materials, shall be driven or moved on any street unless enclosed in sealed containers.

(3) No person shall remove from or unload on any premises the contents of any such vehicle unless the written permission of the owner of such premises is first obtained. Such authorization shall be exhibited upon the request of the enforcing officer by the operator of the vehicle used for loading, transporting or dumping such material. Such permission shall be subject to zoning regulations and to the requirement that no nuisance shall be created. **REPEALED.**

Sec. 55-7-13. Same — Display of city permit and insignia.

Every vehicle under section 55-7-12 shall bear a current and valid city permit as required by section 55-8-4. All open bed trucks, tractors, trailers or semitrailers, emergency towing vehicles and wreckers, except trucks eligible for and equipped with farm commercial license plates, or more than thirty five hundred (3500) pounds weight shall bear the name and address of at least one of the owners in letters not less than three (3) inches in height on each side of the vehicle. It shall be unlawful for any person to allow such lettering to become defaced, altered, covered or obscured so as to interfere with its legibility or to prevent it from being easily seen and read. **REPEALED.**

Sec. 55-7-14. Same — Duty to remove insignia upon sale or transfer.

It shall be the duty of the owner of every such vehicle, at the time of the sale or transfer of title to such vehicle, to remove the names from both sides of the vehicle. **REPEALED.**

Sec. 55-7-15. Same — Ownership; presumption of violations.

(a) For the purposes of sections 55-7-12 to 55-7-14, "owner" means any of the following:

(1) Any person who holds the legal title of a vehicle;

(2) Any person, renting a motor vehicle or having the exclusive use thereof under a lease or otherwise;

(3) Any person who has the right or possession of a motor vehicle that is the subject of an agreement for a conditional sale or lease with the right of purchase upon the performance of the conditions stated in the agreement;

(4) Any person who is a mortgagor of a motor vehicle with right of possession.

(b) In any proceeding for violation of the provisions of sections 55-7-12 to 55-7-14, the registration found displayed on the motor vehicle shall be prima facie evidence that the owner of such motor vehicle was the person who caused or permitted the vehicle to be driven, moved or parked in violation of such sections:

(c) The prima facie evidence may be rebutted where the person charged is an owner as defined in subsection (a) of this section, and where the person charged produces substantial evidence that:

(1) Some other person rents the motor vehicle or has exclusive use thereof under a lease or otherwise; or that

(2) Some other person is the conditional vendee or lessee or mortgagor of such motor vehicle and is entitled to possession. **REPEALED.**

Sec. 55-7-16. Right of police to inspect equipment.

(a) Equipment on motor vehicles, as required under this chapter, shall be maintained as provided in this chapter and any uniformed police officer shall be authorized, on reasonable grounds shown, to stop any motor vehicle to inspect the same, and, if any defects in equipment are found, to arrest the driver, and to order the driver or owner to have the same repaired forthwith.

(b) When a person has received a citation for defective safety equipment on his vehicle, pursuant to this chapter, the court shall waive any fine, upon receipt of certification by the police department, that repair of the defective equipment was made prior to the appearance date of the citation. The court, by giving ten (10) days' notice of the date of appearance, may require appearance in person at the time and place designated in the citation. **REPEALED.**

Secs. 55-7-17 — 55-7-27. Reserved. REPEALED.

Division 2. Lights

Sec. 55-7-28. Signal devices required on certain commercial vehicles.

Any commercial motor vehicle in use on any street, avenue or highway in the city shall be equipped with and the signals required when turning, stopping or starting shall be given by signal lamps or mechanical signal devices. **REPEALED.**

Sec. 55-7-29. New vehicles sold in city to be equipped with electrical turn signals.

No person shall sell or offer for sale or operate on any streets, avenues, highways or boulevards of the city any vehicle manufactured or assembled after January 1, 1955, except those exempted from certificate of title requirements under the Michigan Vehicle Code, as amended, unless it is equipped with mechanical or electrical turn signs meeting the requirements of the Michigan Motor Vehicle Code. **REPEALED.**

Sec. 55-7-30. Specifications for signal lights.

Any motor vehicle may be equipped, and when required under this chapter, shall be equipped, with lamps showing to the front and rear for the purpose of indicating an intention to turn either to the right or the left. Such lamps showing to the front shall be located on the same level and as widely spaced laterally as practicable, and when in use, shall display a white or amber light, or any shade of color between white and amber, visible from a distance of not less than one hundred (100) feet to the front in normal sunlight, and the lamps showing to the rear shall be located at the same level and as widely spaced laterally as practicable and when in use shall display a red or amber light or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight. When actuated, such lamps shall indicate the intended direction of turning by flashing the lights showing to the front and rear on the side toward which the turn is to be made. **REPEALED.**

Sec. 55-7-31. Mud flaps or other similar devices required on commercial vehicles.

Every commercial vehicle and every combination of a commercial vehicle and trailer or of a truck tractor and semitrailer, when used on a highway, shall be constructed or equipped or operated so as to bar water or other road surface substances thrown from the rear wheels of such vehicle or combination at tangents exceeding twenty two and one half (22-1/2) degrees measured from the road surface. If a flap type device is used, it shall not have attached any type of lamp, reflective material or reflecting buttons; nor shall any such device extend beyond the ninety six (96) inch maximum width of the vehicle. **REPEALED.**

Sec. 55-7-32. Front and rear lights required.

Every vehicle upon a highway during the period from a half hour after sunset to a half hour before sunrise and at any other time when there is not sufficient light to render clearly discernible any person on the highway at a distance of five hun-

dred (500) feet ahead shall be equipped with lighted front and rear lamps, as respectively required by this article for different classes of vehicles and subject to exemption with reference to lights on parked vehicles as declared in section 55-7-33. **REPEALED.**

Sec. 55-7-33. Lights on parked vehicles.

(a) Whenever a vehicle is parked, standing or stopped upon a highway, whether attended or unattended during the times mentioned in section 55-7-32, there shall be displayed, except as provided in this section, upon the left side of such vehicle, one or more lamps projecting a white light visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of such vehicle and projecting a red light visible under like conditions from a distance of five hundred (500) feet to the rear.

(b) The parking lights required by this section shall be lighted whenever the motor vehicle is parked upon any highway during any time set forth in section 55-7-32, except when the vehicle is parked upon a section of a highway which is so lighted as to reveal a person on the highway at a distance of five hundred (500) feet ahead of the vehicle without the assistance of the lamps on the vehicle, then the use of parking lights may be dispensed with. **REPEALED.**

Sec. 55-7-34. Headlamps on vehicles.

Every motor vehicle other than a motorcycle, road roller, road machinery or farm tractor shall be equipped with at least two (2) headlamps at the front and on opposite sides of the motor vehicle, which headlamps shall comply with the requirements and limitations set forth in section 55-7-35. Every motorcycle shall be equipped with at least one and not more than two (2) headlamps, which shall comply with the requirements and limitations set forth in section 55-7-35. **REPEALED.**

Sec. 55-7-35. Construction, arrangement, use, etc., of headlamps and auxiliary lamps.

(a) The headlamps and auxiliary driving lamps of motor vehicles shall be constructed, arranged, adjusted and used so that, except as provided in this section, they will, at all times mentioned in section 55-7-32, under normal atmospheric conditions, on a level road, produce a driving light sufficient to render clearly discernible a person five hundred (500) feet ahead, except when approaching an oncoming vehicle, when it shall be sufficient to render clearly discernible a person two hundred (200) feet ahead. Headlamps shall in all cases omit a white light. Auxiliary lamps may emit either a white or amber light.

(b) Headlamps and auxiliary driving lamps shall be so aimed and used upon approaching an oncoming vehicle that

they do not project a glaring or dazzling light into the eyes of the approaching driver. Such lamps shall be deemed to comply with this provision prohibiting glaring and dazzling lights if substantially none of the main bright portion of the beam used in approaching an oncoming car is directed to the left of the vertical plane through the axis of the left headlamp and parallel to the longitudinal axis of the vehicle and above the horizontal plane passing through the lamp centers parallel to the level road upon which the loaded vehicle stands, and in no case higher than forty-two (42) inches, seventy-five (75) feet ahead of the vehicle.

(c) Whenever a motor vehicle is being operated upon any highway in the city at a point where such highway is sufficiently lighted to reveal a person thereon at a distance of five hundred (500) feet ahead of the vehicle without the assistance of headlamps of the motor vehicle, the driver of the motor vehicle shall use not less than two (2) headlamp beams so dimmed, depressed or directed that they do not project glaring or dazzling light. Headlamp beams shall be deemed to comply with this provision if they are in accordance with the specifications covered in this section. **REPEALED.**

Sec. 55-7-36. Rear lamps and license plate lamps.

Every motor vehicle, trailer, semitrailer, pole trailer and any other vehicle which is being drawn in a train of vehicles shall be equipped with at least one rear lamp mounted on the rear, which, when lighted as required by this article, shall omit a red light plainly visible from a distance of five hundred (500) feet to the rear. Either a rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly readable from a distance of fifty (50) feet to the rear. Any rear lamp or tail lamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the headlamps, cow lamp or fender lamps are lighted. **REPEALED.**

Sec. 55-7-37. Stop lamps.

Any motor vehicle which may be equipped and, when required under this chapter, shall be equipped with stop lamps on the rear of the vehicle, which lamps shall display a red or amber light of any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight, and which shall be actuated upon application of the service (foot) brake, and which may not but need not be incorporated with one or more rear lamps. **REPEALED.**

Sec. 55-7-38. Clearance lamps required on certain trucks and trailers.

Every truck or trailer over eighty (80)

inches in width shall display two (2) amber clearance lamps on the front, one on each side and two (2) red clearance lamps on the rear, one on each side, all of which shall be displayed during the times required in sections 55-7-32 and 55-7-33; provided, that other clearance lights complying with the requirements of the Interstate Commerce Commission or the Michigan Vehicle Code shall be deemed to comply herewith. Front and rear clearance lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of five hundred (500) feet from the front and rear respectively of the vehicle. **REPEALED.**

Sec. 55-7-39. Spot lamps.

Any motor vehicle may be equipped with not to exceed two (2) spot lamps; except, that a motorcycle shall not be equipped with more than one stop lamp. Every lighted spot lamp shall be aimed and used upon approaching another vehicle so that no part of the beam will be directed into the eyes of the approaching driver. Spot lamps may not omit either than either a white or amber light. **REPEALED.**

Sec. 55-7-40. Auxiliary driving lamps.

Any motor vehicle may be equipped with not to exceed two (2) auxiliary driving lamps, mounted on the front of such vehicle at a height not less than twenty-four (24) inches above the level surface on which the vehicle stands. Every such auxiliary driving lamp shall meet the requirements and limitations set forth in section 55-7-36. **REPEALED.**

Sec. 55-7-41. Lights on vehicles not required to have special lighted lamps.

All vehicles not required by this division to be equipped with special lighted lamps shall carry one or more lights, lamps or lanterns displaying a white light, visible under normal atmospheric conditions from a distance of not less than five hundred (500) feet to the front of such vehicle and displaying a red light visible under like conditions from a distance of not less than five hundred (500) feet to the rear of such vehicle. **REPEALED.**

Sec. 55-7-42. Lights on emergency vehicles; flashing, rotating, etc., red or blue lights.

Only authorized emergency vehicles may be equipped with flashing, oscillating or rotating red lights or lights while responding to an emergency call and while actually engaged in emergency work but not while returning therefrom; only official publicly owned police vehicles may be equipped with flashing, oscillating, rotating or stationary blue lights or reflex reflectors. For the purpose of this section, "authorized emergency vehicle" shall include ambulances, automobile service cars engaged in removing or assisting vehicles at the site of traffic acci-

~~ponents, state, county and municipal vehicles actually engaged in emergency service or maintenance or repair of the highway, public utility vehicles performing emergency service, school buses when stopped on the highway for the purpose of permitting school children to board or alight therefrom and farm tractors when operated on the highway after dark or when visibility is poor. REPEALED.~~

Sec. 55-7-43. Red lights on front and green lights on rear of vehicles prohibited; exceptions.

~~No vehicle, except an authorized emergency vehicle, shall display a red light to the front or a green light to the rear. REPEALED.~~

Sec. 55-7-44. Equipment to be maintained in good order.

~~All lighting equipment required by this division shall at all times be maintained in good working order. REPEALED.~~

Secs. 55-7-45 — 55-7-55. Reserved. REPEALED.

DIVISION 3. NOISE REGULATION

Sec. 55-7-56. Definitions.

The following words and phrases, when used in this division, shall have the meanings respectively ascribed to them:

Decibel means a unit of sound level on a logarithmic scale measured relative to the threshold of audible sound by the human ear, in compliance with American National Standards Institute Standard S 1.1-1960.

Decibels on the A weighted network or DBA means decibels measured on the A weighted network of a sound level meter, as specified in American National Standards Institute Standard S 1.4-1971.

Exhaust system means the system comprised of a combination of components which provides for enclosed flow of exhaust gas from engine parts to the atmosphere.

Fast motor response means the motor ballistics of motor dynamic characteristic as specified by American National Standard S 1.4-1971.

Maximum noise means the noise emitted from a vehicle during that manner of operation which causes the highest DBA level possible from that vehicle.

Muffler means a device for abating the sound of escaping gases of an internal combustion engine.

Noise means any sound.

Registered weight means the weight of a motor vehicle specified on the registration, as defined by MCL 257.60 (MSA 9.1850).

Total noise means noises radiating from a vehicle but does not include noises emitted from a horn, siren, bell or other similar device of an authorized emergency vehicle. REPEALED.

Sec. 55-7-57. Motor vehicles; places of operation; regulation of noise.

(a) A motor vehicle, while being oper-

~~ated on a highway or street, shall be equipped with an exhaust system in good working order to prevent excessive or unusual noise and shall be equipped to prevent noise in excess of the limits established in this division.~~

~~(b) For purposes of this division a motor vehicle does not include a special mobile equipment. REPEALED.~~

Sec. 55-7-58. Permissible noise limits for operation and sale of vehicles; prohibited operation; prohibited sales and repair of parts exceeding noise limits; sale of used vehicles.

(a) After April 1, 1978, a motor vehicle shall not be operated or driven on a highway or street if the motor vehicle produces total noise exceeding one (1) of the following limits at a distance of fifty (50) feet except as provided in subsections (a)(2)c. and (a)(2)e.

(1) A motor vehicle with a registered weight of eight thousand five hundred (8,500) pounds or more, singly or towing a semitrailer, pole trailer, trailer or a combination of those trailers:

a. Ninety (90) DBA if the maximum lawful speed on the highway or street is greater than thirty five (35) miles per hour;

b. Eighty six (86) DBA if the maximum lawful speed on the highway or street is not more than thirty five (35) miles per hour;

c. Eighty eight (88) DBA under stationary run up test.

(2) A motorcycle or a moped as defined by MCL 257.32b (MSA 9.1832(2)):

a. Eighty six (86) DBA if the maximum lawful speed on the highway or street is greater than thirty five (35) miles per hour;

b. Eighty two (82) DBA if the maximum lawful speed on the highway or street is not more than thirty five (35) miles per hour;

c. Ninety five (95) DBA under stationary run up test at seventy five (75) inches.

(3) A motor vehicle or a combination of vehicles towed by a motor vehicle not covered in subsections (a)(1) or (a)(2):

a. Eighty two (82) DBA if the maximum lawful speed on the highway or street is greater than thirty five (35) miles per hour;

b. Seventy six (76) DBA if the maximum lawful speed on the highway or street is not more than thirty five (35) miles per hour;

c. Ninety five (95) DBA under stationary run up test twenty (20) inches from the end of the tailpipe.

(b) A dealer shall not sell or offer for sale for use upon a street or highway in the state a new motor vehicle as defined by MCL 257.32a (MSA 9.1833(1)) manufactured after April 1, 1978, which produces a maximum noise exceeding the following limits:

(1) A motor vehicle with registered weight of eight thousand five hundred (8500) pounds or more — Eight three (83) DBA.

(2) A motorcycle or more — Eighty three (83) DBA.

(3) A motor vehicle not covered in subsections (b)(1) or (b)(2) — Eighty (80) DBA.

A person shall not operate a vehicle on a highway or street if the vehicle has a defect in the exhaust system which affects sound reduction, is not equipped with a muffler or other noise dissipative device, or is equipped with a cut out, bypass, amplifier, or a similar device.

(d) A person, either acting for himself or as the agent or employee of another, shall not sell, install, or replace a muffler or exhaust part that causes the motor vehicle to which the muffler or exhaust part is attached to exceed the noise limits established by this division or rules promulgated under this division.

(e) A person shall not modify, repair, replace or remove parts of an exhaust system causing the motor vehicle to which the system is attached to produce noise in excess of the levels established by this division, or operate a motor vehicle so altered on a street or highway.

(f) A dealer shall not sell a used or secondhand motor vehicle as defined by MCL 257.78 (MSA 9.1878) for use upon a street or highway which is not in compliance with this division. **REPEALED.**

Sec. 55-7-59. Penalties; waiver of fine; prima facie evidence of violation.

(a) A person who violates sections 55-7-57 or 55-7-58 is guilty of a misdemeanor punishable by a fine of one hundred dollars (\$100.00).

(b) The court shall waive the fine upon receipt of certification by a law enforcement agency that repair of the defective equipment was made within fifteen (15) days of issuance of the citation.

(c) A person who, at the time of installation, knowingly installs a muffler or exhaust system which exceeds the decibel limits of this division shall be liable to the person who receives a citation for violation of section 55-7-58 for the amount of not less than one hundred dollars (\$100.00), plus reasonable attorney fees and court costs.

(d) If it is shown that the noise level of a motor vehicle is in excess of the DBA levels established in this division, that evidence shall be prima facie evidence that the motor vehicle was producing excessive noise in violation of this division.

(e) A violation of section 55-7-58 by a dealer licensed under this division is prima facie evidence of a fraudulent act under MCL 257.249 (MSA 9.1949). **REPEALED.**

Sec. 55-7-60. Rules; test procedures.

(a) Test instrumentation and proce-

dures used for implementation and enforcement of this division shall substantially conform with applicable standards and recommendation practices established by the Society of Automotive Engineers, Inc., and the American National Standards Institute, Inc., for the measurement of motor vehicle sound levels. Rules establishing these test procedures shall be promulgated by the department of state highways and transportation. The rules may provide for measurement at other than the distance specified in section 55-7-58, provided that the decibel limits applied at the other distances are adjusted accordingly, to meet the standards in section 55-7-58. The rules shall be promulgated pursuant to Act No. 306 of the Public Acts of 1969, as amended [MCL 24.201 et seq., MSA 3.560(101) et seq.].

(b) This division occupies the whole field of noise regulation. **REPEALED.**

Sec. 55-7-61. Funds.

Funds shall be appropriated annually to implement this division. **REPEALED.**

**ARTICLE VIII. SIZE WEIGHT, AND LOAD OF VEHICLES
DIVISION 1. IN GENERAL**

Sec. 55-8-1. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Agricultural commodities means those plants and animals useful to human beings produced by agriculture and includes, but is not limited to, forages and feed crops, grains and food crops, field crops, dairy and dairy products, poultry and poultry products, Cervidae, livestock, including breeding and grazing, equine, fish, and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, mushrooms, fertilizer, livestock bedding, farming equipment, and fuel for agricultural use, but does not mean trees and lumber.

Authorized agent means a City of Detroit employee who:

(1) Is not a police officer assigned to the Detroit Police Department Weights and Measures Division; and

(2) Is authorized by the Chief of Police to issue tickets in accordance with this article and Section 1-1-9(g) of this Code.

Axle means the common axis of rotation of one (1) or more wheels on a vehicle, whether power driven or freely rotating, and whether in one (1) or more segments, and regardless of the number of wheels carried thereon.

Axle load means the weight of the wheels, axle, vehicle and load on the axle as determined by means of either portable or stationary scales approved and sealed by the Michigan Department of Agriculture as a legal weighing device

that is used by the Detroit Police Department to determine axle loads.

Bus means a motor vehicle designed for carrying sixteen (16) or more passengers, including the driver but does not mean a school bus.

Civil infraction means an act or omission prohibited by law which is not a crime as defined in Section 5 of the Michigan Penal Code, MCL 750.5, and for which civil sanctions may be ordered.

Designated highway or street means a highway or street approved by the Director of the Department of Public Works with respect to a highway or street under its jurisdiction.

Gross combination weight rating means:

(1) The value specified by the manufacturer as the loaded weight of a combination vehicle; or

(2) In the absence of a value specified by the manufacturer, the gross vehicle weight rating of the power unit plus the total weight of the towed unit and any load on that unit.

Gross vehicle weight rating means the value specified by the manufacturer as the loaded weight of a single vehicle.

Gross weight means the weight of a vehicle without load plus the weight of any load thereon.

Hazardous material means explosives, flammable gas, flammable compressed gas, nonflammable compressed gas, flammable liquid, oxidizing material, poisonous gas, poisonous liquid, irritating material, etiologic material, radioactive material, corrosive material, or liquified petroleum gas.

Highway or street in the City means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

In bulk means an amount of product or material of 3,500 water gallons or more in a single containment system.

Length means the total length of a vehicle, or combination of vehicles, including any load the vehicle is carrying, but does not mean devices described in 23 CFR 658.16 and 23 CFR Part 658, Appendix D. A safety or energy conservation device shall be excluded from a determination of length only if it is not designed or used for the carrying of cargo, freight, or equipment. Semi-trailers and trailers shall be measured from the front vertical plane of the foremost transverse load supporting structure to the rearmost transverse load supporting structure. Vehicle components not excluded by law shall be included in the measurement of the length, height, and width of the vehicle.

Lift axle means an axle on a vehicle that can be raised or lowered by mechanical means.

Logs means sawlogs, pulpwood, or tree-length poles.

Maximum axle load means the gross weight over the axle which includes vehicle and load.

Mobile home means any of the following:

(1) A pre built housing module;

(2) The term as defined in Section 2 of the Michigan Mobile Home Commission Act, MCL 125.2302; or

(3) A section of a mobile home as the term is defined in Subsection 2 of this definition.

Park model trailer means a vehicle that meets all of the following:

(1) Is built on a single chassis, mounted on wheels, and designed to be towed by a motor vehicle from time to time; and

(2) Depending on its size, may require a special highway movement permit under Section 719a of the Michigan Vehicle Code, MCL 257.719a, to be towed on a highway or street in the City; and

(3) Is designed to provide recreational, seasonal, or temporary living quarters; and

(4) When used as recreational, seasonal, or temporary living quarters, may be connected to utilities necessary for the operation of installed fixtures and appliances; and

(5) Is not a mobile home as that term is defined in Section 2 of the Michigan Mobile Home Commission Act, MCL 125.2302.

Pole trailer means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular shaped loads such as poles, pipes or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

Public utility means a public utility under the jurisdiction of the Michigan Public Service Commission or a transmission company.

Public utility vehicle means a vehicle owned or operated by a public utility, or operated by a subcontractor on behalf of a public utility.

School bus means every motor vehicle, except station wagons, with a manufacturer's rated seating capacity of sixteen (16) or more passengers, including the driver, owned by a public, private, or governmental agency and operated for the transportation of children to or from school, or privately owned and operated for compensation for the transportation of children to or from school.

Semi-trailer means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons

or property and for being drawn by a motor vehicle and so constructed that come part of its weight and that of its load rests upon or is carried by another vehicle.

Tandem axle means two (2) axles spaced more than three (3) feet, six (6) inches and less than nine (9) feet apart.

Tandem axle assembly means a tandem axle so attached to the vehicle where in an attempt is made by the connecting mechanism to distribute the weight equally between the two (2) axles.

Tandem axle weight means the total weight transmitted to the road by two (2) or more consecutive axles, the centers of which may be included between parallel transverse vertical planes spaced more than forty (40) inches but not more than ninety six (96) inches apart, extending across the full width of the vehicle.

Trailer means every vehicle with or without motive power, other than a pole trailer, designed for carrying property or persons and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Trailer coach means every vehicle primarily designed and used as temporary living quarters for recreational, camping, or travel purposes and drawn by another vehicle.

Transmission company means either an affiliated transmission company or an independent transmission company as those terms are defined in Section 2 of the Michigan Electric Transmission Line Certification Act, MCL 460.562.

Truck means a motor vehicle designed, used, or maintained primarily for the transportation of property.

Truck tractor means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn, except that a truck tractor and semi trailer engaged in the transportation of automobiles may transport motor vehicles on part of the power unit.

Vehicle means every device in, upon, or by which any person or property is, or may be transported or drawn upon a highway, except devices exclusively moved by human power or used exclusively upon stationary rails or tracks.

Vehicle engaged in interstate operation means any motor carrier of passengers or property for hire, which holds operating authority issued by the United States Department of Transportation. **REPEALED.**

Sec. 55 8 2. Compliance with article; responsibility for violation; unspecified violation in section deemed to be civil infraction; general civil and criminal penalties for violation of this article.

(a) It shall be unlawful for any operator,

owner, or lessee of a vehicle to operate, or to cause or permit any of his or her employees or agents to operate, a vehicle on any highway or street in the City contrary to the provisions of this article.

(b) An operator, owner, or lessee of a vehicle shall comply in all aspects as to width, height, length, weight, load, wheel procure, and other requirements set forth in the article and shall be responsible for any civil infraction or misdemeanor violation that is issued as a result of the vehicle not being in compliance.

(c) Unless a violation is declared to be a misdemeanor in this article, it is civil infraction for a person to drive or move, or for the owner to cause or permit to be driven or moved, a vehicle or vehicles on any highway or street in the City in violation of this article.

(d) Where a violation of this article is not specified to be either a civil infraction or a misdemeanor, the violation is deemed to be a civil infraction and a person found responsible for said civil infraction shall be punished by a fine of one hundred dollars (\$100.00).

(e) Where a violation of a section in this article is declared to be a misdemeanor and a penalty is not delineated, a person convicted of said misdemeanor shall be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment for not more than ninety (90) days, or both in the discretion of the court. **REPEALED.**

Sec. 55 8 3. Non applicability of article; operation of wrecker, disabled vehicle, and trailer; noncompliance; violations; special civil penalty.

(a) The provisions of this article governing size, weight, and load do not apply,

- (1) To a fire apparatus;
- (2) To an implement of husbandry;
- (3) To a boat lift or oversized hydraulic boat trailer that is owned and operated by a marina or water craft dealer and is used exclusively in a commercial boat storage operation and incidentally moved upon a highway;

(4) To a combination of vehicles described in, and under the conditions provided by, Subsection (b) of this section; or

(5) To a vehicle operated under the terms of a special permit issued under Section 55 8 7 of this Code.

(b) A wrecker and a disabled vehicle, or a wrecker and a combination of a disabled vehicle and one (1) trailer, that exceed the size and weight limitations in this article may be operated upon the highways or streets in the City under the following conditions:

(1) The wrecker is specifically designed for such towing operations, is equipped with flashing, oscillating, or rotating amber or red lights as permitted under Section 608 of the Michigan Vehicle

Code, MCL 257.608, and is capable of utilizing the lighting and braking systems of the disabled vehicle, or combination of disabled vehicles, where those systems are operational;

(2) For a combination of disabled vehicles, the wrecker is issued a special permit under Section 55-8-7 of this Code where each trip beginning from the place of original disablement of the combination of disabled vehicles is twenty-five (25) miles or less. The special permit is valid for the entire towing distance as provided for in this subsection, and the operator of the wrecker may remove the disabled vehicles from the highway or street at any lawful point of his or her choosing within that distance;

(3) For a single disabled vehicle, the wrecker is issued a special permit under Section 55-8-7 of this Code for the transport of the disabled vehicle. A wrecker operator is not subject to mileage limitations for a special permit issued for purposes of this subsection;

(4) The wrecker does not operate on any highway, road, street, or structure included on a list provided by the Michigan Department of Transportation unless the disabled vehicle or combination of vehicles is located on one (1) of those highways, roads, streets, or structures; or

(5) The owner or operator of a wrecker who does not comply with Subsection (b)(4) of this section is responsible for a civil infraction and shall pay a civil fine of not less than \$250.00 or more than \$500.00. The civil fine imposed under this subsection is in addition to any fine that may be imposed under either Section 55-8-7 of this Code, *Special Permit Required for Operation of Oversize or Overweight Vehicles on Any Highways or Streets in the City*, or Section 55-8-23 of this Code, *Stopping Vehicle for Weighing; Violation; Penalties*. **REPEALED.**

Sec. 55-8-4. Enforcement of article; temporary detention; arrest.

(a) Any police officer of the Detroit Police Department Weights and Measures Division, or any authorized agent, as defined in Section 55-8-1 of this Code, who has reason to believe that the height, length, or weight of a vehicle or load is in violation of Sections 55-8-12, 55-8-13, 55-8-23, 55-8-24, or 55-8-25 of this Code, may require the driver of the vehicle to stop, and the officer may investigate, weight, or measure the vehicle or load. Where after personally investigating, weighing, or measuring the vehicle or load, the officer determines that the height, length, or weight, of a vehicle or load are in violation of the requirements of Sections 55-8-12, 55-8-13, 55-8-23, 55-8-24, or 55-8-25 of this Code, the officer may temporarily detain the driver of the vehicle for purposes of making a record or

vehicle check, may make an arrest for the violation, and may proceed as otherwise provided for in this article.

(b) A peace officer of any county, city, village or township of this state may exercise authority and powers outside of his or her own county, city, village or township when enforcing this Code on a highway or street which is on the boundary of the county, city, village or township the same as if in his or her own county, city, village or township. **REPEALED.**

Sec. 55-8-5. Regulation of highways and streets by local authorities; designated by appropriate signage.

(a) With respect to any highway or street under its jurisdiction, the City of Detroit may by ordinance or resolution:

(1) Prohibit the operation of trucks or other commercial vehicles on any designated highway or street;

(2) Impose limitations as to the weight of trucks or other commercial vehicles on any designated highway or street;

(3) Provide that only certain highways or streets in the City may be used by trucks or other commercial vehicles; and

(4) Prohibit stops of vehicles with a semi-trailer longer than fifty (50) feet within their jurisdiction unless the stop occurs along appropriately designated routes, or is necessary for emergency purposes or to reach shippers, receivers, warehouses, and terminals along designated routes.

(b) Any prohibitions, limitations, or truck route designations established under Subsection (a) of this section shall be designated by appropriate signs placed on the highways or streets. The design and placement of the signs shall be consistent with the requirements of Section 608 of the Michigan Vehicle Code, MCL 257.608. **REPEALED.**

Sec. 55-8-6. Prohibition and restriction of trucks operating, where posted, on highways and streets in the City.

Upon the erection of proper signs sufficient to apprise the ordinarily observant person, it shall be unlawful to operate, permit or cause to be operated, upon any of the highways or streets in the City, any truck, as defined in Section 55-8-1 of this Code, provided, that in accordance with the posted signs, any such truck may be operated upon such highways or streets in the City for the shortest possible distance when necessary to serve any property located within or upon such highways or streets or contiguous thereto or when necessary to cross such highways or streets. **REPEALED.**

Sec. 55-8-7. Special permit required for operation of oversize or overweight vehicles on any highways or streets in the City.

(a) In its discretion, the Police Department may issue, upon application in writing and good cause being shown, a special permit, which authorizes the appli-

cant to operate upon, or remove from, a highway or street in the City a vehicle or combination of vehicles that are:

(1) Of a size, weight, or load exceeding the maximum specified in this article according to the following classifications:

a. Class "A": Not over fifteen (15) tons gross, single axle weight, but over sixty five (65) feet overall in length, or over ninety six (96) overall in width or over thirteen (13) feet six (6) inches overall in height, or projecting over three (3) feet in front of over four (4) feet in rear. Before a special permit shall be issued, the applicant shall obtain and deliver to the Buildings, Safety Engineering, and Environmental Department a surety bond in the sum of one thousand five hundred dollars (\$1,500.00), which is approved by the Corporation Counsel, in order to indemnify or reimburse the City of Detroit for damage that arises out of the use of City highways or streets; or

b. Class "B": Over fifteen (15) tons gross, single axle weight or over eighty (80) feet overall in length, or over twelve (12) feet overall in width, or over fifteen (15) feet overall in height, or projecting over five (5) feet in front or over twenty (20) feet in rear. Before a special permit shall be issued, the applicant shall obtain and deliver to the Buildings, Safety Engineering, and Environmental Department a surety bond in the sum of one thousand five hundred dollars (\$1,500.00), which is approved by the Corporation Counsel, in order to indemnify or reimburse the City of Detroit for damage that arises out of the use of City highways or streets. A vehicle, which carries Class "B" loads:

(i) Is subject to an annual inspection by the Department of Public Works to demonstrate the vehicle's ability to carry such loads. In accordance with Section 9-507 of the 2012 Detroit City Charter, the Director of the Department of Public Works shall establish an inspection fee, which shall be approved by City Council through adoption of a resolution; and

(ii) Shall travel at the time of day and over the specified street route designated in the permit and be accompanied by an inspector from the Department of Public Works;

(2) Otherwise not in conformity with the provisions of this article.

(b) The application for a special permit shall be on a form provided by the City of Detroit Police Department and specifically describe the vehicle or vehicles and load to be operated or moved and the particular route over which the subject vehicle or vehicles will travel.

(c) The Police Department may also issue such special permits upon payment of a fee that authorizes the operation of the following:

(1) Traction engines or tractors having

movable tracks with transverse corrugations upon the periphery of these movable tracks on farm tracks;

(2) Other farm machinery otherwise prohibited under this article; or

(3) A vehicle of a size or weight otherwise prohibited under this article that is hauling farm machinery to or from a farm.

(d) Any permit issued under this section shall specify the trip or trips and date or dates, including the time of day or night traveled, for which it is to be valid, and, when necessary, the Police Department may restrict or proscribe conditions of operations of such vehicle or vehicles to protect public safety or to ensure against undue damage to the road foundations, surfaces, structure or installations and require a reasonable inspection fee and such other security as may be deemed necessary to compensate for any damages caused by such movement. A special permit may be issued on an annual basis.

(e) Except as otherwise provided in this section, the fee for a single trips shall be fifty dollars (\$50.00) and for multiple trips, or on an annual basis, shall be one hundred dollars (\$100.00).

(f) A special permit for any vehicle or combination of vehicles of a size exceeding the maximum specified in this article, but not exceeding the normal loading maximum specified in this article, or are otherwise not in conformity with this article, shall be fifteen dollars (\$15.00) for a single trip and thirty dollars (\$30.00) for multiple trips or on an annual basis.

(g) After issuance, every special permit shall be carried in the respective vehicle, or combination of vehicles, and shall be available for inspection by any police officer or authorized agent.

(h) Any special permit to move a mobile home under this section and a person who is issued a special permit to move a mobile home under this section are subject to Section 55-8-14 of this Code. **REPEALED.**

Sec. 55-8-8. Information to be painted or permanently attached to certain commercial vehicles and towing or platform bed wrecker service vehicles, use of removable devices; effect of compliance with federal identification requirements; exemptions; penalties.

(a) All commercial vehicles with a single or combination gross weight rating or total gross weight of more than five thousand (5,000) pounds and all towing or platform bed wrecker road service vehicles in operation upon any highway or street in the City shall have the name, city, and state or the registered logo or emblem of the registered owner of the vehicle, and lessee of the vehicle where the vehicle is being operated under lease, painted or permanent

ly attached on each side of the vehicle in letters of not less than three (3) inches in height, not lower than the bottom edge of the door. This information shall be in sharp color contrast to the background.

(b) Except for towing or platform bed wrecker road service vehicles, the identification requirements of Subsection (a) of this section, may be met through the use of removable devices which meet the requirements of Subsection (a) of this section. These devices shall be of durable construction and securely attached to each side of the motor truck or truck tractor. The removable devices shall be attached so that the identification is in a horizontal position.

(c) A vehicle in compliance with the identification requirements of the federal motor carrier safety regulations, 49 CFR Parts 390-399, is considered to be in compliance with this section.

(d) This section does not apply to a truck eligible for, and registered under, a farm or manufacturer license plate, that has a gross vehicle weight of less than ten thousand (10,000) pounds.

REPEALED.

Sec. 55-8-9. Trucks hauling semi-trailers used for transporting passengers for sightseeing purposes; speed limitation; safety equipment; inspection.

(a) Notwithstanding Sections 55-8-12 and 55-8-13 of this Code, a truck may be used to haul no more than four (4) semi-trailers for the purpose of transporting passengers for sightseeing purposes, with the approval of the Department of Public Works, where the truck is to be operated not more than three (3) miles beyond the boundaries of the City or exceeds a speed of twenty five (25) miles per hour.

(b) A truck and semi-trailers described in this section shall meet the following requirements:

(1) Be equipped with hazard warning lights and slow moving vehicle emblems as described in Section 688 of the Michigan Vehicle Code, MCL 257.688;

(2) Be equipped with safety belts as described in Section 710c of the Michigan Vehicle Code, MCL 257.710c, for each individual seat; and

(3) Adhere to any applicable federal safety standards.

(c) A driver of a truck regulated by this section shall secure the proper group vehicle designation and any endorsement required on his or her operator's or chauffeur's license before operating a truck regulated by this section.

(d) A truck and semi-truck used as described in this section shall be inspected annually by the Michigan State Police.

REPEALED.

Sec. 55-8-10. Reserved. REPEALED.

DIVISION 2. WIDTH, HEIGHT, AND LENGTH

Sec. 55-8-11. Maximum outside width of vehicles or loads; operation or movement of boat lifts and trailers; violations.

(a) Except as otherwise provided for in this section, the total outside width of a vehicle or the load on a vehicle shall not exceed 96 inches.

(b) A person may operate or move an implement of husbandry of any width on a highway or street in the City as required, designed, and intended for farming operations, including the movement of implements of husbandry being driven or towed and not hauled on a trailer, without obtaining a special permit for an excessively wide vehicle or load under Section 55-8-7 of this Code. The operation or movement of the implement of husbandry shall be in a manner so as to minimize the interruption of traffic flow. A person shall not operate or move an implement of husbandry to the left of the center of the roadway from one half (1/2) hour after sunset to one half (1/2) hour before sunrise, under the conditions specified in Section 639 of the Michigan Vehicle Code, being MCL 257.639, or at any time visibility is substantially diminished due to weather conditions. A person operating or moving an implement of husbandry shall follow all traffic regulations.

(c) The total outside width of the load of a vehicle hauling concrete pipe, agricultural products, or unprocessed logs, pulpwood, or wood bolts shall not exceed 108 inches.

(d) Except as provided in Subsections (b) and (c) and this subsection, where a vehicle that is equipped with pneumatic tires is operated on a highway or street in the City, the maximum width from the outside of one (1) wheel and tire to the outside of the opposite wheel and tire shall not exceed 102 inches, and the outside width of the body of the vehicle or the load on the vehicle shall not exceed 96 inches, provided, that a truck and trailer or a tractor and semi-trailer combination hauling pulpwood or unprocessed logs may be operated with a maximum width of not to exceed 108 inches in accordance with a special permit issued under Section 55-8-7 of this Code.

(e) The total outside body width of a bus, a trailer coach, a trailer, a semi-trailer, a truck camper, or a motor home shall not exceed 102 inches. However, an appurtenance of a trailer coach, a truck camper, or a motor home that extends not more than 6 inches beyond the total outside body width is not a violation of this section.

(f) Except when authorized by law, a vehicle shall not extend beyond the center line of any street or highway of the City. Except as provided in Subsection (b) of

this section, where the width of the vehicle makes it impossible to avoid the center line, a permit shall be obtained under Section 55-8-7 of this Code.

(g) The Director of the Department of Public Works may designate a highway or street in the City on which a person may operate a vehicle or vehicle combination that is not more than 102 inches in width, including load, the operation of which would otherwise be prohibited by this section. The Director making the designation may require that the owner or lessee of the vehicle or of each vehicle in the vehicle combination secure a permit before operating the vehicle or vehicle combination. This subsection does not restrict the issuance of a special permit under Section 55-8-7 of this Code for the operation of a vehicle or vehicle combination. This subsection does not permit the operation of a vehicle or vehicle combination described in Section 55-8-24 of this Code from carrying a load described in that section where the operation would otherwise result in a violation of that section.

(h) A person may move or operate a boat lift of any width or an oversized hydraulic boat trailer owned and operated by a marina or water craft dealer in a commercial boat storage operation on a highway or street in the City under a multiple-trip permit issued on an annual basis as specified under Section 55-8-7 of this Code. The operation or movement of the boat lift or trailer shall minimize the interruption of traffic flow. It shall be used exclusively to transport a boat between a place of storage and a marina or in and around a marina. A boat lift or oversized hydraulic boat trailer may be operated, drawn, or towed on a highway or street in the City only when transporting a vessel between a body of water and a place of storage or when traveling empty to or from transporting a vessel. A boat lift shall not be operated on limited access highways. A person moving or operating a boat lift or oversized hydraulic boat trailer shall follow all traffic regulations and shall ensure the route selected has adequate power and utility wire height clearance.

(i) In accordance with Section 55-8-2 of this Code, the operator, or owner, of the vehicle may be charged with a violation of this section. **REPEALED.**

Sec. 55-8-12. Height; violations.

(a) A vehicle that is unloaded or with load shall not exceed a height of thirteen (13) feet six (6) inches.

(b) In accordance with Section 710(1) of the Michigan Vehicle Code, MCL 257.710(1), the owner of a vehicle that collides with a lawfully established bridge or viaduct is liable for all damage and injury resulting from a collision caused by the height of the vehicle, whether or not the clearance of the bridge or viaduct is posted.

(e) In accordance with Section 55-8-2 of this Code, the operator, or owner, of the vehicle may be charged with a violation of this section. **REPEALED.**

Sec. 55-8-13. Length; combinations; connecting assemblies; lighting devices; weight; violations.

(a) Lengths described in this section shall be known as the normal length maximum. Except as provided in Subsection (b) of this section, the following vehicles and combinations of vehicles shall not be operated on a highway or street in the City in excess of these lengths:

- (1) A single vehicle: 40 feet;
- (2) A crib vehicle on which logs are loaded lengthwise of the vehicle: 42.5 feet;
- (3) A single bus or motor home: 45 feet;
- (4) Articulated buses: 65 feet;
- (5) Notwithstanding any other provision of this article, a combination of a truck and semi trailer or trailer, or a truck tractor, semi trailer, and trailer, or truck tractor and semi trailer or trailer, designed and used exclusively to transport assembled motor vehicles or bodies, recreational vehicles, or boats, that does not exceed a length of 65 feet. Stinger steered combinations shall not exceed a length of 75 feet. The load on the combinations of vehicles described in this subsection may extend an additional three (3) feet beyond the front and four (4) feet beyond the rear of the combinations of vehicles. Retractable extensions used to support and secure the load that do not extend beyond the allowable overhang for the front and rear shall not be included in determining length of a loaded vehicle or vehicle combination.

(6) Truck tractor and semi trailer combinations: no overall length, the semi-trailer not to exceed 50 feet;

(7) Truck and semi trailer or trailer: 50 feet;

(8) Except as provided in Subsection (9) of this section, truck tractor, semi-trailer, and trailer, or truck tractor and two (2) semi trailers: 50 feet;

(9) A truck tractor, semi trailer, and trailer, or a truck tractor and two (2) semi-trailers, in which no semi trailer or trailer is more than 28 1/2 feet long: 65 feet. This subsection only applies while the vehicle is being used for a business purpose reasonably related to picking up or delivering a load and only where each semi trailer or trailer is equipped with a device or system capable of mechanically dumping construction materials by force of gravity; and

(10) More than one (1) motor vehicle, wholly or partially assembled, in combination, utilizing one (1) tow bar or three (3) saddle mounts with full mount mechanisms and utilizing the motive power of one (1) of the vehicles in combination: not to exceed 55 feet.

(b) Notwithstanding Subsection (a) of

~~this section, the following vehicles and combinations of vehicles shall not be operated on a highway or street in the City in excess of these lengths:~~

~~(1) Truck tractor and semi trailer combinations: no overall length limit, the semi trailer not to exceed 53 feet. All semi trailers longer than 50 feet shall have a wheelbase of 37.5 to 40.5 feet plus or minus 0.5 feet, measured from the kingpin coupling to the center of the rear axle or the center of the rear axle assembly. A semi trailer with a length longer than 50 feet shall not operate with more than three (3) axles on the semi trailer;~~

~~(2) Truck and semi trailer or trailer combinations: 65 feet, provided, that a person may operate a truck and semi trailer or trailer designed and used to transport saw logs, pulpwood, and three length poles that does not exceed an overall length of 70 feet or a crib vehicle and semi trailer or trailer designed and used to transport saw logs that does not exceed an overall length of 75 feet. A crib vehicle and semi trailer or trailer designed to and used to transport saw logs shall not exceed a gross vehicle weight of 164,000 pounds. A person may operate a truck tractor and semi trailer designed and used to transport saw logs, pulpwood, and tree length wooden poles with a load overhang to the rear of the semi trailer which does not exceed 6 feet where the semi trailer does not exceed 50 feet in length;~~

~~(3) Notwithstanding Subsection (c)(4) of this section, a truck tractor with a log clasher unit and a log saw unit; no overall limit where the length of each unit does not exceed 28.5 feet, or the overall length of the log clasher unit and the log saw unit, as measured from the front of the first towed unit to the rear of the second towed unit while the units are coupled together, does not exceed 58 feet. The coupling devices of the truck tractor and units set forth in this subsection shall meet the requirements established under the Michigan Motor Carrier Safety Act of 1963, MCL 480.11 through 480.25;~~

~~(4) Truck tractor and two (2) semi trailers, or truck tractor, semi trailer, and trailer combinations: no overall length limit, where the length of each semi trailer or trailer does not exceed 28.5 feet each, or the overall length of the semi trailer and trailer, or two (2) semi trailers as measured from the front of the first towed unit to the rear of the second towed unit while the units are coupled together does not exceed 58 feet; and~~

~~(5) More than one (1) motor vehicle, wholly or partially assembled, in combination, utilizing one (1) tow bar or three (3) saddle mounts with full mount mechanisms and utilizing the motive power of one (1) of the vehicles in combination: not to exceed 75 feet.~~

~~(e) The following combinations and movements are prohibited:~~

~~(1) A truck shall not haul more than one (1) trailer or semi trailer, and a truck tractor shall not haul more than two (2) semi trailers or one (1) semi trailer and one (1) trailer in combination at any one (1) time, provided, that a farm tractor may haul two (2) wagons or trailers, or garbage and refuse haulers may, during daylight hours, haul up to four (4) trailers for garbage and refuse collection purposes, not exceeding in any combination a total length of 55 feet and at a speed limit not to exceed fifteen (15) miles per hour;~~

~~(2) A combination of vehicles or a vehicle shall not have more than eleven (11) axles, except when operating under a valid permit issued by the City pursuant to Section 55-8-7 of this Code;~~

~~(3) Any combination of vehicles not specifically authorized under this section is prohibited;~~

~~(4) Except as provided in Subsection (b)(3) of this section, a combination of two (2) semi trailers pulled by a truck tractor, unless each semi trailer uses a fifth wheel connecting assembly that conforms to the requirements of the Michigan Motor Carrier Safety Act of 1963, MCL 480.11 through MCL 480.25;~~

~~(5) A vehicle or a combination of vehicles shall not carry a load extending more than three (3) feet beyond the front of the lead vehicle; and~~

~~(6) A vehicle described in Subsections (a)(7) and (b)(5) of this section employing triple saddle mounts unless all wheels that are in contact with the roadway have operating brake.~~

~~(d) All combinations of vehicles under this section shall employ connecting assemblies and lighting devices that are in compliance with the Michigan Motor Carrier Safety Act of 1963, MCL 480.11 through MCL 480.25.~~

~~(e) The total gross weight of a truck tractor, semi trailer, and trailer combination or a truck tractor and two (2) semi trailers combination that exceeds 50 feet in length shall not exceed a ratio of four hundred (400) pounds per engine net horsepower delivered to clutch or its equivalent specified in the handbook published by the Society of Automotive Engineers, Inc. (SAE), 1977 Edition.~~

~~(f) In accordance with Section 55-8-2 of this Code, the operator, or owner, of the vehicle may be charged with a violation of this section. REPEALED.~~

~~**Sec. 55-8-14. Towing vehicle with mobile home park model trailer attached; operating restrictions; permits; transportation requirements; additional requirements for transporting mobile homes; violations; special civil penalty.**~~

~~(a) Notwithstanding any other provisions of this article, a person shall not~~

operate a towing vehicle to which a mobile home or park model trailer is attached on a street or highway in the City, where that mobile home or park model trailer is more than 45 feet in length or more than 60 feet in length when combined with the towing vehicle, is more than 12 1/2 feet in height, and has an actual body width of more than 102 inches at base rail, unless that person possesses either of the following:

- (1) A permit issued by the Department of Public Works under this section; or
- (2) A permit issued pursuant to Section 55 8-7 of this Code.

(b) The Department of Public Works may issue to a mobile home or park model trailer transport company, to a mobile home or park model trailer manufacturer, or to a mobile home or park model trailer dealer an annual permit to move on any highway or street in the City, in the ordinary course of that company's, manufacturer's, or dealer's business, a mobile home or park model trailer that conforms to each of the following:

- (1) The mobile home or park model trailer is not more than 12 feet wide; and
- (2) The actual body length of the mobile home or park model trailer is not more than 80 feet and the combined length of the mobile home or park model trailer and towing vehicle is not more than 105 feet, or the total length of a combination of mobile homes or park model trailers is not more than 80 feet and the total length of a combination of mobile homes or park model trailers and towing vehicle is not more than 105 feet.

(c) A special permit may be issued, pursuant to Section 55 8-7 of this Code, for the movement of a mobile home or park model trailer on any highway or street in the City where the width of that mobile home or park model trailer conforms to both of the following:

- (1) The mobile home or park model trailer is not more than 16 feet wide plus normal appurtenances or eaves that extend not more than 6 inches from any side of the mobile home or park model trailer; and

(2) The length of the mobile home or park model trailer complies with Subsection (b)(2) of this section.

(d) A person operating a towing vehicle under Subsection (c) of this section shall transport a mobile home or park model trailer only on the lane farthest to the right of that person. A person shall not move a mobile home or park model trailer that is 14 or more feet in width including an eave of 2 feet when the wind velocity exceeds 25 miles per hour.

(e) A special permit shall not be issued under Section 55 8-7 of this Code, for purposes of Subsection (b) or (c) of this section, for the transport of a mobile home or park model trailer on a Saturday, Sunday,

legal holiday, from the noon before until the noon after a holiday, or during the hours between sunset and sunrise.

(f) The Department of Public Works shall provide, and a person operating a towing vehicle shall comply with, all of the following in a permit issued under this section:

(1) The date, day, and time period during which a mobile home or park model trailer subject to the permit may be moved on a highway;

(2) Notice that the permit is conditioned upon its holder's compliance with the terms of the permit and applicable law;

(3) Notice that the operator of a towing vehicle transporting the mobile home or park model trailer shall operate the towing vehicle on a highway or street in the City as follows:

- (i) At a safe speed and in a safe manner that will not impede motor traffic;
- (ii) Only when the surface condition of the highway or street is not slippery; and
- (iii) In compliance with seasonal load restrictions.

(4) For a mobile home or park model trailer and towing vehicle that, when combined, are more than 80 feet in length or more than 12 feet wide, all of the following:

- (i) Notice that the mobile home or park model trailer shall be equipped with two (2) flashing amber lights on the rear of the mobile home or park model trailer and one (1) flashing amber light on the top of the towing vehicle;

(ii) Notice that the mobile home or park model trailer shall be equipped with stop lights and directional lights on the top of the mobile home or park model trailer.

(iii) Notice that signs with the words "oversize load" shall be displayed on the front bumper of the towing vehicle and the back of the mobile home or park model trailer or, in the case of mobile homes or park model trailers that are 16 feet wide, notice that signs with the words "16 ft. wide load" shall be displayed on the front bumper of the towing vehicle and the back of the mobile home or park model trailer.

(iv) Notice that the signs identified in Subsection (f)(4)(iii) of this section shall be of durable material, in good condition, with black lettering on interstate yellow background, and that each letter shall be of black lettering not less than 12 inches high at the front and not less than 16 inches high at the rear of the unit; and

(v) Notice that a vehicle escort is required on those roads where the Michigan State Police consider escort vehicles necessary for highway safety.

(g) Signs and other special identification for escort vehicles shall conform to the Michigan Department of Transportation requirements for all escort vehicles for oversized loads.

(h) For a mobile home or park model trailer being moved pursuant to this section or Section 55-8-7 of this Code, the distance between mobile home or park model trailer axle centers shall not be less than 34 inches. The axles and tires shall meet standards established by the Michigan Department of Transportation.

(i) This section does not grant or give authority to the Michigan Department of Transportation that did not exist on May 1, 1982, in accordance with 23 USC 127.

(j) All mobile homes transported on any highway or street in the City that are more than 14 1/3 feet wide, plus normal appurtenances that extend no more than 6 inches, and an eave that extends no more than 2 feet from the width of the mobile home, are subject to the following additional requirements:

(1) Two escort vehicles shall escort the towing vehicle and mobile home on all two-lane roads and on those roads where the Michigan State Police consider two (2) escort vehicles necessary for highway safety;

(2) Each towing vehicle shall be equipped with a radio or other device that allows for continuous communication between the towing vehicle and each escort vehicle;

(3) The person transporting the mobile home shall have in effect a liability insurance policy covering personal injury and property damage and having policy limits of not less than one million dollars (\$1,000,000); and

(4) The towing vehicle and mobile home shall not exceed a speed of 45 miles per hour or 10 miles per hour below the posted speed limit, whichever is lower.

(k) Any person who operates a towing vehicle and violates this section is responsible for a civil infraction or the owner of the towing vehicle may be charged with a violation of this section. The operator or owner may be assessed a fine of not more than five hundred (500.00) dollars. **REPEALED.**

Sec. 55-8-15. Passenger vehicle or pickup truck towing vehicle or trailer; drawbar or other connection; coupling devices and safety chains; pickup truck with fifth wheel assembly; conditions for towing additional trailer or semi-trailer; speed limit requirements.

(a) Except as otherwise provided in Subsection (c) of this section, a passenger vehicle or a pickup truck shall not be driven upon a highway drawing or having attached to the passenger vehicle or pickup truck more than one (1) vehicle or trailer.

(b) The drawbar or other connection between two (2) vehicles, one (1) of which is towing or drawing the other on a highway, shall not exceed fifteen (15) feet in length from one (1) vehicle to the other.

Where the connection consists of a chain, rope, or cable, there shall be displayed upon the connection a red flag or other signal or cloth not less than twelve (12) inches both in length and width.

(c) A vehicle or trailer towed or drawn by a vehicle shall be attached to the vehicle with forms of coupling devices in a manner so that when the combination is operated in a linear alignment on a level, smooth, paved surface, the movement of the towed or drawn vehicle or trailer does not deviate more than three (3) inches to either side of the path of the towing vehicle that tows or draws it. The vehicle or trailer shall also be connected to the towing vehicle by suitable safety chains or devices, one (1) on each side of the coupling and at the extreme outer edge of the vehicle or trailer. Each chain or device and connection used shall be of sufficient strength to haul the vehicle or trailer when loaded. In the case of an implement of husbandry with a gross vehicle weight rating or gross combination weight rating of ten thousand (10,000) pounds or less, the safety chains or devices required under this subsection shall conform to the federal motor carrier safety regulations requirements contained in 49 C.F.R. 393.70(d)(5).

(d) A pickup truck with a fifth wheel assembly shall not tow a semi-trailer unless the fifth wheel assembly conforms to the standards prescribed in the Michigan Motor Carrier Safety Act of 1963, being MCL 480.11 to 480.25.

(e) Notwithstanding Subsection (a) of this section, a pickup truck with a towing rating equal to, or greater than, the weight being towed, equipped with a five wheel assembly that conforms with the standards prescribed in the Michigan Motor Carrier Safety Act of 1963, being MCL 480.11 to 480.25, towing attached with a semi-trailer designed for recreational living purposes may tow an additional trailer or semi-trailer under the following condition:

(1) The additional trailer or semi-trailer shall be attached pursuant to Subsection (c) of this section. The safety chains described in subsection (c) shall be securely attached at the extreme outer edge of the attached trailer or semi-trailer with a locking mechanism. The towing vehicle hitch shall be of substantial material and shall be attached in a proper and skillful manner to the frame of the towing vehicle;

(2) The total length of the pickup truck, semi-trailer designed for recreational living purposes, and additional trailer or semi-trailer, and load, shall not exceed sixty five (65) feet on any highways in this state; and

(3) The gross weight of the additional trailer or semi-trailer towed or drawn shall not exceed the empty weight of the pick-

up truck or the empty weight of the semi-trailer.

(f) For the purposes of this section, a pickup truck towing a semi-trailer and additional trailer shall be considered a passenger vehicle and shall comply with the speed limit requirements of Section 627(6) of the Michigan Vehicle Code, MCL 257.627(6). **REPEALED.**

Sec. 55-8-16. Passenger-type vehicle; projected load.

A passenger type vehicle shall not be operated on a highway or street in the City with a load carried on the vehicle extending beyond the line of the fenders on the left side of the vehicle or extending more than six (6) inches beyond the line of the fenders on the right side of the vehicle. **REPEALED.**

Sec. 55-8-17. Flags and lights on loads extending beyond vehicles.

Whenever the load on any vehicle shall extend four (4) feet, or more, beyond the rear of the bed or body, there shall be displayed at the extreme end of such load in a position as to be clearly visible at all times from the rear, a red flag not less than twelve (12) inches square, so hung that the entire area is visible to the driver of a vehicle approaching from the rear, provided, that between one-half (1/2) hour after sunset and one-half (1/2) hours before sunrise, there shall be displayed at the end of any such load a red light plainly visible under normal atmospheric conditions at least five hundred (500) feet from the rear of the vehicle. The red light shall be in addition to the red rear lights required upon every vehicle. **REPEALED.**

Sec. 55-8-18. Fenders or bumpers required on certain vehicles extending beyond rear axle.

A motor vehicle, trailer or semi trailer whose frame or body extends more than sixty (60) inches beyond the rear of the rear axle thereof and is more than forty-two (42) inches above the roadway shall be not operated on a highway or street in the City unless equipped with a fender or bumper on the extreme rear of such frame or body. Such bumper shall extend downward from the rear of such frame or body to within thirty (30) inches of the roadway and be of substantial construction. **REPEALED.**

Secs. 55-8-19 — 55-8-20. Reserved. REPEALED.

DIVISION 3. WEIGHTS, LOADS, AND WHEEL PRESSURES

Sec. 55-8-21. City license or other permit required; exceptions; violation; penalty.

(a) Except as provided in Subsections (c), (d) and (e) of this section, the owner or operator of every vehicle regulated by this division, which has a gross weight, including the weight of the vehicle and of the load to be carried, or eight thousand (8,000) pounds or more, shall obtain an

annual City permit by written application to the Building, Safety Engineering, and Environmental Department Business License Center. The applicant shall provide the following information on the City's application form:

- (1) Owner's name and address;
- (2) Vehicle manufacturer;
- (3) State license number;
- (4) Type of business;
- (5) Rated capacity of the vehicle in tons;
- (6) Vehicle weight without freight;
- (7) Number of wheels;
- (8) Number of tires; and
- (9) Width of all tires.

(b) Every vehicle required to be licensed under this section shall have attached in some conspicuous place, a license decal embossed with "City of Detroit License No. _____, 20 _____," and, as specified by this division, containing the name and address of the company, and the actual weight of the vehicle including the equipment and the weight of the load capacity.

(c) Any vehicle engaged in interstate operation, or registered with or for which a fee is paid to the Michigan Public Service Commission, shall not be required to obtain the license specified in this section.

(d) Any vehicle used in an interstate operation shall not be required to obtain a license specified in this section if the municipality where it is registered requires such vehicle to obtain a license or permit and pay a fee similar to that specified in this section.

(e) Any vehicle paying a license or registration fee under Section 30-1-18 of this Code shall not be required to pay the fee specified in this section or any fee be payable for any trailer or semi-trailer.

(f) An application fee shall be charged for the processing and issuance of a license under this division. A fee schedule for the license shall be established by the Building, Safety Engineering, and Environmental Department based on the cost of issuance, enforcement, and administration of the licensing regulations and approved by the City Council. The fee schedule shall be posted at the Department's Business License Center.

(g) Each licensee shall pay an annual application fee for each license renewal, upon the expiration date of the current license.

(h) Upon payment of the application fee and approval of the license application by the department, an annual license shall be issued.

(i) Licenses issued under this section shall expire on annual basis and, upon application, be renewed by the Building, Safety Engineering, and Environmental Department.

(j) A person who violates this section is guilty of a misdemeanor punishable in

accordance with Section 55-8-2(e) of this Code. REPEALED.

~~Sec. 55-8-22. Wheel and axle loads; normal loading maximum; reduction of maximum axle load on concrete pavements during March, April and May; seasonal weight restrictions; exemptions; violation.~~

~~(a) The maximum axle load shall not exceed the number of pounds designated in the following provisions, which shall be known as the normal loading maximum, that prescribe the distance between axles:~~

~~(1) Where the axle spacing is nine (9) feet or more between axles, the maximum axle load shall not exceed eighteen thousand (18,000) pounds for vehicles equipped with high pressure pneumatic or balloon tires;~~

~~(2) Where the axle spacing is less than nine (9) feet between two (2) axles but more than three and one half (3 1/2) feet, the maximum axle load shall not exceed thirteen thousand (13,000) pounds for high pressure pneumatic or balloon tires; and~~

~~(3) Where the axles are spaced less than three and one half (3 1/2) feet apart, the maximum axle load shall not exceed nine thousand (9,000) pounds per axle.~~

~~(b) When normal loading is in effect, the City may designate certain highways or streets, or sections of those highways or streets, which are under its jurisdiction, where bridges and road surfaces are adequate for heavier loading, and revise a designation as needed, on which the maximum tandem assembly loading shall not exceed sixteen thousand (16,000) pounds for any axle of the assembly, where there is no other axle within nine (9) feet of any axle of the assembly.~~

~~(c) On a legal combination of vehicles, only one (1) tandem axle assembly shall be permitted on the designated highways or streets in the City at the gross weight of sixteen thousand (16,000) pounds per axle, where there is no other axles within nine (9) feet of any axle of the assembly, and where no other tandem axle assembly in the combination of vehicles exceeds a gross weight of thirteen thousands (13,000) pounds per axle. On a combination of truck tractor and semi-trailer having not more than five (5) axles, two (2) consecutive tandem axle assemblies shall be permitted on the designated highways or streets in the City at a gross weight of sixteen thousand (16,000) pounds per axle, where there is no other axle within nine (9) feet of any axle of the assembly.~~

~~(d) Notwithstanding Subsection (c) of this section, on a combination of truck tractor and semi-trailer having not more than five (5) axles, two (2) consecutive sets of tandem axles may carry a gross weight not to exceed seventeen thousand (17,000) pounds on any axle of the tan-~~

~~dem axle where there is no other axle within nine (9) feet of any axle of the tandem axles and where the first and last axles of the consecutive sets of tandem axles are not less than thirty six (36) feet apart and the gross weight does not exceed eighty thousand (80,000) pounds to pick up and deliver agricultural commodities between the national truck network, or designated highway or street, and any other highway or street in the City. This subsection is not subject to the maximum axle load of Subsections (a), (b), and (c) of this section. For purposes of this subsection, a "tandem axle" means two (2) axles spaced more than forty (40) inches but not more than ninety six (96) inches apart or two (2) axles spaced more than three and one half (3.5) feet but less than nine (9) feet apart. This subsection does not apply during that period when reduced maximum loads are in effect pursuant to Subsection (f) of this section.~~

~~(e) The normal size of tires shall be the rated size as published by the manufacturers, and the maximum wheel load permissible for any wheel shall not exceed seven hundred (700) pounds per inch of width of tire.~~

~~(f) Except as provided for in this subsection, during the months of March, April, and May in each year, the maximum axle load allowable on concrete pavements or pavements with a concrete base is reduced by twenty five percent (25%) from the maximum axle load as specified in this article, and the maximum axle load allowable on all other types of highways or streets in the City during those months are reduced by thirty five percent (35%) from the maximum axle load as specified. The maximum wheel load shall not exceed five hundred and twenty five (525) pounds per inch of tire width on concrete and concrete base or four hundred and fifty (450) pounds per inch of tire width on all other highways or streets in the City during the period the seasonal road restrictions are in effect. This subsection does not apply to vehicles transporting agricultural commodities or any public utility vehicle on a highway or street in the City. The City of Detroit shall post the following information on the Department of Public Works City Engineering Division page of the City's website:~~

~~(1) The dates when the seasonal restrictions are in effect; and~~

~~(2) The names of the highways and streets in the City to which the seasonal restrictions apply;~~

~~(g) With respect to highways and streets under its jurisdiction, the City of Detroit may suspend the restrictions imposed by this section where conditions of the highways or streets in the City, or the public health, safety and welfare, warrant suspension, and impose the restrict-~~

ed loading requirements of this section on any designated highway or street at any other time that the conditions of the highway or street require doing so.

(h) For the purpose of enforcing this article, the gross weight of a single vehicle and load, or a combination of vehicles and loads, shall be determined by weighing individual axles or groups of axles, and the total weight on all the axles shall be the gross weight. In addition, the gross axle weight shall be determined by weighing individual axles or by weighing a group of axles and dividing the gross weight of the group of axles by the number of axles in the group. For purposes of Subsection (k) of this section, the overall gross weight on a group of two (2) or more axles shall be determined by weighing individual axles or several axles, and the total weight of all the axles in the group shall be the overall gross weight of the group.

(i) The loading maximum in this subsection applies to interstate highways and the Director of the Department of Public Works may designate a highway or street in the City, or a section of the highway or street in the City, for the operation of vehicles having gross weight of not more than eighty thousand (80,000) pounds which do not exceed any of the following:

(1) Twenty thousand (20,000) pounds on any one (1) axle, including all enforcement tolerances;

(2) A tandem axle weight of thirty four thousand (34,000) pounds per axle including all enforcement tolerances; or

(3) An overall gross weight on a group of two (2) or more consecutive axles equaling:

$$W = 500 \frac{LN}{N-1} + 12N + 36$$

where W equals overall gross weight on a group of two (2) or more consecutive axles to the nearest five hundred (500) pounds, L equals distance in feet between the extreme of a group of two (2) or more consecutive axles, and N equals number of axles in the group under consideration, provided, that two (2) consecutive sets of tandem axles may carry a gross load of thirty four thousand (34,000) pounds each where the first and last axles of the consecutive sets of tandem axles are not less than thirty six (36) feet apart. The gross weight shall not exceed eighty thousand (80,000) pounds, including all enforcement tolerances. Except for five (5) axle truck tractor, semi-trailer combinations having two (2) consecutive sets of tandem axles, vehicles having a gross weight in excess of eighty thousand (80,000) pounds, or in excess of the vehicle weight determined by application of the formula in this subsection, are subject to the maximum axle load of Subsections (a), (b),

and (c) of this section. Except as otherwise provided for in this section, vehicles transporting agricultural commodities shall have weight load maximums as set forth in this subsection. **REPEALED.**

Sec. 55-8-23. Stopping vehicle for weighing; violation; penalties.

(a) A police officer, or authorized agent, as defined in Section 55-8-1 of this Code, having reason to believe that the weight of a vehicle and load is unlawful may require the driver to stop and submit to a weighing of the vehicle by either portable or stationary scales approved and sealed by the Michigan Department of Agriculture as a legal weighing device and may require that the vehicle be driven to the nearest weigh station of the Michigan Department of Transportation for the purpose of allowing the police officer, or authorized agent, to determine whether the vehicle is loaded in conformity with this article.

(b) When the officer, or authorized agent determines, upon weighing a vehicle and load, that the weight is unlawful, the officer, or authorized agent, may require the driver to stop the vehicle in a suitable place and remain standing until that portion of the load is shifted or removed as necessary to reduce the gross axle load weight of the vehicle to the limit permitted under this article. All material unloaded as provided under this subsection shall be cared for by the owner or operator of the vehicle at the risk of the owner or operator. A judge or magistrate imposing a civil fine and costs under this section that are not paid in full immediately or for which a bond is not immediately posted in double the amount of the civil fine and costs shall order the driver or owner to move the vehicle at the driver's own risk to a place of safekeeping within the City, inform the judge or magistrate in writing of the place of safekeeping, and keep the vehicle until the fine and costs are paid or sufficient bond is furnished or until the judge or magistrate is satisfied that the fine and costs will be paid. The officer, or authorized agent, who has determined, after weighing a vehicle and load, that the weight is unlawful, may require the driver to proceed to a judge or magistrate at the 36th District Court. Where the judge or magistrate is satisfied that the probable civil fine and costs will be paid by the owner or lessee, the judge or magistrate may allow the driver to proceed, after the load is made legal. Where the judge or magistrate is not satisfied that the owner or lessee, after a notice and a right to be heard on the merits is given, will pay the amount of the probable civil fine and costs, the judge or magistrate may order the vehicle to be impounded until trial on the merits is completed under conditions set forth in this section for the impounding of vehicles

after the civil fine and costs have been imposed. Removal of the vehicle, and forwarding, care, or preservation of the load shall be under the control of and at the risk of the owner or driver. Vehicles impounded shall be subject to a lien, subject to a prior valid bona fide lien of prior record, in the amount of the civil fine and costs and, where the civil fine and costs are not paid within ninety (90) days after the seizure, the judge or magistrate shall certify the unpaid judgment to the County of Wayne Prosecutor, who shall proceed to enforce the lien by foreclosure sale in accordance with procedure authorized in the case of chattel mortgage foreclosures.

(b) Subject to Subsection (d) of this section, an owner of a vehicle or a lessee of the vehicle of an owner operator, or other person, who causes or allows a vehicle to be loaded and driven or moved on a highway, when the weight of that vehicle violates Section 55-8-22 of this Code is responsible for a civil infraction and shall pay a civil fine in an amount equal to:

(1) Three (3) cents per pound for each pound of excess load over one thousand (1,000) pounds when the excess is two thousand (2,000) pounds or less;

(2) Six (6) cents per pound of excess load when the excess is over two thousand (2,000) pounds but not over three thousand (3,000) pounds;

(3) Nine (9) cents per pound for each pound of excess load when the excess is over three thousand (3,000) pounds but not over four thousand (4,000) pounds;

(4) Twelve (12) cents per pound for each pound of excess load when the excess is over four thousand (4,000) pounds but not over five thousand (5,000) pounds;

(5) Fifteen (15) cents per pound for each pound of excess load when the excess is over five thousand (5,000) pounds but not over ten thousand (10,000) pounds; or

(6) Twenty (20) cents per pound for each pound of excess load when the excess is over ten thousand (10,000) pounds.

(d) Where the a judge or magistrate of the 36th district Court determines that the motor vehicle or the combination of vehicles was operated in violation of this section, the court shall impose a fine as follows:

(1) Where the court determines that the motor vehicle, or the combination of vehicles, was operated in such a manner that the gross weight of the vehicle, or combination of vehicles, would not be lawful by a proper distribution of the load upon all the axles of the vehicle or the combination of vehicles, the court shall impose a fine for the violation according to the schedule provided for in Subsection (e) of this section; or

(2) Where the court determines that the motor vehicle, or the combination of vehicles, would be lawful by a proper distribution of the load upon all of the axles of the vehicle or the combination of vehicles, but that one (1) or more axles of the vehicle exceeded the maximum allowable axle weight by four thousand (4,000) pounds or less, the court shall impose a misload fine of two hundred dollars (\$200.00) per axle. Not more than three (3) axles shall be used in calculating the fine to be imposed under this subsection. This subsection does not apply to a vehicle subject to the maximum loading provisions of Section 55-8-22(i) of this Code or to a vehicle found to be in violation of a special permit issued under Section 55-8-7 of this Code; or

(3) Where the court determines that the motor vehicle, or the combination of vehicles, would be lawful by a proper distribution of the load upon all of the axles of the vehicle or the combination of vehicles, but that one (1) or more axles of the vehicle exceeded the maximum allowable axle weight by more than four thousand (4,000) pounds, the court shall impose a fine for the violation according to the schedule provided in Subsection (e) of this section.

(e) A driver or owner of a commercial vehicle with other vehicles or trailers in combination, a truck or truck tractor, a truck or truck tractor with other vehicles in combination, or any special mobile equipment who fails to stop at or bypasses any scales or weighing station is guilty of a misdemeanor punishable in accordance with Section 55-8-2(e) of this Code.

(f) For purposes of this article, a police officer, or authorized agent, shall not stop a truck or vehicle in movement upon a highway or street in the City unless driving a duly marked vehicle, clearly identifying the vehicle as one from the Detroit Police Department.

(g) A driver or owner of a vehicle who knowingly fails to stop when requested or ordered to do so by a police officer, or authorized agent, and submit to a weighing of the vehicle and load by means of a portable scale, is guilty of a misdemeanor punishable by imprisonment for not more than ninety (90) days, or a fine of not more than one hundred dollars (\$100.00), or both in the discretion of the court.

(h) A driver or person who dumps his or her load when ordered to submit to a weigh, or who otherwise attempts to commit or commits an act to avoid a vehicle weigh, is guilty of a misdemeanor punishable in accordance with Section 55-8-2(e) of this Code. REPEALED.

Sec. 55-8-24. Construction or loading of vehicle to prevent spillage on highway or street; loading of vehicle which is not completely enclosed; operation of vehicle equipped with

front-end loading device with protruding tine; violation; penalties.

(a) A person shall not drive or move a vehicle on a highway or street in the City unless the vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, blowing off, or otherwise escaping from the vehicle. This requirement does not apply to a vehicle transporting agricultural commodities or horticultural products when hay, straw, cillage, or residuo from a product, but not including the product itself, or when materials such as water used to preserve and handle agricultural commodities or horticultural products while in transportation, escape from the vehicle in an amount that does not interfere with other traffic on a highway or street in the City. The tailgate, faucets, and taps on a vehicle shall be securely closed to prevent spillage during transportation whether the vehicle is loaded or empty, and the vehicle shall not have any holes or cracks through which material can escape. Any highway maintenance vehicle engaged in either ice or snow removal shall be exempt from this section.

(b) Actual spillage of material on the highway or street in the City, or proof of that spillage, is not necessary to prove a violation of this section.

(c) Except as provided in this section, a vehicle carrying a load, other than logs or tubular products, which is not completely enclosed shall meet either of the following requirements:

(1) Have the load covered with firmly secured canvas or a similar type of covering. A device used to comply with the requirement of this subsection shall not exceed a width of one hundred and eight (108) inches or by design or use have the capability to carry cargo by itself; or

(2) Have the load securely fastened to the body or the frame of the vehicle with binders of adequate number and of adequate breaking strength to prevent the dropping off or shifting of the load.

(d) A company which, or individual who, loads or unloads a vehicle or causes a vehicle to be loaded or unloaded, with knowledge that the vehicle is to be driven on a highway or street in the City in a manner so as to cause a violation of Subsection (a) of this section shall be *prima facie* liable for a violation of this section.

(e) Subsection (c) of this section does not apply to a person operating a vehicle to transport agricultural commodities or to a person operating a farm truck or implement of husbandry transporting sand, gravel, and dirt necessary in the normal operation of a farm, provided, that a person operating a vehicle to transport agricultural commodities or sand, gravel, and dirt in the normal operation of the farm who violates Subsection (a) or (d) of this

section is guilty of a misdemeanor punishable in accordance with Section 55-8-2(e) of this Code.

(f) Subsection (c)(1) of this section does not apply to a motor vehicle transporting items of a load that, because of their weight, will not fall off the moving vehicle and that have their centers of gravity located at least six (6) inches below the top of the enclosure, or to a motor vehicle carrying metal that, because of its weight and density, is so loaded as to prevent the metal from dropping or falling off the moving vehicle.

(g) Subsection (c)(1) of this section does not apply to motor vehicle and other equipment engaged in work upon the surface of a highway or street in the City in a designated work area.

(h) A person shall not drive or move on a highway or street in the City a vehicle equipped with a front-end loading device with a tine protruding parallel to the highway or street beyond the front bumper of the vehicle unless the tine is carrying a load designed to be carried by the front end loading device. This subsection does not apply to a vehicle designed to be used, or being used, to transport agricultural commodities, to a vehicle en route to a repair facility, or to a vehicle engaged in construction activity. **REPEALED.**

Sec. 55-8-25. Restrictions on transportation of flammable liquids and gases; violations; special criminal penalty; enforcement.

(a) A truck pulling a trailer, a truck tractor pulling a semi trailer and trailer combination, or a truck tractor pulling two (2) semi trailers shall not transport a flammable liquid, in bulk, which has a flash point at or below 70 degrees Fahrenheit upon the highways or streets in the City.

(b) A truck pulling a trailer, a truck tractor pulling a semi trailer and trailer combination, or a truck tractor pulling two (2) semi trailers shall not transport a flammable gas or a compressed flammable gas, in bulk, as defined by 49 C.F.R. Parts 100 to 180, upon the highways or streets in the City.

(c) A truck or a truck tractor pulling a semi trailer shall not transport a flammable liquid, in bulk, which has a flash point at or below 70 degrees Fahrenheit upon the highways or streets in the City, unless the truck or the semi trailer has a water capacity of less than 13,800 gallons. This subsection does not apply to those vehicles registered with the Michigan State Police Motor Carrier Division on or before January 1, 1986.

(d) A truck or truck tractor pulling a semi trailer shall not transport a flammable liquid, in bulk, which has a flash point at or below 70 degrees Fahrenheit in a quantity of more than 13,400 gallons.

(e) The owner or driver of a vehicle that transports, or a shipper who loads a

vehicle with a flammable liquid, flammable gas, or compressed flammable gas in violation of this section is guilty of a misdemeanor, punishable by a fine of not more than three thousand dollars (\$3,000.00), or by imprisonment for not more than ninety (90) days, or both in the discretion of the court.

(f) This section shall be enforced only by a police officer.

(g) Commercial motor vehicles transporting hazardous material shall comply with the Michigan Motor Carrier Safety Act of 1963, being MCL 480.11 to 480.25. **REPEALED.**

Sec. 55-8-26. Prohibition on vehicles carrying hazardous material on certain highways and streets in the City; special civil penalty.

(a) Any vehicle used for the hauling or distribution of hazardous material, as defined in Section 55-8-1 of this Code, upon the John C. Lodge Freeway shall be prohibited between West Larned and Griswold Streets, which includes the portion of said freeway going under Cobo Center, and between Wyoming and West Eight Mile Road being the portion of said freeway with continuous high vertical walls, but not including service drives.

(b) Any truck pulling a trailer, a truck tractor pulling a semi trailer and trailer combination, or a truck tractor pulling two (2) semi trailers, which is full, is prohibited from transporting hazardous material, as defined in Section 55-8-1 of this Code, using the John C. Lodge Freeway to travel south of the Howard Street exit.

(c) Any truck pulling a trailer, a truck tractor pulling a semi trailer and trailer combination, or a truck tractor pulling two (2) semi trailers, which is full, transporting hazardous material, as defined in Section 55-8-1 of this Code, south of Forest Avenue, shall be limited to a routing via East and West Verner Highway.

(d) All deliveries of Class I Liquids shall be prohibited south of Forest Avenue from any truck pulling a trailer, a truck tractor pulling a semi trailer and trailer combination, or a truck tractor pulling two (2) semi trailers, which are full, and all deliveries of Class II and III A Liquids from such vehicles may be made in that area only when special permission has been granted by the Fire Marshal.

(e) Any driver or owner of a vehicle who violates this section is responsible for a civil infraction punishable by a fine of not more than five hundred dollars (\$500.00). **REPEALED.**

Sec. 55-8-27. Axle weight requirements; weighting of vehicles equipped with lift axles.

(a) The axle weight requirements of this article do not apply to a vehicle equipped with lift axles during the period in which axles are raised to negotiate an

intersection, driveway, or other turn and until the lift axles are fully engaged after the period of time or the distance necessary to negotiate that intersection, driveway, or other turn. The vehicle shall be weighed only after the lift axles have been fully lowered and under operational pressure.

(b) Where a vehicle is to be weighed to determine whether the vehicle is being operated in violation of this article and the vehicle is equipped with lift axles that have been raised to allow the vehicle to negotiate an intersection, driveway, or other turn, the vehicle shall be weighed only after the lift axles have been fully lowered and are under operational pressure as provided in Subsection (a) of this section. **REPEALED.**

Sec. 55-8-28. Restrictions concerning tires.

(a) All freight-carrying motor vehicles operating upon the highways or streets in the City shall have tires of rubber or other material of equal resiliency.

(b) A person shall not operate a freight-carrying motor vehicle on the highways or streets in the City with a tire in use that is unsafe in accordance with Section 710 of the Michigan Motor Vehicle Code, being MCL 257.710. **REPEALED.**

Sec. 55-8-29. Restrictions concerning anti-skid or nonslip devices.

Freight-carrying motor vehicles shall not be operated upon the highways or streets in the City with any anti-skid or nonslip device, so constructed that any rigid or nonflexible portion of the same comes in contact with any highway or street in the City. **REPEALED.**

Secs. 55-8-30 — 55-8-40. Reserved. REPEALED.

ARTICLE IX. MOTORCYCLES, MOTOR-DRIVE CYCLES AND BICYCLES

DIVISION 1. GENERALLY

Sec. 55-9-1. Applicability of traffic regulations.

Every person riding a bicycle or motor-driven cycle upon a roadway shall be subject to the provisions of this chapter applicable to the driver of a vehicle, except as to special regulations in this chapter and except as to those provisions of this chapter which, by their nature, can have no application. **REPEALED.**

Sec. 55-9-2. Riding on permanent seats.

A person propelling or otherwise operating a bicycle, motorcycle or motor-driven cycle shall not ride other than upon the permanent and regular seat attached thereto, nor carry any other person upon a bicycle or motor-driven cycle nor shall any other person ride upon a bicycle, motorcycle or motor-driven cycle other than as provided in this article. **REPEALED.**

~~Sec. 55-9-3. Crash helmets required for persons operating or riding motorcycles.~~

~~A person operating or riding on a motorcycle or motor driven cycle on a public thoroughfare shall wear a crash helmet on his head. Crash helmets shall be approved by the department of state police as provided for in Section 658 of Public Act 118 of the Public Acts of 1969 [MCL 257.658, MSA 9.2358].~~ REPEALED.

~~Sec. 55-9-4. Carrying excess number of persons on motorcycles.~~

~~No motorcycle shall be used to carry more persons at one time than the number for which it is designed and equipped.~~ REPEALED.

~~Sec. 55-9-5. Riding abreast.~~

~~Persons riding bicycles, motorcycles, or motor driven cycles upon a highway shall not ride more than two (2) abreast; provided, that this restriction shall not apply to bicycles on paths or parts of highways set aside for the exclusive use of bicycles.~~ REPEALED.

~~Sec. 55-9-6. Carrying packages, etc.~~

~~No person riding a bicycle, motorcycle or motor driven cycle shall carry any package, bundle or article which prevents the rider from keeping both hands upon the handle bars.~~ REPEALED.

~~Sec. 55-9-7. Warning devices required; use of sirens and whistles restricted.~~

~~No persons shall ride a bicycle or motor driven cycle unless it is equipped with a bell, horn or other device capable of giving a single audible for a distance of at least one hundred (100) feet; except, that no bicycle or motor driven cycle shall be equipped with nor shall any person use upon a bicycle or motor driven cycle any siren or whistle.~~ REPEALED.

~~Sec. 55-9-8. Lights and reflectors required on bicycles.~~

~~Every bicycle shall be equipped with a lighted white lamp on the front thereof, visible under normal atmospheric conditions from a distance of at least five hundred (500) feet in front of such bicycle, and shall also be equipped with a reflex mirror reflector or lamp on the rear, exhibiting a red light visible under like conditions from a distance of at least five hundred (500) feet to the rear of such bicycle.~~ REPEALED.

~~Sec. 55-9-9. Equipment on motor driven cycle to meet certain requirements prior to sale; purchaser to obtain state registration plate.~~

~~It shall be unlawful to sell or offer for sale any motor driven cycle in the city unless the motor driven cycle shall have all of the equipment required by the Michigan Vehicle Code to obtain a state registration plate and to operate the motor driven cycle on the highway of the state. The seller of any motor driven cycle~~

~~shall not permit the purchaser to remove the motor driven cycle from the seller's premises until the purchaser has obtained a registration plate from the secretary of state.~~ REPEALED.

~~Sec. 55-9-10. Seller of motor driven cycle to give certain notice to purchaser.~~

~~Every purchaser of a motor driven cycle shall be given a written notice by the seller which will read as follows:~~

~~Notice:~~

~~(1) No motor driven cycle shall be operated on the public streets and highways of the State of Michigan unless the operator shall be sixteen (16) years old and have an operator's license from the State of Michigan.~~

~~(2) The motor driven cycle shall have a registration plate issued by the State of Michigan before the motor driven cycle may be operated on the streets and highways.~~

~~(3) The owner of a motor driven cycle shall obtain such insurance as is required by law.~~ REPEALED.

~~Sec. 55-9-11. Maximum speed for motor driven cycles.~~

~~No person shall operate a motor driven cycle at a speed in excess of thirty five (35) miles per hour or as fixed by this Code or other city ordinance, whichever is lesser.~~ REPEALED.

~~Sec. 55-9-12. Riding on sidewalks.~~

~~No person may ride a motorcycle or motor driven cycle upon sidewalk. Persons may ride bicycles upon sidewalks; provided, that such persons shall yield the right of way to pedestrians and shall give audible signal before overtaking and passing such pedestrians; provided, that this provision shall in no way restrict the authority of the recreation department with relation to public parks and play areas.~~ REPEALED.

~~Sec. 55-9-13. Purchase and sale of secondhand bicycles; purchases from minors prohibited.~~

~~All persons engaged in the business of buying secondhand bicycles shall make a weekly report to the police department, giving the name and address of the person from whom each bicycle is purchased, the frame serial number thereof and the number of the license sticker found thereon, if any. It shall be unlawful for any person engaged in the business of buying secondhand bicycles to purchase any such secondhand bicycle from a minor under seventeen (17) years of age. All persons engaged in the business of selling new or secondhand bicycles shall make a weekly report to the police department, giving a list of all sales made by such dealers, which list shall include the name and address of the person to whom sold and the kind of bicycle sold, together with the description and frame serial number thereof and the number of the license~~

sticker attached thereto, if any. Violation of this section shall be a misdemeanor. **REPEALED.**

Sec. 55-9-14. Operation of bicycles — Persons under twelve years of age.

No person under the age of twelve (12) years shall operate a bicycle upon any street, highway or alley of the city; provided, that such person under twelve (12) years of age may operate a bicycle on the sidewalks of the city. **REPEALED.**

Sec. 55-9-15. Same — Persons twelve to seventeen years of age.

Any person over the age of twelve (12) years and under the age of seventeen (17) years may operate a bicycle upon the streets, highways and alleys of the city; provided, that such person has in his possession the written consent of the parent or guardian to do so. **REPEALED.**

Sec. 55-9-16. Same — Police to notify parents of violations.

If there is any violation of sections 55-9-14 and 55-9-15, the police department shall notify the parent or guardian of the violation, giving the details of the violation, and shall recommend the confiscation of the bicycle by the parent or guardian for a period of not more than six (6) months. **REPEALED.**

Secs. 55-9-17 — 55-9-27. Reserved. REPEALED.

DIVISION 2. MOTORCYCLE CLUBS

Sec. 55-9-28. Definitions.

The following words and phrases, when used in this division, shall have the meanings respectively ascribed to them:

Motorcycle club is hereby defined as an association of motorcyclists organized for social or recreational purposes or for the promotion of some common object, or as any place of assembly located in a building where five (5) or more motorcyclists periodically or regularly engaged in social, recreational or promotional activities and motorcycles are generally used as the primary means of transportation to and from the place of assembly.

Motorcyclist is hereby defined as any person who uses a motorcycle as a regular means of transportation either as a part of earning his livelihood or otherwise or for the purpose of recreation. **REPEALED.**

Sec. 55-9-29. Certificate of occupancy required.

It shall be unlawful to operate or maintain a motorcycle club in the city without first obtaining a certificate of occupancy, as provided for in the building code of the city. **REPEALED.**

Sec. 55-9-30. Location near residential buildings prohibited; exception.

(a) It shall be unlawful to operate or to maintain a motorcycle club within a radius of five hundred (500) feet of any residential building. This requirement shall be waived if the applicant for a certificate of occupancy secures in writing the consent

of fifty one (51%) percent of the persons residing or doing business on property within a radius of five hundred (500) feet of the applicant's proposed location. There shall be attached to such application for a certificate an affidavit signed by the party circulating such petition, which affidavit shall be in the following form:

STATE OF MICHIGAN)
)
COUNTY OF WAYNE)

The undersigned, first being duly sworn, deposes and says that the signatures upon the foregoing petition were obtained by him (or her); that the signatures are the signatures of the persons purporting to sign the same; and that he (or she) verily believes that the signers of such petition are persons living or doing business within a radius of five hundred (500) feet of any proposed location or any part thereof and/or the proposed new location of the motorcycle club to be licensed.

"Subscribed and sworn to before me this _____ day of _____, A.D. 2011.

Notary Public, Wayne County, Michigan
My commission expires: _____

(b) No certificate of occupancy shall be granted until the director of building and safety engineering shall have referred the petition to the police department, and he shall have secured from the police department a certificate certifying that an investigation has been made by the police department of the petition and that the petition contains the signatures of fifty one (51%) percent of persons living or doing business within the radius of five hundred feet of the existing or proposed location. **REPEALED.**

Secs. 55-9-31 — 55-9-40. Reserved. REPEALED.

DIVISION 3. VOLUNTARY BICYCLE REGISTRATION

Sec. 55-9-41. Purpose.

The purpose of this division to authorize the Police Department to create a database where residents of the City of Detroit may voluntarily register their bicycles to assist the department with identifying lost or stolen bicycles, or bicycles involved in accidents. **REPEALED.**

Sec. 55-9-42. Definitions.

Bicycle means a device propelled by human power upon which a person may ride, having either two (2) or three (3) wheels in a tandem or tricycle arrangement, all of which are over fourteen (14) inches in diameter.

City means the City of Detroit, a municipal corporation.

Decal means an adhesive label which is designed to be affixed to the saddle

post of a bicycle as an indicia that the bicycle is registered with the Police Department.

~~Registrant means the owner of a bicycle who has registered the bicycle with the Police Department.~~

~~Registration certificate means a document which is provided to a registrant that verifies a bicycle is registered with the Police Department. REPEALED.~~

Sec. 55-9-43. Voluntary registration.

~~Any resident of the City may voluntarily register his or her bicycle with the Police Department. REPEALED.~~

Sec. 55-9-44. Police Department authorized to register bicycles; numbering system and database required.

~~(a) The Police Department is authorized to register bicycles for residents of the City of Detroit, through application and payment of the required fee, by the issuance of registration certificates and corresponding decals.~~

~~(b) The Police Department shall create a numbering system so that:~~

~~(1) Each registration certificate and corresponding decal contain the same serial number; and~~

~~(2) Registration certificates and their corresponding decals are numbered consecutively.~~

~~(c) The Police Department shall maintain a database which contains:~~

~~(1) The serial number for each registration certificate and its corresponding decal;~~

~~(2) The date of the issuance of each registration certificate and its corresponding decal;~~

~~(3) The full name of the registrant; and~~

~~(4) The registrant's address and telephone number. REPEALED.~~

Sec. 55-9-45. Fee.

~~The fee to be paid for each bicycle registration certificate and decal shall be determined by the Chief of Police, subject to the approval of City Council, and shall be paid to the Police Department at the time of registration. REPEALED.~~

Sec. 55-9-46. Application and payment of fee.

~~(a) Every person who desires to register his or her bicycle shall complete a written application with the Police Department on a form that is available at the department by providing his or her:~~

- ~~(1) Full name;~~
- ~~(2) Address;~~
- ~~(3) Telephone number;~~
- ~~(4) Bicycle serial number;~~
- ~~(5) Description of bicycle; and~~
- ~~(6) Signature and date signed.~~

~~(b) At the time of application, the registrant shall pay the required fee. REPEALED.~~

Sec. 55-9-47. Duty of the Police Department to issue registration certificate and to affix decal to bicycle; decal to remain affixed until ownership transferred.

Upon receipt of a completed application and payment of the required fee, it is the duty of the Police Department:

(1) To issue a registration certificate to the registrant; and

(2) To affix the corresponding decal, at the time of registration, to the saddle post at a point between six (6) inches and nine (9) inches below the seat and in such position so as not to cover the serial number of the bicycle.

The decal shall remain affixed to the bicycle until the ownership of the bicycle is transferred to another person who shall obtain his or her own registration. REPEALED.

Sec. 55-9-48. Police Department authorized to etch, or imprint, numbers on bicycle frames.

Where a serial number is not visible, or is illegible, for identification purposes, the Police Department is authorized to etch, or imprint, an identification number on the frame of the bicycle. REPEALED.

Sec. 55-9-49. Registration effective during ownership of bicycle and is non-transferable; notification required for change of address and telephone number; disposition of bicycle where registrant fails to make notification.

(a) A registration that is issued under this division shall remain in effect for as long as the bicycle is owned by the registrant and is non-transferable, provided, that it is the duty of the registrant to notify the Police Department, in person, whenever his or her address and telephone number changes.

(b) In the event that a registrant fails to notify the Police Department of a change of address or telephone number and the department is unable to locate the registrant, the department shall dispose of the bicycle by requesting that the City Council adopt a resolution in accordance with Section 1 of the Michigan Stolen or Abandoned Property Act, being MCL 424.181. REPEALED.

ARTICLE X. SCHOOL BUSES

Sec. 55-10-1. Overtaking or meeting stopped bus.

(a) The driver of a vehicle overtaking or meeting any school bus which has stopped and is displaying two (2) alternately flashing red lights located at the same level shall bring the vehicle to a full stop at least ten (10) feet from the school bus and shall not proceed until the school bus resumes motion or the visual signals are no longer actuated. The driver of the school bus, before resuming motion, shall deactivate flashing lights and permit stopped traffic to proceed and shall, when resuming motion, proceed in such a manner as to allow congested traffic to disperse by keeping the bus as near to the right side of the road as can be done with safety. The driver of a vehicle who fails to

stop for a school bus or who passes a school bus in violation of this subsection is guilty of a misdemeanor.

(b) The driver of a vehicle upon any highway which has been divided into two roadways by leaving in intervening space, or by physical barriers, or clearly indicated dividing sections so constructed as to impede vehicular traffic, need not stop upon meeting a school bus which has stopped across the dividing space, barrier or section.

-(c) Except as otherwise provided in subsection (a), a person who violates this section is responsible for a civil infraction. **REPEALED.**

Sec. 55-10-2. Operation generally.

Nothing in this article is intended to regulate the circumstances, including locations, under which a school bus driver may stop his bus for the purpose of receiving or discharging schoolchildren or may actuate his bus's flashing red lights. The driver of a school bus shall have discretion in those matters, subject to any requirements of the driver's employer and any other applicable requirements of this Code and state law. **REPEALED.**

Sec. 55-10-3. Presumption as to driver of violating vehicle.

In any proceeding for a violation of this article, proof that the particular vehicle described in the citation, complaint or warrant was in violation of this article, together with proof that the defendant named in the citation, complaint or warrant was, at the time of the violation, the registered owner of the vehicle, shall constitute in evidence a presumption that the registered owner of the vehicle was the driver of the vehicle at the time of the violation. **REPEALED.**

ARTICLE XI.

ICE CREAM TRUCKS

Sec. 55-11-1. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Ice cream truck shall mean every motor vehicle in which ice cream, ice milk, frozen dairy products or ice flavored with syrup are carried for purposes of retail sale on the streets of the city.

Vend or vending shall mean offering ice cream, ice milk, frozen dairy products or ice flavored with syrup for sale from a motor vehicle on the streets of the city. **REPEALED.**

Sec. 55-11-2. Drivers to stop for stopped trucks.

(a) The driver of a vehicle meeting or overtaking, from either direction, an ice cream truck stopped on the street shall stop before reaching the truck when the flashing lights and stop signal arm described in section 55-11-3 are in use. After stopping a driver may proceed past such truck at a reasonable and prudent

speed, not exceeding fifteen (15) miles per hour, and shall yield the right of way to any pedestrian who crosses the roadway to or from the ice cream truck.

(b) The driver of a vehicle on a street with separate roadways need not stop upon meeting or passing an ice cream truck on a different roadway. **REPEALED.**

Sec. 55-11-3. Equipment generally.

In addition to other equipment required by law, every ice cream truck shall be equipped with:

(1) Signal lamps mounted at the same level and a high and as widely spaced laterally as practicable. These lamps shall be five (5) to seven (7) inches in diameter and shall display two (2) alternately flashing amber lights on the front of the vehicle and two (2) alternately flashing red lights on the rear of the vehicle, both lights visible at five hundred (500) feet in normal sunlight upon a straight level street.

(2) A stop signal arm that can be extended horizontally from the left side of the truck duplicating the design size and specifications shown in subsection (4). This arm shall be red and white in color and contain two (2) alternately flashing lights three (3) to five (5) inches in diameter visible at three hundred (300) feet to the front and rear in normal sunlight upon a straight level highway. The color of the two (2) lights facing to the front shall be amber and the two (2) lights facing to the rear shall be red. The bottom of the signal arm shall be forty two (42) inches above the highway.

(3) A convex mirror mounted on the front so the driver in his normal seating position can see the area in front of the truck obscured by the hood.

(4) The stop signal arm required by subsection (2) shall be as follows:

"Colors to meet specifications in the 1970 Federal Highway Administration Standard Color Charts. **REPEALED.**

Sec. 55-11-4. Use of special lights and stop arm.

(a) The driver of an ice cream truck stopped on the streets for the purpose of vending shall actuate the special flashing lights and extended the stop signal arm required by section 55-11-3.

(b) These lights and the stop signal arm shall not be used when the truck is in motion not at any time the truck is stopped for a purpose other than vending. **REPEALED.**

Sec. 55-11-5. Inspections.

Every ice cream truck shall be inspected by the department of health once each year prior to its use in this city for the purpose of retail sales of frozen dairy products. The department shall inspect each ice cream truck to determine whether it complies with section 55-11-4 and other state and local laws. **REPEALED.**

Sec. 55-11-6. Vending restrictions.

(a) A person shall not vend on main

thoroughfares or in the central business district, on streets where the speed limit exceeds twenty five (25) miles per hour or other areas of the city where sale is already prohibited by local ordinance.

(b) A person shall not vend within five hundred (500) feet of any property used as a school from one hour before the regular school day to one hour after the regular school day, provided, this subsection shall not apply on days when school is not attended by children nor on school property when vending has been approved in writing by the principal.

(c) A person shall vend only when the ice cream truck is lawfully parked or stopped.

(d) A person shall vend only from the side of the truck away from moving traffic and as near as possible to the curb or edge of the street.

(e) A person shall not vend to a person standing in the roadway.

(f) A person shall not stop on the left side of a one way street to vend. REPEALED.

Sec. 55-11-7. Backing restriction.

The driver of an ice cream truck shall not back such truck in order to make or attempt a sale. REPEALED.

Sec. 55-11-8. Unauthorized riders.

(a) The driver of an ice cream truck shall not permit any unauthorized person to ride in or on the vehicle. REPEALED.

(b) A person shall not ride in or on an ice cream truck unless employed by its owner or unless authorized in writing to do so by the owner or police department. REPEALED.

Sec. 55-11-9. Exemptions.

The mayor may exempt or exempt from the requirements of this article any ice cream truck which is not used to vend to persons under twelve (12) years of age. REPEALED.

**ARTICLE XII.
PEDESTRIANS RIGHTS AND DUTIES.
DIVISION I. GENERALLY**

Sec. 55-11-1. Right of way in crosswalks at intersections not controlled by signals.

At intersections not controlled by traffic signals, the driver of a motor vehicle shall slow down or stop, if need be, to avoid interfering with a pedestrian lawfully within a crosswalk. REPEALED.

Sec. 55-11-2. Passing vehicles topped for pedestrians in crosswalks.

It shall be unlawful for the operator of a motor vehicle to overtake and pass another motor vehicle which has stopped at a marked or unmarked crosswalk to avoid interference with a pedestrian lawfully within such crosswalks. REPEALED.

Sec. 55-12-3. Stepping into path of vehicles prohibited.

(a) It shall be unlawful for pedestrian, when entering a crosswalk, to step into the path of a motor vehicle when such

motor vehicle is so close as to constitute a hazard.

(b) It shall be unlawful for a pedestrian, while crossing the street at a point other than a crosswalk to stop suddenly, run or jump into the path of a moving motor vehicle when such motor vehicle is so close as to constitute a hazard; provided, that this subsection shall not be construed to relieve the operator of a motor vehicle of his responsibilities as defined in section 55-4-8. REPEALED.

Sec. 55-12-4. Pedestrians to use sidewalks where provided, walk facing traffic where no sidewalks provided.

Where sidewalks are provided, it shall be unlawful for pedestrians to walk upon the main traveled portion of the highway. Where sidewalks are not provided, pedestrians shall when practicable, walk on the left side of the highway facing traffic which passes nearest. REPEALED.

Secs. 55-12-5 — 55-12-24. Reserved. REPEALED.

DIVISION 2.

**WHITE CANES FOR BLIND PERSONS
Sec. 55-12-25. To be carried by blind persons only.**

It shall be unlawful for any person, except persons wholly or partially blind, to carry or use upon the public streets and highways of the city any canes or walking sticks which are white in color or white with red end or bottom, provided, that such canes or walking sticks may be used upon the streets, highways and other public places of the city by persons wholly or partially blind as a means of protecting them and for the purpose of identifying them to drivers of vehicles and operator of motor driven vehicle and other pedestrians with whom they come in contact on such streets highways and public places. REPEALED.

Sec. 55-12-26. Vehicles to yield right of way to persons in crosswalks carrying white canes.

Any driver of a vehicle approaching a crosswalk where a person blind or partially blind is holding a cane, white or white-tipped with red, waist high over the street, shall come to a full stop back of the crosswalk and remain stopped, taking such precautions as are necessary to avoid accident or injury to such blind person. REPEALED.

Sec. 55-12-27. Vehicles to yield right of way to persons within intersections carrying white canes or led by guide dogs.

Any driver of a vehicle who approaches a person lawfully within the intersection who is blind or partially blind, carrying a cane, white or white-tipped with red, or being led by a guide dog wearing a harness and walking on either side of an slightly in front of such blind person shall immediately come to a full stop ten (10) feet from the blind person and take such

precautions before proceeding as may be necessary to avoid accident or injury. **REPEALED.**

Sec. 55-12-28. Compliance with division.

No person other than a person wholly or partially blind, shall carry a cane or walking stick, as described in section 55-12-25 contrary to the provisions of this division. It shall be unlawful for any person to fail to heed the approach of any person carrying such a white cane or walking stick or one white in color with red end or bottom to fail to come to a stop upon approaching or coming in contact with a person carrying such a cane or walking stick or to fail to take precautions against accident or injury to such a person after coming to a full stop. **REPEALED.**

ARTICLE XIII. ACCIDENTS

Sec. 55-13-1. Duty to stop and render aid, information to be given.

(a) The driver of any vehicle involved in an accident resulting in injury or death of any person shall immediately stop such vehicle at the scene of such accident and shall give his name, address and the registration number of his vehicle; also the name and address of the owner, and shall exhibit his operator's or chauffeur's license to the person struck or to the driver or occupants of any vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying of such person to a physician or surgeon for medical or surgical treatment if it is apparent that such treatment is necessary or is requested by the injured person.

(b) The driver of any vehicle involved in an accident resulting in damage to property shall immediately stop such vehicle at the scene of such accident and shall give his name, address and the registration number of his vehicle, and also the name and address of the owner, and exhibit his operator's or chauffeur's license to the driver or occupants of any other vehicle involved. **REPEALED.**

Sec. 55-13-2. Concealing identity, giving false information.

No person shall conceal or attempt to conceal his identity or falsely identify himself or give false information to any police officer or to any person entitled to the information prescribed in section 55-13-1. **REPEALED.**

Sec. 55-13-3. Reports of certain accidents to police by driver or occupants of vehicle.

Every operator of a vehicle or railroad car involved in an accident which causes injury or death to any person or which results in a vehicle becoming so disabled as to be incapable of being propelled in the usual manner shall give notice forthwith and make a full report thereof to the police department upon blanks furnished by the department. If an operator of a vehicle involved in an accident is so inca-

pacitated as to be unable to make such a report, it shall be the duty of every other occupant of such vehicle to see that such report is made. such report shall not be available for any court action. **REPEALED.**

Sec. 55-13-4. Reports of damage to unattended vehicles or property to owners or police.

The operator of any vehicle that has damaged an unattended vehicle or any property located in or adjacent to a street shall stop immediately and make a reasonable effort to locate and notify the owner. If such owner cannot be located and notified, the operator of said vehicle shall forthwith report the accident to the nearest or most convenient police department precinct station. **REPEALED.**

Sec. 55-13-5. Reports of damaged cars by garagemen.

The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in an accident or struck by any bullet shall report to the nearest police station or sheriff's office immediately after such motor vehicle is received, giving the engine number, registration number and the name and address of the owner or operator of such vehicle. **REPEALED.**

Sec. 55-13-6. Investigation and reports by police.

In case of an accident, the police department, where the public interest requires, shall fully investigate any report the details of such accident. **REPEALED.**

Sec. 55-13-7. Records to be kept; monthly reports to council.

The police department shall keep records embracing all pertinent accident information and shall make complete monthly reports, drawn from such records, to the city council. **REPEALED.**

ARTICLE XIV.

IMPOUNDMENT OF VEHICLES.

Sec. 55-14-1. Records to be kept; monthly reports to council.

The chief of police is hereby authorized to create vehicle pounds, to which automobiles and other vehicles may be removed by police officers in the manner provided by this article. Such pounds shall be in charge of a police officer. The chief of police shall designate an officer to remain in attendance at such pounds, from 7:00 a.m. to 10:00 p.m. each day, except Sunday, for the purpose of receiving, safeguarding and discharging vehicles, and for collecting the fees provided by this article. **REPEALED.**

Sec. 55-14-2. Prohibited parking declared a nuisance.

The parking of vehicles in places where a parking is prohibited of the parking of vehicles in violation of the terms and provisions of this chapter is hereby declared to be a nuisance. **REPEALED.**

Sec. 55-14-3. Impoundment — Authority of police when vehicle in violation of parking regulations.

The chief of police is hereby authorized to remove or cause the removal and impounding of any vehicle found parked in violation of this Code or other traffic ordinances and regulations of the city. Such vehicle may be removed and conveyed by or under the direction of a member of the police department, by means of towing the same or otherwise to a vehicle pound or to a point or place where parking is permitted, whenever available police facilities are insufficient, the chief of police is authorized to engage the services of any private operator of towing cars to remove vehicles under direction of a member of the police department where the same are found in violation of this code and other traffic ordinances and regulations of the city and under the provisions of section 55-14-9. **REPEALED.**

Sec. 55-14-4. Redemption; impoundment fee.

(a) Before the owner or person in charge of any impounded vehicle shall be permitted to remove the same from the custody of the police department he shall furnish evidence of his identity and ownership, he shall sign a receipt and he shall pay a redemption fee in the amount of the towing charge plus an impoundment fee. Such impoundment fee shall be set by city council, based on the recommendation of the board of police commissioners reflecting the reasonable cost of receiving, safeguarding and discharging said vehicle. Such fee shall remain the same for the first twenty four (24) hours and then shall include an additional per diem storage cost for each additional day or fraction of a day thereafter.

(b) The board of police commissioners shall, at least every two (2) years, review and recommend to city council any adjustment in fees established under this section. **REPEALED.**

Sec. 55-14-5. Additional fee for towing of tractors and trailers or comitrailers.

The fee to be paid for the towing of a tractor with comitrailor attached or of a comitrailor detached from the trailer, here the same was removed because of being parked or standing in a place where parking or standing is not permitted, or otherwise parked or standing in violation of any provision of this code or other ordinance or regulations of the city shall be twenty-five dollars (\$25.00), plus the cost of removal. **REPEALED.**

Sec. 55-14-6. Vehicles impeding traffic.

The city or its authorized agents may forthwith remove or cause the removal of any vehicle and the contents thereof or any other thing which obstructs or otherwise impedes traffic on any freeway in the city. The fee to be paid by the owner or

operator of any vehicle so moved shall be the cost incurred by the city for such removal or for causing such removal to be made. **REPEALED.**

Sec. 55-14-7. Disabled, etc., vehicles.

No person shall leave a vehicle that is not in proper condition to be driven due to mechanical failure, flat tire, lack of fuel or as the result of an accident upon the streets of the city for a longer period than is necessary to remove such vehicle. Where the presence of such vehicle constitutes a material obstruction or a definite hazard to the movement of traffic, the police department is hereby authorized to move such vehicle to the vehicle pound. **REPEALED.**

Sec. 55-14-8. Repairing prohibited on city streets, etc.; exceptions.

No person shall service any motor vehicle, nor make any repair to any motor vehicle, in or upon any of the streets, highways, alleys or other public places in the city, except minor repairs which may be necessary in an emergency to render such motor vehicle operable. **REPEALED.**

Sec. 55-14-9. Same — Additional conditions of impoundment.

The city or its authorized agents may remove or cause the removal of any vehicle under the following enumerated circumstances:

(1) When the driver of such vehicle is taken into custody by the police department and such vehicle would thereby be left unattended upon the street;

(2) When removal is necessary in the interest of public safety because of fire, flood, storm, snow or other emergency reason. **REPEALED.**

Sec. 55-14-10. Owner to be informed of charges; payment of fees under protest.

It shall be the duty of the officer or person in charge of any impounded vehicle to inform the owner or person claiming an impounded vehicle of the nature and circumstances of the violation on account of which such vehicle has been impounded. In case protest is made against the payment of any impounding or storage fee, the officer or person in charge of the vehicle pound shall mark upon the receipt evidencing payment of the impounding and storage fees the words "Paid Under Protest." In such case, it shall thereupon be the duty of the police officer having knowledge of the facts to forthwith institute the proper proceedings in the recorder's court, charging the owner or driver of such vehicle with that violation of the provision of this Code or other city ordinance on account of which the vehicle was impounded. On the disposition of the cause in the recorder's court, it shall be the duty of the chief of police to refund to such person the fees paid under protest. **REPEALED.**

Sec. 55-14-11. Chief of police to account for fees; records of violations.

It shall be the duty of the chief of police to account for all fees collected under this article and to pay the same into the city treasury. He shall also keep the names of all owners of vehicles impounded, the numbers of their state licence tags, the nature and circumstances of each violation and the disposition of each case. **REPEALED.**

ARTICLE XV. POLICE AUTHORIZED TOWING

Sec. 55-15-1. Definition.

"Police authorized tow," when used in this article, shall mean the towing, carrying, pushing or otherwise transporting for a fee by a tower or towers summoned by the police, any motor vehicle, except trailers and truck tractors, that has been wrecked or disabled in any manner, or any vehicle subject to removal under division 4 of article VI and article XIV of this chapter, including but not limited to abandoned or illegally parked vehicles and vehicles interfering with emergency activities or impeding traffic from the traveled portion of a street, highway or freeway to:

(1) A position at or on the curb or onto the nearest side street in order to remove the vehicle for the safety, health and welfare of the citizens using the traveled portion of the city's streets, highways or freeways; or

(2) A destination requested by the owner or driver; or

(3) The city auto pound or precinct station at the direction of the police officer in charge in accordance with division 4 of article VI and article XIV of this chapter; or

(4) The private storage lot, yard or garage of the police authorized tower at the direction of the police officer in charge in the case of a wrecked or disabled vehicle or any vehicle for safekeeping pursuant to MCLA 257-252d [MSA 0-1952(4)]; provided that the private storage lot, yard or garage shall be located within the boundaries of the city; and provided further that the driver or other person in charge of the vehicle is by reason of physical injury incapacitate to such an extent as to be unable to provide for its custody or removal or determine where the vehicle should be taken or is not otherwise immediately available to make such a decision. The towing and storage rates for such tow shall not exceed the rate established by resolution of the city council after notice and hearing.

Such tow shall include the removal of all debris from the street, highway or freeway. All such tows shall be made by the shortest and best legal route. **REPEALED.**

Sec. 55-15-2. Towing rate commission.

A towing rate commission shall be created, composed of the auditor general as

chairperson, the director of consumer affairs or designated representative, the police chief or designated representative, a representative of the public appointed by the mayor and a representative of the towing industry appointed by city council. Such commission shall be charged with the duty of reviewing the towing rates at least once every two (2) years and submitting its recommendation to city council by October first of the year of review. **REPEALED.**

Sec. 55-15-3. When authorized.

(a) No person shall perform any police authorized towing of any wrecked or disabled vehicle or any vehicle for safekeeping pursuant to MCLA 257-252d [MSA 0-1952(4)] without first having obtained written permission on forms approved by the city police department, from the driver or owner of the vehicle or until the police officer of the city investigating the wrecked or disabled vehicle or vehicle subject to removal shall have completed his investigation, and has given written permission for the towing service. A copy of the completed permission form shall be given to the authorizing person. Any person performing police authorized towing shall maintain a record of completed permission forms of all such towing for a period of six (6) months. Completed forms must show total fees charged for services rendered.

(b) The tower shall provide the vehicle owner or driver with a copy of the towing rate schedule approved by city council.

(c) In the case of a vehicle to be towed to a tower's private storage lot, yard or garage under section 55-15-1(4), the tower shall prepare and sign an inventory of the contents and equipment of the vehicle on a multicopy form approved by the police department. The police officer in charge shall sign the completed form as witness to the inventory and the police department shall retain the signed original. The form shall indicate the location where the vehicle owner may reclaim the vehicle. The tower shall retain one copy of the signed form and mail one copy to the vehicle owner or driver within forty-eight (48) hours of the date the tow is performed. **REPEALED.**

Sec. 55-15-4. One hook-up fee for successive tows.

The towing rates resolution may provide that when a vehicle is transported by a tower or towers summoned by the police, only one hook up fee may be charged, notwithstanding that the vehicle may have been successively transported by the tower(s) from the traveled portion of a street, highway or freeway to a position at or on the curb or onto the nearest side street, and then to a destination requested by the owner or permitted by the police officer in charge. **REPEALED.**

Sec. 55-15-5. Towing fees.

(a) No person performing police authorized towing or storage service on such wrecked or vehicle shall charge fees in excess of the rates set by resolution of city council. Such towing fee may consist of a flat rate hook up fee plus an additional charge for each mile a vehicle is towed beyond one mile. Storage fees may be set on a per diem basis. The city council may also, by resolution, establish maximum fees for dolly tows, standard fees for police authorized towing to the city auto pound(s) in lieu of the normal rates, excess time spent at the scene of a tow, separate fees for accident and nonaccident tows to the curb or nearest side street, "dry runs" (when the tow appears at the request of the police but does not perform an otherwise compensable towing task through no fault of the towor) and other necessary services.

(b) Towing rate charges authorized by city council resolution shall become effective at the beginning of the next fiscal year or as near thereto as the city council finds practicable.

(c) In the case of a vehicle to be towed to a towor's private storage lot, yard or garage under section 55-15-1(4), the towor shall prepare and sign an inventory of the contents and equipment of the vehicle on a multicopy form approved by the police department. The police officer in charge shall sign the completed form as witness to the inventory and the police department shall retain the signed original. The form shall indicate the location where the vehicle owner may reclaim the vehicle. The towor shall retain one copy of the signed form and mail one copy to the vehicle owner or driver within forty eight (48) hours of the date the tow is performed. **REPEALED.**

Sec. 55-15-6. Storage of vehicles generally.

(a) All wrecked or disabled vehicles removed from any freeway or from the scene of any accident in the city and which are being stored for the driver or owner must be reported by the towor to the police department within twenty four (24) hours. The police department shall maintain for a period of six (6) months a record of all such vehicles. The list shall include a description of the vehicle, the registration plate number and the place of storage. This information shall be given to the police department at the time the storage is reported.

(b) Any place where wrecked or disabled vehicles are stored shall post the name, address and phone number of the operator of the place and the hours during which the place is open for business. **REPEALED.**

Sec. 55-15-7. Release of stored vehicle.

Upon the presentation of proof of ownership and payment of permissible

charges for towing and storage, no person shall refuse to release promptly and willingly any vehicle which is claimed by any owner or his representative. **REPEALED.**

Sec. 55-15-8. Standards for authorized towors; payment.

(a) The board of police commissioners shall establish standards, including insurance and bonding requirements, that must be met in order for a towor to qualify for police authorized tows, under this chapter, and the police department shall maintain a current list of such qualified towors. A separate list may be maintained for towors who tow abandoned vehicles under division 4 of article VI, the required insurance shall indemnify and hold harmless the city for any injury, damage or loss that may result from a police authorized tow or storage under this chapter. The city shall not be liable for any such injury, damage or loss. The board of police commissioners shall also promulgate and publish the rules and regulations that it uses to determine which towors shall be called for tows under this chapter. Such rules shall be as nearly as practicable, provide for equitable distribution of police authorized towing to all towors on the list of qualified towors.

(b) All towors qualifying as police authorized towors and added to the list(e) of qualified police authorized towors after June 17, 1980 shall be Detroit based towors. For the purposes of this section the term "Detroit based" shall indicate the physical and economic relationship to Detroit determined by the payment of (1) city income taxes on the towors profits and (2) city property taxes on the towors vehicle storage lot, yard or garage. Non-Detroit based towors included on police authorized towor lists as of June 17, 1980 shall have two (2) years from June 17, 1980 to become Detroit based before being considered disqualified under this section.

(c) All towing services performed by police authorized towors under this chapter shall be rendered with tow trucks clearly marked with the tow company's name, address and phone number. No private tow truck shall bear words which may be reasonably construed as indicating or suggesting that it is a city, police department or other police agency vehicle or police authorized tow vehicle.

(d) In the case of a vehicle towed to an owner or a driver requested destination or to a towor's private storage lot, yard or garage under subsections (2) and (4) of section 55-15-1 the towor shall pursue payment for services rendered from the owner or driver of the vehicle and the city shall assume no responsibility for payment or collection of the tow bill.

(e) The police department shall make arrangements to pay a police authorized

tower for each tow of a vehicle to the city auto pound(s) or precinct station under section 55-15-1(3), for tows of illegally parked vehicles and for services for which payment by the vehicle owners is exempted by ordinance. The board of police commissioners may, with city council approval and subject to subsection (d), specify other circumstances under which the police department may arrange to pay the tow bill. Payment of a tow bill by the police department shall not relieve the vehicle owner of his/her responsibility for payment and the owner shall reimburse the city for the amount of such bill except as a payment by the owner is exempted under section 55-14-9. The board of police commissioners shall establish a procedure by which this subsection shall be implemented and administered. **REPEALED.**

ARTICLE XVI. SNOW EMERGENCY ROUTES

Sec. 55-16-1. Definitions.

The following definitions shall apply in the interpretation and enforcement of this article:

Coordinator shall mean the person designated by executive order or, in his absence, his duly designated and acting representative.

Second priority streets shall mean all streets not designated snow emergency routes.

Snow emergency routes shall mean those streets designated by the department of transportation and marked as such. These streets will be considered first priority streets for the purpose of this article. **REPEALED.**

Sec. 55-16-2. When parking prohibited.

(a) Parking on snow emergency routes will be prohibited under the following conditions:

(1) Whenever between the hours of 6:00 a.m. and 11:00 p.m. snow or ice has accumulated to a depth of two (2) inches or more on any part of a snow emergency route, a parking prohibition shall automatically go into effect on that part of the route one hour after such condition exists; or

(2) Whenever the coordinator finds, on the basis of falling snow, sleet or freezing rain, or on the basis of a forecast by the United States weather bureau or other weather service of snow, sleet or freezing rain, that weather conditions will make it necessary that parking on city streets be prohibited or restricted for snow plowing or other purposes, the coordinator shall cause to be put into effect a parking prohibition on parts of or all snow emergency routes as necessary by declaring it in a manner prescribed in this article.

(b) Once in effect, a prohibition under this section shall remain in effect until terminated by announcement of the coordinator in accordance with this article,

except that any street area which has become clear of snow and ice from curb to curb for the length thereof lying between two (2) successive street intersections shall be automatically excluded therefrom. While the prohibition is in effect, no person shall park or allow to remain parked any vehicle on any portion of a snow emergency route to which it applies. However, nothing in this section, shall be construed to permit parking at any time or place where it is forbidden by any other provision of law. **REPEALED.**

Sec. 55-16-3. When parking prohibited on second priority streets.

(a) Whenever the coordinator finds, on the basis of falling snow, sleet, freezing rain, or on the basis of a forecast by the United States weather bureau or other weather service of snow, sleet or freezing rain, that weather conditions will make it necessary that parking on city streets be prohibited or restricted for snow plowing and other purposes, the coordinator shall cause to be put into effect a parking prohibition on parts of or all second priority streets between the hours of 12:01 a.m. and 8:00 a.m. in a manner prescribed below:

(1) On days having uneven dates, vehicles are prohibited from parking on the side of the street having uneven street numbers.

(2) On days having even dates, vehicles are prohibited from parking on the side of the street having even street numbers.

(b) The prohibition shall remain in effect until terminated by announcement of the coordinator in accordance with this article or until any street area has become substantially clear of snow and ice from curb to median line for the length thereof lying between two (2) successive street intersections on any street to which it applies. **REPEALED.**

Sec. 55-16-4. Abandoned disabled vehicles.

Whenever a vehicle becomes disabled for any reason on any part of a snow emergency route on which there is a covering of snow, sleet or ice or which there is a parking prohibition in effect, the person operating such vehicle shall take immediate action to have the vehicle towed or pushed off the roadway of such snow emergency route. No person shall abandon or leave a vehicle in the roadway of a snow emergency route (regardless of whether indicated by a raised hood or otherwise, that the vehicle is disabled), except for the purpose of securing assistance during the actual time necessary to go to a nearby telephone or to nearby garage, gasoline station, or other place of assistance and return without delay. **REPEALED.**

Sec. 55-16-5. Public announcements of declarations required.

~~(a) The coordinator shall cause each declaration made by him pursuant to this article to be publicly announced by means of broadcasts or telecasts from station(s) with a normal operating range covering the city, and he may cause such declaration to be further announced in newspapers of general circulation when feasible. Each announcement shall describe the action taken by the coordinator, including the time it became or will become effective, and shall specify the streets or areas affected, except as otherwise provided in subsection 55-16-2.~~

~~(b) The coordinator shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with this section. REPEALED.~~

~~**Sec. 55-16-6. Termination of parking prohibition.**~~

~~Whenever the coordinator shall find that some or all of the conditions which give rise to a parking prohibition in effect pursuant to this article no longer exist, he may declare this prohibition terminated. REPEALED.~~

~~**Sec. 55-16-7. Applicability of other traffic regulations.**~~

~~Any provision of this article, while temporarily in effect, shall take precedence over other conflicting provisions of law normally in effect, except that it shall not take precedence over provisions of law relating to traffic accidents, emergency travel of authorized vehicles, or emergency traffic directions by a police officer. REPEALED.~~

~~**Sec. 55-16-8. Erection of signs.**~~

~~(a) On each street designated as a snow emergency route, the department of transportation shall erect signs plainly marking such route and sufficient in number to apprise the ordinarily observant person that such street or highway is a snow emergency route.~~

~~(b) However, nothing in this article shall be construed to permit parking at any time or place where it is forbidden by any other provision of law. REPEALED.~~

~~**Section 2.** All ordinances, or parts of ordinances, which conflict with this ordinance are repealed.~~

~~**Section 3.** This ordinance is declared necessary for the preservation of the public peace, health, safety, and welfare of the People of the City of Detroit.~~

~~**Section 4.** Where this ordinance is passed by a two-thirds (2/3) majority of City Council Members serving, it shall be given immediate effect and shall become effective upon publication in accordance with Section 4-118(1) of the 2012 Detroit City Charter. Where this ordinance is passed by less than two-thirds (2/3) majority of City Council Members serving, it shall become effective thirty (30) days after publication in accordance with Section 4-118(2) of the 2012 Detroit City Charter.~~

Approved as to form:

MELVIN B. HOLLOWELL
Corporation Counsel

Read twice by title, ordered printed and laid on table.

RESOLUTION SETTING HEARING

By Council Member Benson:

Resolved, That a public hearing will be held by this body in the Committee Room, 13th Floor of the Coleman A. Young Municipal Center on MAY 19, 2014 AT 9:00 A.M., for the purpose of considering the advisability of adopting the foregoing proposed ordinance to amend Chapter 55 of the 1984 Detroit City Code, *Traffic and Motor Vehicles*, by changing the name of the chapter to *Traffic and Vehicles*; by repealing Article I, *In General*, which consists of Sections 55-1-1 and 55-1-17 and adding a new Article I, titled *Generally*, which shall consist of Division 1, *Administration*, containing Sections 55-1-1 through 55-1-17, Division 2, *Violations and Penalties*, containing Sections 55-1-31 through 55-1-33, Division 3, *Parking Violation Notices at Bureau and Parking Citations at Court*, containing Sections 55-1-41 through 55-1-49, Division 4, *Parking Scofflaw Program for Failure to Answer Parking Violations Notices and Citations*, containing Sections 55-1-61 through 55-1-73, and Division 5, *Citations at Court for Violations Under Chapter Not Involving Parking*, containing Sections 55-1-81 through 55-1-83; by repealing Article II, *Administration and Enforcement*, which consists of Division 1, *Generally*, containing Sections 55-2-1 through 55-2-9, Division 2, *Residential Parking Permit Areas*, containing Sections 55-2-10 through 55-2-15, Division 3, *Parking Violation Notices and Citations*, containing Sections 55-2-21 through 55-2-28, Division 4, *Civil Infractions and Misdemeanors*, containing Sections 55-2-30 through 55-2-33, Division 5, *Parking Violations Bureau*, containing Sections 55-2-41 and 55-2-42, Division 6, *Parking Scofflaw Program*, containing Section 55-2-44, and Division 7, *Administrative Hearings Tribunal*, containing Section 55-2-51, and adding a new Article II, *Enforcement*, which shall consist of Division 1, *Voluntary Bicycle Registration*, containing Sections 55-2-1 through 55-2-8, Division 2, *Residential Parking Permits*, containing Sections 55-2-21 through 55-2-26, Division 3, *Snow Emergency Routes*, containing Sections 55-2-41 through 55-2-47, Division 4, *Impoundment of Vehicles*, containing Sections 47-2-61 through 55-2-71, and Division 5, *Police Authorized Towing*, containing Sections 55-2-81 through 55-2-89; by repealing Article III, *Licensing, Registration and Insurance*, which consists of Sections 55-3-1 through 55-3-10 and adding a new Article III, *Michigan Vehicle Code and Michigan Uniform Traffic Code*, which shall consist of

Sections 55-3-1 through 55-3-3; by repealing Article VI, *Operation of Vehicles*, which consists of Division 1, *Generally*, containing Sections 55-4-1 through 55-4-30, Division 2, *Speed Regulations*, containing Sections 55-4-39 through 55-4-46, Division 3, *Turning Movements*, containing Sections 55-4-58 through 55-4-64, and Division 4, *Operating a Vehicle While Intoxicated by Alcohol, a Controlled Substance or a Combination Thereof*, containing Sections 55-4-70 through 55-4-82 and adding a new Article IV, *Local Regulations*, which shall consist of Division I, *Generally*, containing Sections 55-4-1, Division 2, *Operation of Bicycles*, containing Sections 55-4-11 through 55-4-13, Division 3, *Stopping, Standing and Parking*, containing Sections 55-4-31 through 55-4-45, Division 4, *Parking Meters*, containing Sections 55-4-61 through 55-4-68, Division 5, *Size, Weight and Load of Vehicles*, Subdivision A, *Generally*, containing Sections 55-4-81 through 55-4-82, and Subdivision B, *Weights, Loads and Wheel Pressures*, containing Sections 55-4-91 through 55-4-93, and Division 6, *Miscellaneous Regulations*, containing Sections 55-4-101 through 55-4-115; by repealing Article V, *Traffic-control Devices*, which consists of Sections 55-5-1 through 55-5-11; by repealing Article VI, *Stopping, Standing and Parking*, which consists of Division 1, *Generally*, containing Sections 55-6-1 through 55-6-32, Division 2, *Parking Meters*, containing Sections 55-6-44 through 55-6-54, Division 3, *Parking of Inoperable Vehicles*, containing Sections 55-6-66 through 55-6-72, Division 4, *Abandoned Vehicles*, containing Sections 55-6-84 through 55-6-90, Division 5, *Idling Prohibition for Commercial Vehicles Exceeding Gross Vehicle Weight Rating of 8,500 Pounds*, containing Sections 55-6-91 through 55-6-94; by repealing Article VII, *Equipment on Vehicles*, which consists of Division 1, *Generally*, containing Sections 55-7-1 through 55-7-16, Division 2, *Lights*, containing Sections 55-7-28 through 55-7-44, and Division 3, *Noise Regulations*, containing Sections 55-7-56 through 55-7-61; by repealing Article VIII, *Size, Weight and Load of Vehicles*, which consists of Division 1, *In General*, containing Sections 55-8-1 through 55-8-9, Division 2, *Width, Height and Length*, containing Sections 55-8-11 through 55-8-18, and Division 3, *Weight, Loads and Wheel Pressure*, containing Sections 55-8-21 through 55-8-29; by repealing Article IX, *Motorcycles, Motor-driven Cycles and Bicycles*, which consists of Division 1, *Generally*, containing Sections 55-9-1 through 55-9-16, Division 2, *Motorcycle Clubs*, containing Sections 55-9-28

through 55-9-30, and Division 3, *Voluntary Bicycle Registration*, containing Sections 55-9-41 through 55-9-49; by repealing Article X, *School Busses*, which consists of Sections 55-10-1 through 55-10-3; by repealing Article XI, *Ice Cream Trucks*, which consists of Sections 55-11-1 through 55-11-9; by repealing Article XII, *Pedestrians' Rights and Duties*, which consists of Division 1, *Generally*, containing Sections 55-12-1 through 55-12-4 and Division 2, *White Canes for Blind Persons*, containing Sections 55-12-25 through 55-12-28; by repealing Article XIII, *Accidents*, which consists of Sections 55-13-1 through 55-13-7; by repealing Article XIV, *Impoundment of Vehicles*, which consists of Sections 55-14-1 through 55-14-11; by repealing Article XV, *Police Authorized Towing*, which consists of Sections 55-15-1 through 55-15-8; by repealing Article XVI, *Snow Emergency Routes*, which consists of Sections 55-16-1 through 55-16-8; to repeal the current Chapter 55 in its entirety; to adopt and incorporate by reference the Michigan Vehicle Code, being MCL 257.1 through MCL 257.923, in accordance with Section 3(k) of the Michigan Home Rule City Act; to adopt and incorporate by reference the Michigan Uniform Traffic Code for Cities, Townships and Villages, being R 28.1001 *et seq.*, of the Michigan Administrative Code, in accordance with Section 1 of the Michigan Uniform Traffic Code being MCL 257.951; and to reenact those provisions in current Chapter 55, which, under the police powers of the City, are tailored to the needs of the City of Detroit.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Planning & Development Department

April 15, 2014

Honorable City Council:

Re: Petition No. 145 — Vicentes Cuban Cuisine for Outdoor Café Permit at 1250 Library St.

The above named petitioner has requested permission for Outdoor Café Service. This service will convene every April 1st through November 30th, for a period of three (3) years, from the date of your Honorable Body's approval.

The Department of Public Works/City Engineering Division (DPW/CED) who has jurisdiction over temporary encroachment on City right-of-ways has approved this request contingent upon the petitioners compliance with applicable City ordinance related to outdoor café activities and the remittance of the annual use-permit fee to

the Permit Section of the DPW/CED. In addition, a clear sidewalk width of six feet shall be maintained between the boundary of the outdoor seating area and the parking meters.

The Institute for Population Health (IPH) has approved this petition, subject to petitioner's strict adherence to the 1999 Food Code, Food Law of 2000 and City Ordinance, Chapter 21. No outdoor grilling is permitted without approval from the Institute of Population Health Food Safety Division.

Approval from the Detroit Police Liquor License Bureau is contingent upon the final action given by the City Council towards the above-referenced petition. Prior approval from the Central District Precinct does not cover serving liquor in outdoor café area until the Detroit Police Liquor License Bureau has given approval.

The Planning and Development Department (P&DD) is not aware of any objections from any other City Agencies involved. It is the recommendation of the P&DD that the petitioner's request be granted subject to the terms and conditions provided in the attached Resolution and that this service will convene every April 1st through November 30th for a period of three (3) years, from the date of your Honorable Body's approval, subject to final approval by the Detroit Emergency Financial Manager.

Respectfully submitted,

JOHN SAAD, P.E.

Engineering Services Coordinator
Planning & Development Department
By Council Member Leland:

Resolved, That the Department of Public Works — City Engineering Division (DPW/CED) is hereby authorized and directed to issue a Use-permit to Vicentes Cuban Cuisine, Detroit "permittee", whose address is at 1250 Library, Detroit, Michigan 48226 to install and maintain an outdoor café, which will convene every April 1st through November 30th, for a period of three (3) years from the date of your Honorable Body's approval, subject to final approval by the Detroit Emergency Financial Manager, contingent upon licensee of such premises obtaining approval of the Michigan Liquor Control Commission, if necessary, and compliance with applicable City Ordinance in connection with outdoor café activities, prior to the issuance of said use permit; and

Provided, That the café meets the regulations set by the "Outdoor Café Guidelines" as adapted by the City Council and guided by Chapter 58, Section 50-2-8.1 of the City Code; and

Provided, That the petitioner obtains all necessary licenses and permits every year from Departments having jurisdiction

over the outdoor café process; and

Provided, That said activities are conducted under the rules and regulations of the Department of Transportation, Department of Public Works and the supervision of the Police Department; and

Provided, That the sale of food and soft drinks is held under the direction and inspection of the Institute for Population Health; and

Provided, That the "permittee" remit the required annual fee(s) to DPW/CED for issuance of a use-permit and confirm license of the establishment in compliance with the City Code; and

Provided, That the "permittee", prior to obtaining said permit, file an indemnity agreement in a form approved by the Law Department, saving and protecting the City of Detroit harmless from any or all claims, damages or expenses that may arise by reason of the issuance of said permit and the faithful performance by the "permittee" of the terms thereof; and in addition, to pay all claims, damages or expenses that may arise out of the maintenance of said encroachments; and

Provided, That the filing of said indemnity agreement for this current year shall be construed as acceptance of this Resolution by the "permittee"; and

Provided, That the permit is revocable at the will, whim and caprice of the City Council; and hereby expressly waives any right to claim damages or compensation for removal of encroachment, and further, that "permittee" acquires no implied or other privileges hereunder not expressly stated herein; and

Provided, That no other rights in the public streets, alley or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment shall be removed at the expense of the "permittee" at any time when so directed by City Council, and that the public property so affected shall be restored to a condition satisfactory to the DPW/CED by said "permittee" at its expense; and

Provided, That the permit shall not be assigned or transferred without a written approval of the City Council; and

Provided, That the petitioner follow the mandated minimum six (6) foot wide pedestrian clearance on the sidewalk, free of all obstacles such as existing planters, parking meters, utility poles, transformer boxes, etc., to allow for pedestrian movement; and

Provided, That the designated outdoor seating area shall be properly identified through the use of railings in order to regulate and control the serving of liquor within the perimeter of the café; and

Provided, That if any tent or other enclosure is to be utilized on the subject

site, the applicant shall secure prior approval from Buildings, Safety Engineering and Environmental Department and the Department of Public Works/City Engineering Division; and

Provided, That all railing equipment and fixtures shall be removed from the public right-of-way during the months of non-operation and placed in storage; and

Provided, That a certified copy of this Resolution shall be recorded with the Office of the Register of Deeds for Wayne County at the "permittee's" expense.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Planning & Development Department

April 8, 2014

Honorable City Council:

Re: Request for Public Hearing to Establish an Obsolete Property Rehabilitation District, in the area of 114 W. Adams Street, Detroit, MI in accordance with Public Act 146 of 2000. Submitted by The Residence @ Grand Circus Park, LLC.

The Residence @ Grand Circus Park, LLC proposes to rehabilitate the 114 W. Adams property, thus creating 118 single family apartments and 4000 square feet of first floor retail. The Residence @ Grand Circus Park, LLC is requesting that an Obsolete Property Rehabilitation District be established. The Planning & Development Department and the Finance Department have reviewed the application and find that it satisfies the criteria set forth by P.A. 146 of 2000 and would be consistent with the development and economic goals of the Master Plan.

The Act requires that, prior to your Honorable Body's passage of a resolution establishing the District, a Public Hearing must first be conducted. We respectfully request that a Public Hearing be scheduled on the issue of approving the establishing of an Obsolete Property Rehabilitation District. Attached for your consideration, please find a resolution establishing a date and time for the public hearing.

Respectfully submitted,
BRIAN ELLISON
Deputy Director
Planning Department

By Council Member Leland:

Whereas, Pursuant to Public Act No. 146 of 1992 ("the Act") this City Council may adopt a resolution which approves the application of an Obsolete Property Rehabilitation District within the boundaries of the City of Detroit; and

Whereas, The Residence @ Grand Circus Park, LLC has requested an Obsolete Property Rehabilitation District to be established as particularly described in Exhibit A (legal description) and illustrated in the map attached hereto; and

Whereas, Prior to such approval, the City Council shall provide an opportunity for a Public Hearing, at which Public Hearing on such adoption of a resolution providing such tax exemption, at which Public Hearing representatives of any taxing authority levying *ad valorem* taxes within the City, or any other resident or taxpayer of the City of Detroit may appear and be heard on the matter.

Now Therefore Be It

Resolved, That on Thursday, June 5, 2014 at 10:20 a.m. in the City Council Committee Room, 13th Floor, Coleman A. Young Municipal Center, a Public Hearing be held on the above described application.

And be it finally

Resolved, That the City Clerk shall give notice of the Public Hearing to the general public and shall give written notice of the Public Hearing by certified mail to all taxing authorities levying an *ad valorem* tax within the City of Detroit, such notices to be provided no later than fourteen (14) days prior to the public hearing.

EXHIBIT "A"

LEGAL DESCRIPTION

The land situated in the County of Wayne, City of Detroit, State of Michigan, is described as follows:

Lots 89 through 95, both inclusive, Plat of Browns Subdivision of Park Lots 84, 85 and 86, as recorded in Liber 7, Page 27 of City Records, Wayne County Records.

Commonly known as: 114 W. Adams, Detroit, Michigan.

Tax ID Number: Ward 02; Item No. 000380-1.

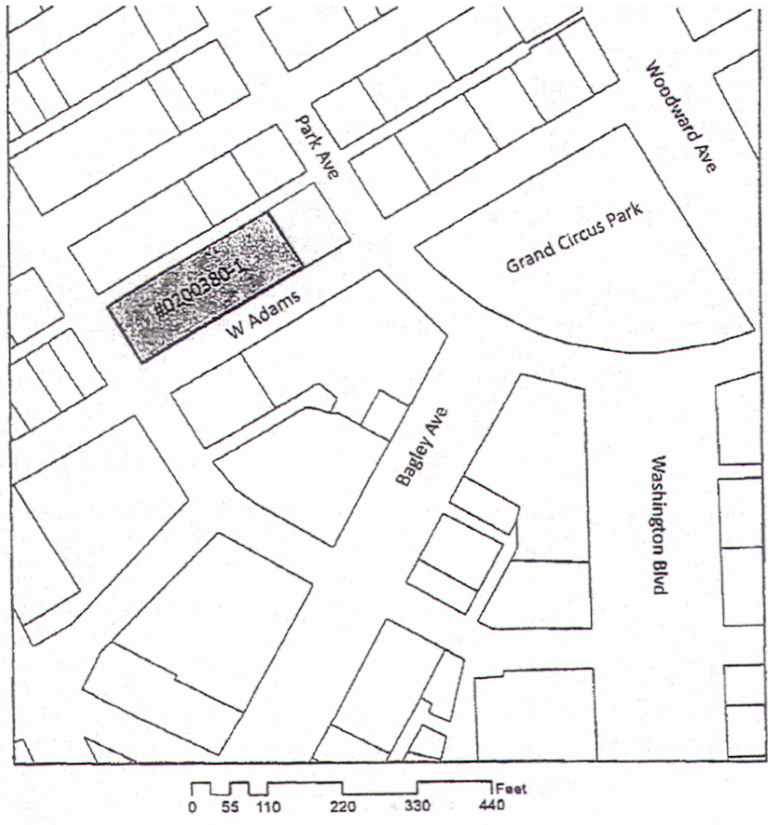
114 W. Adams

Parcel #02000380-1

Current Assessment: \$441,018

Land Value: \$56,000

Legal Description: N ADAMS W. 95 THRU 89 PLAT OF PARK LOTS, 84, 85 & 86 L7 P27 CITY RECORDS, WCR 2/71 280 X 100.



Adopted as follows:
Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Planning & Development Department
April 15, 2014

Honorable City Council:
Re: Request for Public Hearing to Establish an Obsolete Property Rehabilitation District, in the area of 89 East Edsel Ford Street, Detroit, MI in accordance with Public Act 146 of 2000. Submitted by The Secure Realty, LLC. Petition #2976.

The Secure Realty, LLC proposes to rehabilitate the 89 E. Edsel Ford Street property, transforming it into, a sustainable commercial and a nine (9) unit "A" Class apartment building. The Secure Realty, LLC is requesting that an Obsolete Property Rehabilitation District be established. The Planning & Development Department and the Finance Department have reviewed the application and find that it satisfies the criteria set forth by P.A. 146 of 2000 and would be consistent with the development and economic goals of the Master Plan.

The Act requires that, prior to your Honorable Body's passage of a resolution establishing the District, a Public Hearing must first be conducted. We respectfully request that a Public Hearing be scheduled on the issue of approving the establishing of an Obsolete Property Rehabilitation District. Attached for your consideration, please find a resolution establishing a date and time for the public hearing.

Respectfully submitted,
BRIAN ELLISON
Deputy Director
Planning Department

By Council Member Leland:
Whereas, Pursuant to Public Act No. 146 of 1992 ("the Act") this City Council may adopt a resolution which approves the application of an Obsolete Property Rehabilitation District within the boundaries of the City of Detroit; and

Whereas, The Secure Realty, LLC has requested an Obsolete Property Rehabilitation District to be established in the general area of 89 E. Edsel Ford Street; and

Whereas, Prior to such approval, the City Council shall provide an opportunity for a Public Hearing, at which Public Hearing on such adoption of a resolution establishing an Obsolete Property Rehabilitation District, at which Public Hearing representatives of any taxing authority levying *ad valorem* taxes within the City, or any other resident or taxpayer of the City of Detroit may appear and be heard on the matter.

Now Therefore Be It Resolved, That on Thursday, June 5, 2014 at 10:25 a.m. in the City Council Committee Room, 13th Floor, Coleman A. Young Municipal Center, a Public Hearing be held on the above described application.

And be it finally Resolved, That the City Clerk shall give notice of the Public Hearing to the general public and shall give written notice of the Public Hearing by certified mail to all taxing authorities levying an *ad valorem* tax within the City of Detroit, such notices to be provided no later than fourteen (14) days prior to the public hearing.

Adopted as follows:
Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Planning & Development Department
April 14, 2014

Honorable City Council:
Re: Request for Public Hearing to Establish a Commercial Rehabilitation District on behalf of Schostak Brothers, Company, in accordance with Public Act 210 of 2005 Petition #2984.

The Planning & Development Department has reviewed the request of Schostak Brothers, Company to establish a Commercial Rehabilitation District and find that it satisfies the criteria set forth by P.A. 210 of 2005 and that it would be consistent with development and economic goals of the Master Plan.

Public Act 210 of 2005 states, "*The legislative body of a qualified local governmental unit may establish a commercial rehabilitation district on its own initiative or upon a written request filed by an owner or owners of property...*". Prior to acting upon the resolution, a public hearing must be held, and the City Clerk must provide written notice of the public hearing to the assessor and to the governing body of each taxing unit that levies an *ad valorem* tax within the eligible district, said notice to be made not less than 10 days or more than 30 days prior to your Honorable Body's adoption of said resolution.

We request that a Public Hearing be scheduled on the issue of adopting a resolution to establish a new commercial rehabilitation district. Attached for your consideration, please find a resolution establishing a date and time for the public hearing.

Respectfully submitted,
BRIAN ELLISON
Deputy Director

By Council Member Leland:
Whereas, Pursuant to Public Act No. 210 of 2005 ("the Act") this City Council may adopt a resolution which approves the requests to establish a Commercial

Rehabilitation District within the boundaries of the City of Detroit; and

Whereas, The Schostak Brothers, Company has requested that a Commercial Rehabilitation District be established as particularly described in the legal description and illustrated in the map attached hereto; and

Whereas, Prior to such approval, the City Council shall provide an opportunity for a Public Hearing, at which Public Hearing on such adoption of a resolution providing such tax exemption, at which Public Hearing representatives of any taxing authority levying *ad valorem* taxes within the City, or any other resident or taxpayer of the City of Detroit may appear and be heard on the matter.

Now Therefore Be It

Resolved, That on the 5th of June, 2014 at 10:30 a.m. in the City Council Committee Room, 13th floor, Coleman A. Young Municipal Center, a Public Hearing be held on the above described application and be it finally

Resolved, That the City Clerk shall give notice of the Public Hearing to the general public and shall give written notice of the Public Hearing by certified mail to all taxing authorities levying an *ad valorem* tax within the City of Detroit, such notices to be provided no earlier than sixty (60) days prior to the public hearing.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Planning & Development Department

April 14, 2014

Honorable City Council:

Re: Request for Discussion on the Mort Crim Communications, Inc.; Application for Exemption of "New Personal Property" in accordance with Public Act 328 of 1998. Petition #123.

The Planning & Development Department and the Finance Department have reviewed the application of the Mort Crim Communications, Inc., for Exemption of Tax for "New Personal Property", and find that it satisfies the criteria set forth by P.A. 328 of 1998 and would be consistent with development and economic goals of the Master Plan.

Public Act 328 of 1998 states, "the governing body of an eligible local assessing district may adopt a resolution which provides for exemption of all "new personal property of an eligible business located in an eligible district designated in the resolution". Prior to acting upon the resolution, a Discussion must be held, and the City Clerk must provide notice of the Discussion to the assessor and to the governing body of each taxing unit that levies an *ad valorem* tax within the eligible district.

We request that a Discussion be scheduled on the issue of adopting "New Personal Property" Exemption Resolution.

Respectfully submitted,
BRIAN ELLISON
Deputy Director

By Council Member Leland:

Whereas, The City of Detroit has previously established a Downtown Development District; and

Whereas, The City of Detroit received and filed from Mort Crim Communications, Inc., an application for exemption of tax for new personal property pursuant to Public Act 328 of 1998, as amended. And

Whereas, A Discussion on the issue of the Mort Crim Communications, Inc., application for tax exemption of new personal property was conducted before the Detroit City Council on Thursday, June 12, 2014 at 10:10 a.m. with notice of the Discussion having been given to the general public and by certified mail to every taxing authority levying a property tax within the City of Detroit; and

Whereas, no impediments are known; and

Whereas, The City of Detroit meets the distress criteria set forth within the Act; and

Whereas, The above Downtown Development District is an eligible district under Public Act 328 for the reasons 1) one as defined under subchapter U of Chapter 1 of the Internal Revenue Code of 1986, 26 U.S.C. 1391 to 1397F. 2) It is within the jurisdiction of the City of Detroit and therefore, within an eligible distressed community, and

Whereas, Mort Crim Communications, Inc., meets the requirements of an eligible business under Public Act 328 by being primarily engaged in office operations.

Now Therefore, Be It

Resolved, That the Detroit City Council hereby approves the application of the Mort Crim Communications, Inc., for the exemption of tax of new personal property pursuant to Public Act 328 of 1998 as amended for the above eligible district area described in the attached legal description.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Planning & Development Department

April 7, 2014

Honorable City Council:

Re: Request for Discussion on the ADP Dealer Services; Application for Exemption of "New Personal Property" in accordance with Public Act 328 of 1998. #3014.

The Planning & Development Department and the Finance Department have

reviewed the application of the ADP Dealer Services for Exemption of Tax for "New Personal Property", and find that it satisfies the criteria set forth by P.A. 328 of 1998 and would be consistent with development and economic goals of the Master Plan.

Public Act 328 of 1998 states, "the governing body of an eligible local assessing district may adopt a resolution which provides for exemption of all "new personal property of an eligible business located in an eligible district designated in the resolution". Prior to acting upon the resolution, a Discussion must be held, and the City Clerk must provide notice of the Discussion to the assessor and to the governing body of each taxing unit that levies an *ad valorem* tax within the eligible district.

We request that a Discussion be scheduled on the issue of adopting "New Personal Property" Exemption Resolution.

Respectfully submitted,
BRIAN ELLISON
 Deputy Director

By Council Member Leland:

Whereas, The City of Detroit has previously established a Downtown Development District; and

Whereas, The City of Detroit received and filed from ADP Dealer Services, Inc., an application for exemption of tax for new personal property pursuant to Public Act 328 of 1998, as amended; and

Whereas, A Discussion on the issue of the ADP Dealers Services, Inc., application for tax exemption of new personal property was conducted before the Detroit City Council on May 22, 2014 at 9:20 A.M. with notice of the Discussion having been given to the general public and by certified mail to every taxing authority levying a property tax with the City of Detroit; and

Whereas, No impediments are known; and

Whereas, The City of Detroit meets the distress criteria set forth within the Act; and

Whereas, The above Downtown Development District is an eligible district under Public Act 328 for the reasons 1) one as defined under subchapter U of Chapter 1 of the Internal Revenue Code of 1986, 26 U.S.C. 1391 to 1397F. 2) It is within the jurisdiction of the City of Detroit and therefore, within an eligible distressed community, and

Whereas, ADP Dealer Services, Inc., meets the requirements of an eligible business under Public Act 328 by being primarily engaged in office operations.

Now Therefore, Be It

Resolved, That the Detroit City Council hereby approves the application of the ADP Dealer Services, Inc., for the exemption of tax of new personal property pursuant to Public Act 328 of 1998 as amended for the above eligible district

area described in the attached legal description.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**PUBLIC HEALTH AND SAFETY
 STANDING COMMITTEE**

**Finance Department
 Purchasing Division**

April 10, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2888049 — 100% Federal Funding — To Purchase a Citywide Emergency Warning and Early Notification System, Upgrade to Keep the City of Detroit in Compliance with Directives from FEMA — Contractor: West Shore Services, Inc., Location: 6620 Lake Michigan Drive, P.O. Box 188, Allendale, MI 49401 — Contract Amount: \$70,922.00. **Homeland Security.**
This is a Sole Source Contract.

Respectfully submitted,
BOYSIE JACKSON
 Purchasing Director
 Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That Contract No. **2888049** referred to in the foregoing communication dated April 10, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**Finance Department
 Purchasing Division**

April 10, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2830398 — 100% City (Street) Funding — To Provide Improvements and Renovations for DPW Facilities, Including Repair and Maintenance to the City Sign Shop Located at 2425 Fenkell, Detroit, MI 48238 — Contractor: City of Detroit Building Authority, Location: 1301 Third Street, Suite 328, Detroit, MI 48226 — Contract Amount Not to Exceed: \$1,450,000.00. **Public Works.**

This Amendment is to request additional funds to the existing contract — Original Contract: \$650,000.00 — Increase Amount: \$800,000.00.

Respectfully submitted,
BOYSIE JACKSON
 Purchasing Director
 Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That Contract No. **2830398** referred to in the foregoing communication dated April 10, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**Finance Department
Purchasing Division**

April 10, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2866257 — 100% City (Street) Funding — To Provide Removal and Replacement of the Structure at Woodside over Canoe Stream; Add Compensation for Stone Facing and to Extend Contract Term — Contractor: Z Contractors, Inc., Location: 50500 Design Lane, Shelby Township, MI 48315 — Contract Period: January 1, 2014 through September 30, 2014 — Original Amount: \$444,471.25 — Increase Amount: \$62,501.87 — Contract Amount Not to Exceed: \$506,973.12. **Public Works.**

This Contract is for Extension of Time and Funds. Original Contract Period: March 15, 2013 through December 31, 2013. Original Amount: \$444,471.25.

Respectfully submitted,

BOYSIE JACKSON

Purchasing Director

Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That Contract No. **2866257** referred to in the foregoing communication dated April 10, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Leland, Sheffield, and Spivey — 5.

Nays — Council Members Jenkins, Tate, and President Jones — 3.

**Finance Department
Purchasing Division**

April 10, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2889886 — 100% City (Street) Funding — To Provide Electrical Design Services, Geometric Design Services and Intelligent Transportation System (ITS) Design Services on an as Needed Basis — Company: Giffels-Webster, Inc., Location: 28 West Adams, Suite 1200, Detroit, MI 48226 — Contract Period: April 15, 2014 through April 14, 2019 — Contract Amount: \$1,000,000.00. **Public Works.**

The City request to retain the following five (5) Consultants on an as required basis for a total of five years. The consultants are: Tucker, Young, Jackson & Tull, URS, Giffels-Webster, Somat Engineering and Parsons Brinkerhoff. Each consultant has the expertise and resources required to perform the necessary Electrical/ Geometrical design services.

Respectfully submitted,

BOYSIE JACKSON

Purchasing Director

Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That Contract No. **2889886** referred to in the foregoing communication dated April 10, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**Finance Department
Purchasing Division**

April 10, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2889888 — 100% City (Street) Funding — To Provide Electrical Design Services, Geometric Design Services and Intelligent Transportation System (ITS) Design Services — Company: Parsons Brinkerhoff Michigan Inc. — Location: 500 Griswold Street, Suite 2900, Detroit, MI 48226 — Contract Period: April 15, 2014 through April 14, 2019 — Contract Amount: \$1,000,000.00. **Public Works.**

The City request to retain the following five (5) Consultants on an as required basis for a total of five years.

The consultants are: Tucker, Young, Jackson & Tull, URS, Giffels-Webster, Somat Engineering and Parsons Brinkerhoff. Each consultant has the expertise and resources required to perform the necessary Electrical/ Geometrical design services.

Respectfully submitted,

BOYSIE JACKSON

Purchasing Director

Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That Contract No. **2889888** referred to in the foregoing communication dated April 10, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, and Spivey — 6

Nays — Council Member Tate, and President Jones — 2.

Nays — None.

**Finance Department
Purchasing Division**

April 10, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2889894 — 100% City (Street) Funding — To Provide Electrical Design Services, Geometric Design Services and Intelligent Transportation System (ITS) Design Services — Company: Tucker, Young, Jackson, Tull, Inc. — Location: 615 Griswold Street, Suite 600, Detroit, MI 48226 — Contract Period: April 15, 2014 through April 14, 2019 — Contract amount: \$1,000,000.00. **Public Works.**

The City request to retain the following five (5) Consultants on an as required basis for a total of five years.

The consultants are: Tucker, Young, Jackson & Tull, URS, Giffels-Webster, Somat Engineering and Parsons Brinkerhoff. Each consultant has the expertise and resources required to perform the necessary Electrical/Geometrical design services.

Respectfully submitted,
BOYSIE JACKSON
Purchasing Director

Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That Contract No. **2889894** referred to in the foregoing communication dated April 10, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**Finance Department
Purchasing Division**

April 10, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2889898 — 100% City (Street) Funding — To Provide Electrical Design Services, Geometric Design Services and Intelligent Transportation System (ITS) Design Services — Company: Somat Engineering, Inc. — Location: 660 Woodward, Suite 2430, Detroit, MI 48226 — Contract Period: April 15, 2014 through April 14, 2019 — Contract Amount: \$1,000,000.00. **Public Works.**

The City request to retain the following five (5) Consultants on an as required basis for a total of five years.

The consultants are: Tucker, Young, Jackson & Tull, URS, Giffels-Webster, Somat Engineering and Parsons Brinkerhoff. Each consultant has the expertise and resources required to

perform the necessary Electrical/Geometrical design services.)

Respectfully submitted,
BOYSIE JACKSON
Purchasing Director

Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That Contract No. **2889898** referred to in the foregoing communication dated April 10, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**Finance Department
Purchasing Division**

April 10, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2889899 — 100% City (Street) Funding — To Provide Electrical Design Services, Geometric Design Services and Intelligent Transportation System (ITS) Design Services — Company: URS Corporation Great Lakes — Location: 400 Monroe Street, Suite 270, Detroit, MI 48226 — Contract Period: April 15, 2014 through April 14, 2019 — Contract Amount: \$1,000,000.00. **Public Works.**

The City request to retain the following five (5) Consultants on an as required basis for a total of five years.

The consultants are: Tucker, Young, Jackson & Tull, URS, Giffels-Webster, Somat Engineering and Parsons Brinkerhoff. Each consultant has the expertise and resources required to perform the necessary Electrical/Geometrical design services.)

Respectfully submitted,
BOYSIE JACKSON
Purchasing Director

Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That Contract No. **2889899** referred to in the foregoing communication dated April 10, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**Finance Department
Purchasing Division**

April 9, 2014

Honorable City Council:

Re: Contracts and Purchase Orders Scheduled to be considered at the Formal Session of December 16, 2013.

Please be advised that the Contract

submitted on Thursday, December 12, 2013 for the City Council Agenda of December 16, 2013 has been amended as follows:

1. The contractor's **Purchase Order Number** was submitted incorrectly to Purchasing by the Department. Please see the corrections below:

Submitted as: Page 2

MUNICIPAL PARKING

Contract No. 2884999 — 100% City Funding — To Provide Towing Service, ABAN, Citywide — Company: Elite Towing Inc. — Location: 13000 E. McNichols Road, Detroit, MI 48205 — Contract Period: Upon City Council Approval through June 30, 2014 — Contract Amount Not to Exceed: \$46,875.00.

Should read as:

Contract No. 2884899 — 100% City Funding — To Provide Towing Service, ABAN, Citywide — Company: Elite Towing Inc. — Location: 13000 E. McNichols Road, Detroit, MI 48205 — Contract Period: Upon City Council Approval through June 30, 2014 — Contract Amount Not to Exceed: \$46,875.00. **Municipal Parking.**

Respectfully submitted,

BOYSIE JACKSON

Purchasing Director

Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That CPO No. **2884899** referred to in the foregoing communication dated April 9, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Sheffield, Spivey, and Tate— 6.

Nays — Council Member Leland, and President Jones — 2.

Nays — None.

Buildings, Safety Engineering, & Environmental Department

April 28, 2014

Honorable City Council:

Case Number: DNG2010-11206.

Re: 4810 Anderdon, Bldg. ID: 101.00, E. Anderdon 79 Jefferson Park Land Co. Ltd. Sub. L47 P6 Plats, W.C.R. 21/691 40 x 122, between Forest and Warren.

On J.C.C. pages ____ published March 4, 2014, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering, and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on February 19, 2014, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department pub-

lished February 11, 2014, (J.C.C. Pages ____), to direct the Department of Buildings, Safety Engineering, and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,

DAVID BELL

Building Official

Buildings, Safety Engineering, & Environmental Department

April 28, 2014

Honorable City Council:

Case Number: DNG2013-00028.

Re: 19190 Cliff, Bldg. ID: 101.00, E. Cliff 61 Seven Mile Garden Sub. L49 P95 Plats, W.C.R. 15/249 35 x 132, between Seven Mile and Emery.

On J.C.C. pages ____ published March 4, 2014, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering, and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on February 14, 2014, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published February 11, 2014, (J.C.C. Pages ____), to direct the Department of Buildings, Safety Engineering, and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,

DAVID BELL

Building Official

Buildings, Safety Engineering, & Environmental Department

April 28, 2014

Honorable City Council:

Case Number: DNG2011-02212.

Re: 18630 Fairport, Bldg. ID: 101.00, E. Fairport 458 Gratiot Meadows Sub. L46 P57 Plats, W.C.R. 21/687 35 x 126, between Linnhurst and Eastwood.

On J.C.C. pages ____ published March 4, 2014, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering, and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on February 14, 2014, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published February 11, 2014, (J.C.C. Pages ____), to direct the Department of Buildings, Safety Engineering, and Environmental to have this dangerous

structure barricaded/ removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
 DAVID BELL
 Building Official
**Buildings, Safety Engineering, &
 Environmental Department**
 April 28, 2014

Honorable City Council:
 Case Number: DNG2013-01117.
 Re: 14551 Freeland, Bldg. ID: 101.00, W. Freeland 1085 and E. 8 Ft. of Vac. Alley Adj. B. E. Taylors Monmoor Sub. No. 3 L36 P39 Plats, W.C.R. 22/117, between Eaton and Lyndon.

On J.C.C. pages ____ published March 11, 2014, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering, and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on February 25, 2014, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published February 18, 2014, (J.C.C. Pages ____), to direct the Department of Buildings, Safety Engineering, and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
 DAVID BELL
 Building Official
**Buildings, Safety Engineering, &
 Environmental Department**
 April 28, 2014

Honorable City Council:
 Case Number: DNG2010-30094.
 Re: 13025 Glenfield, Bldg. ID: 101.00, N. Glenfield 5 Ruehle Glenfield Sub. L43 P89 Plats, W.C.R. 21/635 40 x 106.2, between Dickerson and Coplin.

On J.C.C. pages 2566 published November 8, 2011, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering, and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on October 17, 2012, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published October 18, 2011, (J.C.C. Pages 2331-2337), to direct the Department of Buildings, Safety Engineering, and Environmental to have this dangerous structure barricaded/removed and to assess the costs of

removal/barricades against the property described above.

Respectfully submitted,
 DAVID BELL
 Building Official
**Buildings, Safety Engineering, &
 Environmental Department**
 April 28, 2014

Honorable City Council:
 Case Number: DNG2011-05689.
 Re: 7118 W. Lafayette, Bldg. ID: 101.00, N. Lafayette 323 Lovetts Sub. L14 P66 Plats, W.C.R. 18/154 30 x 120, between Green and Crawford.

On J.C.C. pages ____ published March 4, 2014, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering, and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on February 14, 2014, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published February 11, 2014, (J.C.C. Pages ____), to direct the Department of Buildings, Safety Engineering, and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
 DAVID BELL
 Building Official
**Buildings, Safety Engineering, &
 Environmental Department**
 April 28, 2014

Honorable City Council:
 Case Number: DNG2012-06356.
 Re: 9984 Grandville, Bldg. ID: 101.00, E. Grandville 167 and W. 9 Ft. of Vac. Alley Adj. Palmer Grove Park Sub. L55 P87 Plats, W.C.R. 22/326 40 x, between Orangelawn and Elmira.

On J.C.C. pages ____ published March 4, 2014, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering, and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on February 17, 2014, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published February 11, 2014, (J.C.C. Pages ____), to direct the Department of Buildings, Safety Engineering, and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
 DAVID BELL
 Building Official

By Council Member Benson:

Resolved, That the Buildings, Safety Engineering, and Environmental Department be and it is hereby authorized and directed to take the necessary steps in the proceedings of February 11, 2014 (J.C.C. pgs. ____), February 11, 2014 (J.C.C. pgs. ____), February 11, 2014 (J.C.C. pgs. ____), February 18, 2014 (J.C.C. pgs. ____), October 18, 2011 (J.C.C. pgs. ____), February 11, 2014 (J.C.C. pgs. ____), and February 11, 2014 (J.C.C. pgs. ____) for the removal of dangerous structures on premises known as 4810 Anderdon, 19190 Cliff, 18630 Fairport, 14551 Freeland, 13025 Glenfield, 7118 W. Lafayette, and 9984 Grandville, and to assess the costs of same against the properties more particularly described in the seven (7) foregoing communications.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Buildings, Safety Engineering & Environmental Department

April 28, 2014

Honorable City Council:

Case Number: DNG2013-01514.

Re: 12292 Lansdowne, Bldg. ID: 101.00. E Lansdowne 169 and W 9 Ft Vac alley Adj Joseph Holtzman Sub, L68 P75-6 Plats, W.C.R., 21/1011 42 x 130, between Casino Way and Seven Mile.

On J.C.C. pages published March 11, 2014, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on February 21, 2014, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published February 18, 2014, (J.C.C. pages ____), to direct the Department of Buildings, Safety Engineering and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
DAVID BELL
Building Official

Buildings, Safety Engineering & Environmental Department

April 28, 2014

Honorable City Council:

Case Number: DNG2010-36084.

Re: 21400 Margareta, Bldg. ID: 101.00. N Margareta S 120 Ft 65 Grand View Sub, L30 P48 Plats, W.C.R., 22/391

46 x 120, between Burgess and Bentler.

On J.C.C. pages published April 12, 2011, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on March 25, 2011, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published March 15, 2011, (J.C.C. pages 594-600), to direct the Department of Buildings, Safety Engineering and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
DAVID BELL
Building Official

Buildings, Safety Engineering & Environmental Department

April 28, 2014

Honorable City Council:

Case Number: DNG2010-21345.

Re: 9663 Mark Twain, Bldg. ID: 101.00. W Mark Twain 255 Churchill Park Sub, L50 P52 Plats, W.C.R., 22/568 40 x 123, between Orangelawn and Chicago.

On J.C.C. pages published March 11, 2014, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on February 21, 2014, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published February 18, 2014, (J.C.C. pages ____), to direct the Department of Buildings, Safety Engineering and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
DAVID BELL
Building Official

Buildings, Safety Engineering & Environmental Department

April 28, 2014

Honorable City Council:

Case Number: DNG2013-01305.

Re: 9190 Philip, Bldg. ID: 101.00. E Philip 358 Park Manor Development Cos Park Dr Sub, L45 P42 Plats, W.C.R., 21/670 36 x 101.50, between Evanston and Wade.

On J.C.C. pages published March

11, 2014, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on February 22, 2014, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published February 18, 2014, (J.C.C. pages), to direct the Department of Buildings, Safety Engineering and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
DAVID BELL
Building Official
**Buildings, Safety Engineering &
Environmental Department**
April 28, 2014

Honorable City Council:

Case Number: DNG2010-09157.

Re: 13019 Promenade, Bldg. ID: 101.00.
N Promenade 784 David Trombley
Est Sub No 4, L48 P44 Plats,
W.C.R., 21/718 39 x 105, between
Dickerson and Coplin.

On J.C.C. pages published October 26, 2010, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on March 11, 2014, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published October 5, 2010, (J.C.C. pages 2324-2329), to direct the Department of Buildings, Safety Engineering and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
DAVID BELL
Building Official
**Buildings, Safety Engineering &
Environmental Department**
April 28, 2014

Honorable City Council:

Case Number: DNG2013-03703.

Re: 5729 Renville, Bldg. ID: 101.00.
W Renville 295 Smart Farm Sub,
L34 P32-3 Plats, W.C.R., 20/378 30
x 100, between Kirkwood and
Henderson.

On J.C.C. pages published March 11, 2014, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering and

Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on February 22, 2014, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published February 18, 2014, (J.C.C. pages), to direct the Department of Buildings, Safety Engineering and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
DAVID BELL
Building Official
**Buildings, Safety Engineering &
Environmental Department**
April 28, 2014

Honorable City Council:

Case Number: DNG2012-00011.

Re: 15361 Vaughan, Bldg. ID: 101.00.
W Vaughan 79 Morningside Sub,
L41 P61 Plats, W.C.R., 22/471 40 x
115, between Keeler and Fenkell.

On J.C.C. pages published March 4, 2014, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on February 14, 2014, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published February 11, 2014, (J.C.C. pages), to direct the Department of Buildings, Safety Engineering and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
DAVID BELL
Building Official
**Buildings, Safety Engineering &
Environmental Department**
April 28, 2014

Honorable City Council:

Case Number: DNG2012-07304.

Re: 14500 E Warren, Bldg. ID: 101.00.
S-E Warren 488 thru 493 Jefferson
Park Land Co Limited Sub, L47 P6
Plats, W.C.R., 21/691 120.20 x 100,
between Philip and Marlborough.

On J.C.C. pages published March 11, 2014, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on February 27, 2014, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published February 18, 2014, (J.C.C. pages), to direct the Department of Buildings, Safety Engineering and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
DAVID BELL
Building Official

Buildings, Safety Engineering & Environmental Department
April 28, 2014

Honorable City Council:
Case Number: DNG2013-01348.
Re: 10418 Wayburn, Bldg. ID: 101.00.
E Wayburn 73 Dalby Campbell Outer Boulevard Sub, L46 P27 Plats, W.C.R., 21/830 35 x 116.70, between Bonita and Courville.

On J.C.C. pages published March 11, 2014, your Honorable Body returned jurisdiction of the above-mentioned property to Buildings, Safety Engineering and Environmental Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on February 21, 2014, revealed that: V/O.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published February 18, 2014, (J.C.C. pages), to direct the Department of Buildings, Safety Engineering and Environmental to have this dangerous structure barricaded/removed and to assess the costs of removal/barricades against the property described above.

Respectfully submitted,
DAVID BELL
Building Official

By Council Member Benson:

Resolved, That the Buildings, Safety Engineering and Environmental Department be and it is hereby authorized and directed to take the necessary steps in the proceedings of February 18, 2014 (J.C.C. pages), March 15, 2011 (J.C.C. pages 594-600), February 18, 2014 (J.C.C. pages), February 18, 2014 (J.C.C. pages), October 5, 2010 (J.C.C. pages 2324-2329), February 18, 2014 (J.C.C. pages), February 11, 2014 (J.C.C. pages), February 18, 2014 (J.C.C. pages), and February 18, 2014 (J.C.C. pages) for the removal of dangerous structures on premises known as 12292 Lansdowne, 21400 Margareta, 9663 Mark Twain, 9190 Philip, 13019 Promenade, 5729 Renville, 15361 Vaughan, 14500 E. Warren and 10418 Wayburn, and to assess the costs

of same against the properties more particularly described in the nine (9) foregoing communications.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Buildings, Safety Engineering and Environmental Department

April 3, 2014

Honorable City Council:
Re: Address: 14930 Linwood. Name: Linwood Tire Recycling, LLC. Date ordered removed: May 6, 2014 (J.C.C. pg. ____).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection on February 13, 2014 revealed the building is secured and appears to be sound and repairable.

The owner has paid all taxes and is current.

The proposed use of the property is owner's use and occupancy. This is the first deferral request for this property.

Therefore, it is recommended that the demolition order be deferred for a period of three (3) months subject to the following conditions:

1. A permit for rehabilitation work shall be obtained within 30 days.
2. The building shall be maintained securely barricaded until rehabilitation is complete. Rehabilitation is to be complete within six (6) months, at which time the owner will obtain one of the following from this department:
 - Certificate of Acceptance related to building permits
 - Certificate of Approval as a result of a Housing Inspection
 - Certificate of Inspection, required for all residential rental properties
3. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).
4. The yards shall be maintained clear of weeds, junk and debris at all times.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four

must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,
DAVID BELL
Building Official

Buildings, Safety Engineering and Environmental Department

April 3, 2014

Honorable City Council:

Re: Address: 4843 Berkshire. Name: Habitat for Humanity. Date ordered removed: July 20, 2010 (J.C.C. pgs. 1874-1875).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection on February 14, 2014 revealed the building is secured and appears to be sound and repairable.

The owner has paid all taxes and is current.

The proposed use of the property is owner's use and occupancy. This is the first deferral request for this property.

Therefore, it is recommended that the demolition order be deferred for a period of three (3) months subject to the following conditions:

1. A permit for rehabilitation work shall be obtained within 30 days.

2. The building shall be maintained securely barricaded until rehabilitation is complete. Rehabilitation is to be complete within six (6) months, at which time the owner will obtain one of the following from this department:

- Certificate of Acceptance related to building permits
- Certificate of Approval as a result of a Housing Inspection
- Certificate of Inspection, required for all residential rental properties

3. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).

4. The yards shall be maintained clear of weeds, junk and debris at all times.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,
DAVID BELL
Building Official

Buildings, Safety Engineering and Environmental Department

April 3, 2014

Honorable City Council:

Re: Address: 1438-42 Canton. Name: Norris Parker. Date ordered removed: October 22, 2013 (J.C.C. pg. ____).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection on February 20, 2014 revealed the building is secured and appears to be sound and repairable.

The owner has paid all taxes and is current.

The proposed use of the property is owner's use and occupancy. This is the first deferral request for this property.

Therefore, it is recommended that the demolition order be deferred for a period of three (3) months subject to the following conditions:

1. A permit for rehabilitation work shall be obtained within 30 days.

2. The building shall be maintained securely barricaded until rehabilitation is complete. Rehabilitation is to be complete within six (6) months, at which time the owner will obtain one of the following from this department:

- Certificate of Acceptance related to building permits
- Certificate of Approval as a result of a Housing Inspection
- Certificate of Inspection, required for all residential rental properties

3. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).

4. The yards shall be maintained clear of weeds, junk and debris at all times.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,
DAVID BELL
Building Official

Buildings, Safety Engineering and Environmental Department

April 3, 2014

Honorable City Council:

Re: Address: 16700 Greydale. Name:

16700 Greydale ST LLC. Date ordered removed: October 19, 2010 (J.C.C. pgs. 2499-2500).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection on March 19, 2014 revealed the building is secured and appears to be sound and repairable.

The owner has paid all taxes and is current.

The proposed use of the property is owner's use and occupancy. This is the first deferral request for this property.

Therefore, it is recommended that the demolition order be deferred for a period of three (3) months subject to the following conditions:

1. A permit for rehabilitation work shall be obtained within 30 days.

2. The building shall be maintained securely barricaded until rehabilitation is complete. Rehabilitation is to be complete within six (6) months, at which time the owner will obtain one of the following from this department:

- Certificate of Acceptance related to building permits
- Certificate of Approval as a result of a Housing Inspection
- Certificate of Inspection, required for all residential rental properties

3. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).

4. The yards shall be maintained clear of weeds, junk and debris at all times.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,

DAVID BELL
Building Official

Buildings, Safety Engineering and Environmental Department

April 3, 2014

Honorable City Council:

Re: Address: 5734 Woodward. Name: 5734 Woodward LLC. Date ordered removed: May 6, 2014 (J.C.C. pg. ____).

In response to the request for a deferral of the demolition order on the property

noted above, we submit the following information:

A special inspection on March 26, 2014 revealed the building is secured and appears to be sound and repairable.

The owner has paid all taxes and is current.

The proposed use of the property is owner's use and occupancy. This is the first deferral request for this property.

Therefore, it is recommended that the demolition order be deferred for a period of three (3) months subject to the following conditions:

1. A permit for rehabilitation work shall be obtained within 30 days.

2. The building shall be maintained securely barricaded until rehabilitation is complete. Rehabilitation is to be complete within six (6) months, at which time the owner will obtain one of the following from this department:

- Certificate of Acceptance related to building permits
- Certificate of Approval as a result of a Housing Inspection
- Certificate of Inspection, required for all residential rental properties

3. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).

4. The yards shall be maintained clear of weeds, junk and debris at all times.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,

DAVID BELL
Building Official

Buildings, Safety Engineering and Environmental Department

April 9, 2014

Honorable City Council:

Re: Address: 1401 Rivard. Name: Dennis Kefallinos. Date ordered removed: March 27, 2014 (J.C.C. pg. 572).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection on April 5, 2014 revealed the building is secured and appears to be sound and repairable.

The owner has paid all taxes and is current.

The proposed use of the property is owner's use and occupancy. This is the first deferral request for this property.

Therefore, it is recommended that the demolition order be deferred for a period of three (3) months subject to the following conditions:

1. A permit for rehabilitation work shall be obtained within 30 days.

2. The building shall be maintained securely barricaded until rehabilitation is complete. Rehabilitation is to be complete within six (6) months, at which time the owner will obtain one of the following from this department:

- Certificate of Acceptance related to building permits
- Certificate of Approval as a result of a Housing Inspection
- Certificate of Inspection, required for all residential rental properties

3. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).

4. The yards shall be maintained clear of weeds, junk and debris at all times.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,
DAVID BELL
 Building Official

By Council Member Benson:

Resolved, That resolutions adopted May 6, 2014 (J.C.C. pg. ____), July 20, 2010 (J.C.C. pgs. 1874-1875), October 22, 2013 (J.C.C. pgs. ____), October 19, 2010 (J.C.C. pgs. 2499-2500), May 6, 2014 (J.C.C. pg. ____), and March 27, 2014 (J.C.C. pg. 572) for the removal of dangerous structures at various locations, be and the same is hereby amended for the purpose of deferring the removal order for dangerous structures, only at 14930 Linwood, 4843 Berkshire, 1438-42 Canton, 16700 Greydale, 5734 Woodward, and 1401 Rivard for a period of three (3) months, in accordance with the six (6) foregoing communications.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**Department of Public Works
 City Engineering Division**

March 31, 2014

Honorable City Council:

Re: Petition No. 2997 — Michael L. Priest & Associates request to construct a sewer in Arnold Avenue right-of-way (East of Ogden) South of Michigan Avenue, West of Lonyo.

Petition No. 2997 — Michael L. Priest & Associates, whose address is 40655 Koppernick Road, Canton, Michigan, 48187 request to install and maintain encroachment with an underground sewer pipe in Arnold Avenue, 50 feet wide, between Ogden Avenue and the north-south public alley first easterly of Ogden Avenue.

The reason for this request is construction of a new charter school at the site of the former DPS O. W. Holmes School located at 4833 Ogden between Trenton and Ogden south of Arnold Avenue. The existing location has been demolished and the plan is to construct a state of the art facility to provide education to 750 K-12 students.

The sewer line is needed due to the increase in impervious area proposed, and the new sewer line will spit the runoff into two different city sewer lines. The existing line east of the site was designed to support lots in the area that is now a park and so the sewer line has unused capacity.

The petition was referred to the City Engineering Division — DPW for investigation and report. This is our report.

Traffic Engineering Division — DPW (TED), reports there is no objection to the encroachment provided certain requirements are met. The specific requirements are included as provisions within the attached resolution.

City Engineering Division — DPW (CED), reports there is no objection to the encroachment provided certain requirements are met. The specific requirements are included as provisions within the attached resolution.

The Public Lighting Department (PLD) reports an overhead high voltage circuit and street lighting circuit running in the area of the request and provisions protecting these facilities are included in the resolution. The contractor and/or the petitioner will be liable for any damages to any PLD underground facilities.

The Detroit Water and Sewerage Department (DWSD) has approved the sewer pipe encroachment provided that the resolution contain the DWSD specific encroachment provisions. The DWSD encroachment provisions are included in the resolution.

All other involved City departments and privately owned utility companies reported no objections, or that satisfactory arrangements have been made.

I am recommending adoption of the attached resolution.

Respectfully submitted,
RICHARD DOHERTY

City Engineer

City Engineering Division—DPW

By Council Member Benson:

Resolved, That the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to Michael L. Priest & Associates to construct a sewer which will encroach into the Arnold Avenue right-of-way. The encroachment is being described as follows:

SEWER PIPE ENCROACHMENT

The encroachment being subsurface of Arnold Avenue, 50 feet wide, occupying the area below the existing surface of land in the City of Detroit, Wayne County, Michigan described as a strip of land 3 feet wide with a centerline more particularly described as follows: Commencing at the southeasterly corner of Lot 51 "Mercier's Springwells Subdivision of the N'y part of the W'y 630.50 feet of Lot A of the Sub. of the E. 1/2 of P.C. 41 Springwells Twp. (Now City of Detroit) Wayne County, Michigan" as recorded in Liber 37, Page 18 of Plats, Wayne County Records; thence S 31°19'14" E along the westerly line of Ogden Avenue 38 feet to the Point of Beginning; thence N 28°20'59" E 32.44 feet; thence N 58°40'19" E 130.00 feet; thence N 31°19'14" W 25.5 feet to the Point of Ending said point being a sewer manhole in the public alley in the rear of Lot 52 "Mercier's Springwells Subdivision of the N'y part of the W'y 630.50 feet of Lot A of the Sub. of the E. 1/2 of P.C. 41 Springwells Twp. (Now City of Detroit) Wayne County, Michigan" as recorded in Liber 37, Page 18 of Plats, Wayne County Records.

Provided, That if there is any addition and/or cost for the removing and/or rerouting of any utility facilities, it shall be done at the expense of the petitioner and/or property owner; and be it further

Provided, By approval of this petition, the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the right-of-way, and at all time, DWSD, its agents or employees, shall have the right to enter upon the right-of-way to maintain, repair, alter, service, inspect, or install its facilities. All costs incident to the damaging, dismantling, demolishing, removal and replacement of structures or other improvements herein permitted and incurred in gaining access to DWSD'S facilities for maintenance, repairing, alteration, servicing or inspection caused by the encroachment shall be borne by the petitioner. All costs associated with gaining access to DWSD's facilities, which could normally be expected had the petitioner not encroached into the right-of-

way, shall be borne by DWSD; and be it further

Provided, That all construction performed under this petition shall not be commenced until after (5) days written notice to DWSD. Seventy-two (72) hours notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system; and be it further

Provided, That construction under this petition is subject to inspection and approval by DWSD forces. The cost of such inspection shall, at the discretion of DWSD, be borne by the petitioner; and be it further

Provided, That if DWSD facilities located within the right-of-way shall break or be damaged as the result of any action on the part of the petitioner, then in such even the petitioner agrees to be liable for all costs incident to the repair, replacement or relocation of such broken or damaged DWSD facilities; and be it further

Provided, That the petitioner shall hold DWSD harmless for any damages to the encroaching device constructed or installed under this petition which may be caused by the failure of DWSD's facilities; and be it further

Provided, That if at any time in the future the petitioner shall request removal and/or relocation of DWSD's facilities in the right-of-way being encroached upon the petitioner agrees to pay all costs for such removal and/or relocation; and be it further

Provided, That the contractor call MISS DIG 72 hours prior to starting any underground construction where they plan the underground encroachment; and be it further

Provided, That any structure proposed to be built shall maintain 10 feet of horizontal clearance from overhead PLD lines and installations also any structure proposed to be built shall maintain a minimum of 3-foot horizontal clearance and 12-foot vertical clearance from the PLD conduit bank and manholes. The contractor and/or the petitioner will be liable for any damages to any PLD underground facilities. PLD requires unrestricted 24-hour heavy vehicle access to the encroachment area to maintain their facilities; and be it further

Provided, That Michael L. Priest & Associates or its assigns shall apply to DWSD for permits prior to any construction. Also, if it becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for maintenance of encroachments such work shall be according to detail permit application drawings submitted to the City Engineering Division — DPW prior to any public right-of-way construction; and be it further

Provided, That the necessary permits

shall be obtained from the City Engineering Division — DPW and the Buildings, Safety Engineering and Environmental Department.

Provided, The encroachments shall be constructed and maintained under their rules and regulations; also in accord with plans submitted to and approved by these departments; including the Public Lighting Department (if necessary), and the Traffic Engineering Division — DPW (if necessary); and be it further

Provided, The grade shall be restored back to the original condition after the installation of the sewer lines. The petitioner shall be responsible to obtain the necessary permits from the appropriate agencies before the start of excavation. The petitioner is also responsible to seek permission from Traffic Engineering Division — DPW to close lanes to traffic for the related construction work; and be it further

Provided, That all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Michael L. Priest and Associates; and be it further

Provided, That all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the encroachments shall be borne by Michael L. Priest & Associates or its assigns. Should damages to utilities occur Michael L. Priest & Associates or its assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and be it further

Provided, If it becomes necessary to repair or replace the utilities located or to be located within the public rights-of-way, by acceptance of this permission, Michael L. Priest & Associates for themselves, or their assigns, (by acceptance of permits for construction near underground utility lines, conduits, or mains) waives all claims for damages to the encroaching installations and agree to pay all costs incurred in their removal (or alteration), if

removal (or alteration) becomes necessary; and be it further

Provided, That Michael L. Priest & Associates shall file with the Finance Department and/or City Engineering Division — DPW an indemnity in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance by Michael L. Priest & Associates of the terms thereof. Further, Michael L. Priest & Associates shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; and be it further

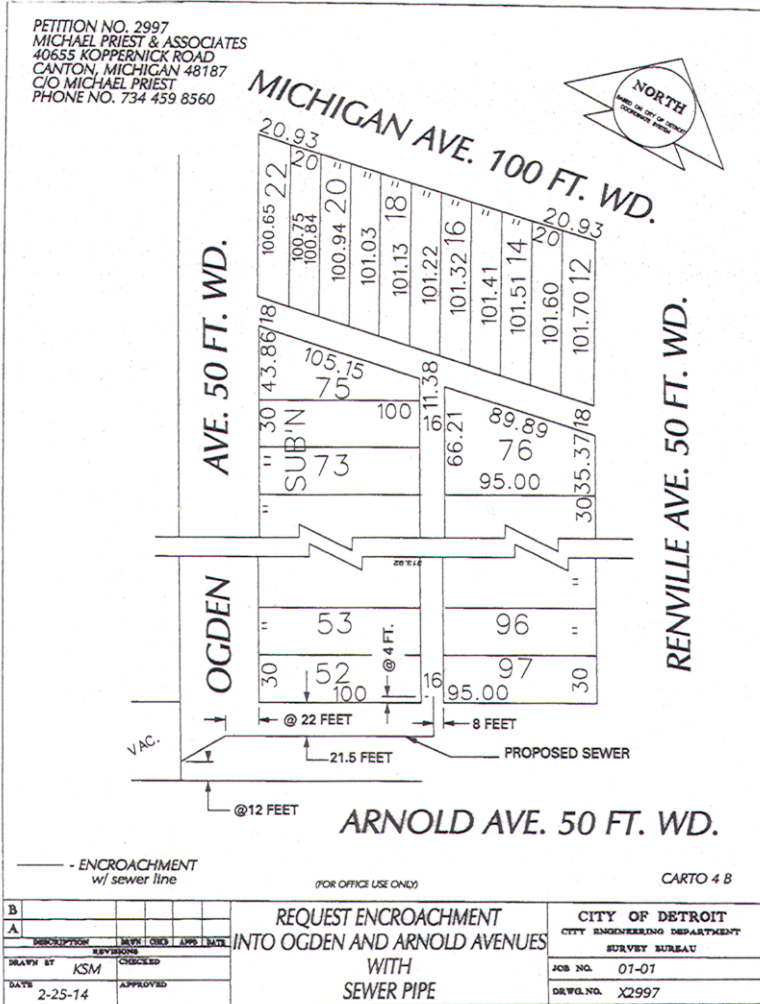
Provided, That no other rights in the public streets, alleys or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division — DPW; and be it further

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and Michael L. Priest & Associates acquires no implied or other privileges hereunder not expressly stated herein; and be it further

Provided, That the petitioner shall apply to and become a participating member of "Miss Dig" to comply with Michigan Public Act 53 of 1974, "Protection of Underground Facilities (460.701 - 460.718)"; and be it further

Provided, That the encroachment permits shall not be assigned or transferred without the written approval of the City Council; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution and indemnity agreement with the Wayne County Register of Deeds.



Adopted as follows:
 Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.
 Nays — None.

**Department of Public Works
 City Engineering Division**

March 27, 2014

Honorable City Council:

Re: Petition No. 964 — Bashar Basheer, to vacate alley and convert to public easement abutting property behind 125 W. 8 Mile, corner of Derby.

Petition No. 964 — Bashar Basheer, requests the conversion of the east 1/2 of the east-west alley, 16 feet wide, bounded by West Eight Mile Road, 204 feet wide, Winchester Avenue, 50 feet wide, Exeter

Avenue, 50 feet wide, and Derby Avenue, 80 feet wide, into an easement for utilities.

The request was approved by the Solid Waste Division — DPW, and Traffic Engineering Division — DPW. The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

All City Departments and privately owned utility companies have reported no objections to the conversion of the public rights-of-way into a private easement for public utilities. Provisions protecting utility installations are part of the attached resolution.

Detroit Water and Sewerage Department (DWSD) have no objection to the conversion to easement. The specific DWSD provision for easements are included in the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

RICHARD DOHERTY

City Engineer

City Engineering Division — DPW

By Council Member Benson:

Resolved, All that part of the east-west public alley, 16 feet wide, lying southerly of and adjoining Lots 96 thru 101, both inclusive and lying southerly of and adjoining the East 10 feet of Lot 102 also lying northerly of and adjoining Lot 54 "Woodward Boulevard Subdivision of part of N.E. 1/4 of N.E. 1/4 of Section 2 T.1S., R.11E., Greenfield Township, Wayne County, Michigan" as recorded in Liber 35, Page 62 of Plats, Wayne County Records.

Be and the same are hereby vacated as a public alley and hereby converted into a private easement for public utilities of the full width of alley, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alleys and by their heirs, executors, administrators and assigns, forever to wit:

First, Said owners hereby grant to and for the use of the public easement or right-of-way over said vacated public alley herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

Second, Said utility easement or right-of-way in and over said vacated alley herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easement with any necessary equipment to perform the above mentioned task, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition,

Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, concrete

slabs or driveways, retaining or partition walls, shall be built or placed upon said easements, nor change of surface grade made, without prior approval of the City Engineering Division — DPW,

Fourth, That if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and

Provided, That an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

Provided, That free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for Detroit Water and Sewerage Department equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

Provided, That the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

Provided, That said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc., shall be built upon or over said easement, or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, That the Public Lighting Department requires that no structures or barricades be built over PLD installations or on existing utility easement areas. As per PLD requirements, any structure proposed to be built shall maintain 10 feet horizontal clearance from the overhead PLD lines and installations also any structure proposed to be built shall maintain a

minimum of 3 feet horizontal clearance and 12 feet vertical clearance from the PLD conduit bank and manholes. The contractor should take necessary precautions not to damage PLD utilities, if they plan to use heavy earth moving equipment. The contractor will be liable for any damages to any PLD underground facilities. PLD requires unrestricted easement rights with 24-hour heavy vehicle access in order to maintain their facilities; and be it further

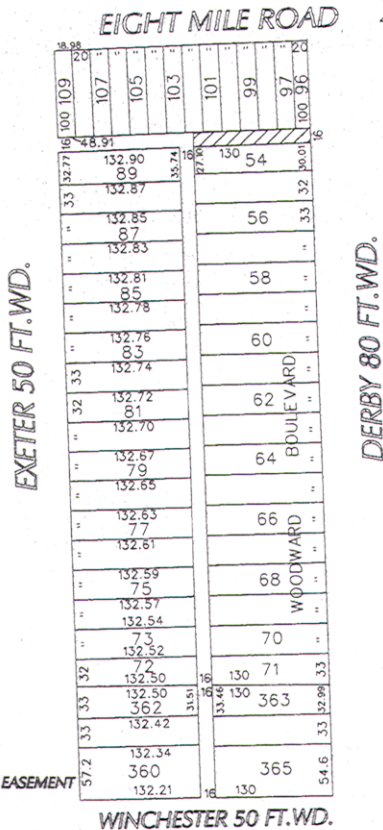
Provided, That if any time in the future, the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as

a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action; and be it further

Provided, That if it becomes necessary to remove the paved alley returns at the entrance (into Derby Avenue), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications with all costs borne by the abutting owner(s), their heirs or assigns; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

PETITION NO. 964
 BASHAR RASHEER
 125 W. EIGHT MILE RD.
 PHONE NO. 1-586-306-4444



- REQUESTED CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 37C

B					
A					
DESCRIPTION	SEPT	OCT	NOV	DEC	DATE
DRAWN BY	NP	CHS	CEB		
DATE	10-19-11	APPROVED			

REQUESTED CONVERSION TO EASEMENT A PORTION OF THE EAST - WEST ALLEY IN THE BLK. BND. BY DERBY, EXETER, W. EIGHT MILE AND WINCHESTER

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	W&E.dwn

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**Department of Public Works
City Engineering Division**

March 26, 2014

Honorable City Council:

Re: Petition No. 2488 — Sam Kelani on behalf of Ray's Check Cashing, to amend grant agreement permitting alley vacation and erection of fencing, etc. in area of 13746 Gratiot off Seymour.

Petition No. 2488 — Sam Kelani on behalf of Ray's Check Cashing requests the conversion of the north-south alley, 18 feet wide and the east-west alley 18 feet wide and variable width in the block bounded by Gratiot Avenue, 120 feet wide, Grover Avenue, 50 feet wide, Seymour, 60 and 80 feet wide, into an easement for utilities. Also requesting for encroachment into the northerly 3 feet Seymour, 80 feet wide, from Gratiot Avenue, 120 feet wide to the above said public alley, 18 feet wide, first easterly of Gratiot.

The request was approved by the Solid Waste Division — DPW, and Traffic Engineering Division — DPW. The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

All City Departments and privately owned utility companies have reported no objections to the conversion of the public rights-of-way into a private easement for public utilities. Provisions protecting utility installations are part of the attached resolution.

Detroit Water and Sewerage Department (DWSD) have no objection to the conversion to easement. The specific DWSD provisions for easements are included in the resolution.

Public Lighting Department (PLD) has no objection to the conversion to easement. PLD reports they have facilities in the area and provisions to protect these facilities and to provide access are included as part of this resolution.

A field investigation was conducted for this request and the condition in the area are taken into account for this resolution. The subject north-south alley is currently blocked off with fencing north of the petitioners property; and the open part of the alley is used only to access the petitioners property and for public utilities. The subject east-west alley is also blocked with fencing, overgrown and impassable; also the adjoining block is a blighted area on the south. On the north side of the east-west alley is a wall enclosing the parking lot of Assumption Grotto Church. The request

for encroachment is for an existing fence and will not compromise pedestrian and vehicular traffic on Seymour Avenue, 80 feet wide.

I am offering the attached resolution for your consideration.

Respectfully submitted,

RICHARD DOHERTY

City Engineer

City Engineering Division — DPW

By Council Member Benson:

Resolved, All that part of the north-south public alley, 18 feet wide, lying easterly of and adjoining Lots 1, 2 and 3 also lying westerly of and adjoining Lot 4 "Nuytten's Subdivision of part of Section 12, T1S, R12E, City of Detroit, Wayne County, Michigan" as recorded in Liber 45, Page 8, Wayne County Records; also lying easterly of Lots 1 and 2 "Elodie Nuytten's Subdivision of part of Section 12, T1S, R12E, City of Detroit, Wayne County, Michigan" as recorded in Liber 47, Page 93 of Plats, Wayne County Records.

Also including that part of the north-south alley deeded to the City of Detroit on May 1, 1923 described as: Land in the City of Detroit, Wayne County, Michigan being part of Section 12, T1S, R12E and being more particularly described as follows: Beginning at the southeasterly corner of Lot 3 "Nuytten's Subdivision of part of Section 12, T1S, R12E, City of Detroit, Wayne County, Michigan" as recorded in Liber 45, Page 8, Wayne County Records; thence N89°21'30"E along the southerly line of said Lot 3 extended 20.03 feet, thence S26°38'30"W along a line parallel to Gratiot Avenue 75.00 feet; thence S89°21'30"W along the northerly line of Seymour Avenue, 60 feet wide, 20.03 feet; thence N26°38'30"E along a line parallel to Gratiot Avenue 75.00 feet to the point of beginning.

Also all of the east-west public alley, 18 feet wide and variable width, lying southerly of and adjoining part of Section 12, T1S, R12E and lying northerly of and adjoining Lots 4 thru 9, both inclusive of "Nuytten's Subdivision of part of Section 12, T1S, R12E, City of Detroit, Wayne County, Michigan" as recorded in Liber 45, Page 8, Wayne County Records; and lying northerly of and adjoining Lots 3 thru 8, both inclusive, of "Elodie Nuytten's Subdivision of part of Section 12, T1S, R12E, City of Detroit, Wayne County, Michigan" as recorded in Liber 47, Page 93 of Plats, Wayne County Records; and lying northerly of and adjoining Lots 519 thru 523, both inclusive "Seymour and Troester's Montclair Heights Subdivision No. 1 of part of Section 12, T1S, R12E, Gratiot Twp., Wayne County Michigan" as recorded in Liber 47, Page 12 of Plats, Wayne County Records.

Be and the same are hereby vacated as a public alleys and hereby converted

into a private easement for public utilities of the full width of the alley, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alleys and by their heirs, executors, administrators and assigns, forever to wit:

First, Said owners hereby grant to and for the use of the public easement or right-of-way over said vacated public alleys herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

Second, Said utility easement or right-of-way in and over said vacated alleys herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easement with any necessary equipment to perform the above mentioned task, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition,

Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls, shall be built or placed upon said easements, nor change of surface grade made, without prior approval of the City Engineering Division — DPW,

Fourth, That if the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities in said easement; such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or con-

struction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and

Provided, That an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above said forth; and be it further

Provided, That free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for Detroit Water and Sewerage Department equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipments, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

Provided, That the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

Provided, That said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc., shall be built upon or over said easement, or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, That the Public Lighting Department requires that no structures or barricades be built over PLD installations or on existing utility easement areas. As per PLD requirements, any structure proposed to be built shall maintain 10 feet horizontal clearance from the overhead PLD lines and installations also any structure proposed to be built shall maintain a minimum of 3 feet horizontal clearance and 12 feet vertical clearance from the PLD conduit bank and manholes. The contractor should take necessary precautions not to damage PLD utilities, if they plan to use heavy earth moving equipment. The contractor will be liable for any damages to any PLD underground facilities. PLD requires unrestricted easement rights with 24-hour heavy vehicle access in order to maintain their facilities; and be it further

Provided, That if any time in the future, the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such

removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action; and be it further

Provided, That if it becomes necessary to remove the paved alley returns at the entrance (into Seymour Avenue or Grover Avenue), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications with all costs borne by the abutting owner(s), their heirs or assigns; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

Provided, That the Planning and Development Department Director is hereby authorized to issue quit-claim deeds to transfer the following described parcel of land for the fair market value and/or other valuable consideration:

Land in the City of Detroit, Wayne County, Michigan being part of Section 12, T1S, R12E and being more particularly described as follows: Beginning at the southeasterly corner of Lot 3 "Nuytten's Subdivision of part of Section 12, T1S, R12E, City of Detroit, Wayne County, Michigan" as recorded in Liber 45, Page 8, Wayne County Records; thence N89°21'30"E along the southerly line of said Lot 3 extended 20.03 feet, thence S26°38'30"W along a line parallel to Gratiot Avenue 75.00 feet; thence S89°21'30"W along the northerly line of Seymour Avenue, 60 feet wide, 20.03 feet; thence N26°38'30"E along a line parallel to Gratiot Avenue 75.00 feet to the point of beginning.

Also Resolved, That the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to the Rays Check for the existing fence and parking area encroachment. The encroachment being described as follows: Land in the City of Detroit, Wayne County, Michigan being the northerly 3 feet of Seymour Avenue, 80 feet wide, lying southerly of and adjoining the South line of Lot 2 "Elodie Nuytten's Subdivision of part of Section 12, T1S, R12E, City of Detroit, Wayne County, Michigan" as recorded in Liber 47, Page 93 of Plats, Wayne County Records.

Provided, That if there is any addition and/or cost for the removing and/or rerouting of any utility facilities, it shall be done at the expense of the petitioner and/or property owner; and be it further:

Provided, By approval of this petition the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the right-of-way, and at all times, DWSD, its agents or employees, shall have the right to enter into the right-of-way to maintain, repair, alter, service, inspect, or install its facilities. All costs incident to the damaging, dismantling, demolishing, removal and replacement of structures or other improvements herein permitted and incurred in gaining access to DWSD's facilities for maintenance, repairing, alteration, servicing or inspection caused by the encroachment shall be borne by the petitioner. All costs associated with gaining access to DWSD's facilities, which could normally be expected had the petitioner not encroached into the right-of-way, shall be borne by DWSD; and be it further

Provided, That all construction performed under this petition shall not be commenced until after (5) days written notice to DWSD. Seventy-two (72) hours notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system; and be it further

Provided, That construction under this petition is subject to inspection and approval by DWSD forces. The cost of such inspection shall, at the discretion of DWSD, be borne by the petitioner; and be it further

Provided, That if DWSD facilities located within the right-of-way shall break or be damaged as the result of any action on the part of the petitioner, then in such event the petitioner agrees to be liable for all costs incident to the repair, replacement or relocation of such broken or damaged DWSD facilities; and be it further

Provided, That the petitioner shall hold DWSD harmless for any damages to the encroaching device constructed or installed under this petition which may be caused by the failure of DWSD's facilities; and be it further

Provided, That if at any time in the future the petitioner shall request removal and/or relocation of DWSD's facilities in the right-of-way being encroached upon the petitioner agrees to pay all costs for such removal and/or relocation; and be it further

Provided, That the contractor call MISS DIG 72 hours prior to starting any underground construction where they plan the underground encroachment; and be it further

Provided, That any structure proposed to be built shall maintain 10 feet of horizontal clearance from overhead PLD lines and installations also any structure proposed to be built shall maintain a minimum of 3-foot horizontal clearance and 12-foot vertical clearance from the PLD

conduit bank and manholes. The contractor and/or the petitioner will be liable for any damages to any PLD underground facilities. PLD requires unrestricted 24-hour heavy vehicle access to the encroachment area to maintain their facilities; and be it further

Provided, That should the encroachment require any removal or relocation of DTE electric facilities that the cost of such removal or relocation be borne by the petitioner; and Provided be it further

Provided, That Ray's Check Cashing or its assigns shall apply to the Buildings and Safety Engineering Department for a building permit prior to any construction. Also, if it becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for maintenance of encroachments such work shall be according to detail permit application drawings submitted to the City Engineering Division — DPW prior to any public right-of-way construction; and further

Provided, That the necessary permits shall be obtained from the City Engineering Division — DPW and the Buildings and Safety Engineering Department. The encroachments shall be constructed and maintained under their rules and regulations; also in accord with plans submitted to and approved by these departments; including the Public Lighting Department (if necessary), and the Traffic Engineering Division — DPW (if necessary); and further

Provided, That all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Ray's Check Cashing and further

Provided, That all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the encroachments shall be borne by Ray's Check Cashing or its assigns. Should damages to utilities occur Ray's Check Cashing or its assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

Provided, If it becomes necessary to repair or replace the utilities located or to be located within the public rights-of-way, by acceptance of this permission Ray's Check Cashing for themselves, or their assigns, (by acceptance of permits for construction near underground utility lines, conduits, or mains) waives all claims for damages to the encroaching installations and agree to pay all costs incurred in their removal (or alteration), if removal (or alteration) becomes necessary; and further

Provided, That Ray's Check Cashing shall file with the Finance Department and/or City Engineering Division — DPW an indemnity in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance by Ray's Check Cashing of the terms thereof. Further, Ray's Check Cashing shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed encroachments; and further

Provided, That no other rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division — DPW; and further

Provided, This encroachment portion of the resolution is revocable at the will, whim or caprice of the City Council, and Ray's Check Cashing acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That the encroachment permits shall not be assigned or transferred without the written approval of the City Council; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution and indemnity agreement with the Wayne County Register of Deeds.

the inclusion of volunteers and citizens to increase a sense of neighborhood ownership. There will be a WSU researcher assigned to the Detroit Department's Community Policing Development Micro Grant Bike Watch Program.

In the event that this grant is accepted, Captain Steven Dolunt, of Central District (1st Precinct), will serve as the project director. The appropriation number for this grant is 13722.

I recommend that the Detroit Police Department accept this grant from the United States Department of Justice's Office of Community Oriented Policing Services.

I request approval from your Honorable Body to accept the grant and adopt the enclosed resolution.

If you have any questions or concerns regarding this matter, please feel free to contact me at 596-1803, Monday through Friday, 9:00 a.m. to 5:00 p.m.

Respectfully submitted,
JAMES E. CRAIG
Chief of Police

Approved:

PAMELA SCALES
Budget Director
JOHN NAGLICK
Finance Director

By Council Member Benson:

RESOLVED, The Detroit Police Department be and is hereby authorized to accept the Fiscal Year 2013 Community Policing Development (CPD) Micro Grant available from the United States Department of Justice's Office of Community Oriented Policing Services in an **amount up to \$49,998.00, with no cash match**, and be it further

RESOLVED, That the Finance Director be and is hereby authorized to establish the necessary cost centers, appropriations, transfer funds, and honor payrolls and vouchers when presented, as necessary, for the operation of the program as outlined in the foregoing communication.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 3), per motions before adjournment.

Detroit Police Department

March 20, 2014

Honorable City Council:

Re: Request Permission to Accept an Increase in the Fiscal Year 2014 "Strategic Traffic Enforcement Program" from the Michigan Office of Highway Safety Planning.

The Michigan Office of Highway Safety Planning (M.O.H.S.P.) has awarded the Detroit Police Department (DPD) for the "FY2014 Strategic Traffic Enforcement

Program." The grant number is PT-14-07. The grant period is from February 26, 2014 through September 30, 2014. As a result of the award, the Detroit Police Department will receive **\$275,000.00, with no cash match**.

The grant is currently in the Fiscal Year 2013/2014 Budget for \$200,000.00 (Appropriation #13521 — Cost Center 372484). Fortunately for the Detroit Police Department, the award was increased by **\$75,000.00**. With this funding, the Detroit Police Department will continue to pay for personnel overtime wages. To meet the goal of M.O.H.S.P. to increase the use of safety belts and proper use of child safety seats, thus substantially improving the likelihood of surviving a traffic crash and/or reducing the severity of injury. Additionally, during enforcement DPD officers will also focus on removing impaired (intoxicated) drivers from behind the steering wheels of cars, thus reducing their ability to hurt themselves or others.

Police Officer Viera L. Brownlee, of Grants and Contracts, will serve as the Project Director for the above grant.

Participation requires the approval of your Honorable Body, via adoption of the attached resolution. The Chief of Police has been notified of the funding and approved participation.

If you have any questions or concerns regarding this matter, please feel free to contact me at 596-1803, Monday through Friday, 9:00 a.m. to 5:00 p.m.

Respectfully submitted,
JAMES E. CRAIG
Chief of Police

Approved:

PAMELA SCALES
Budget Director
JOHN NAGLICK
Finance Director

By Council Member Benson:

RESOLVED, That the Detroit Police Department be and is hereby authorized to accept an increase in the amount of **\$75,000.00**, from \$200,000.00 in the Redbook (Appropriation #12872 / Cost Center 372407 to **\$275,000.00, with no cash match**, from the Michigan Office of Highway Safety Planning (MOHSP), and be it further

RESOLVED, That the Finance Director be and is hereby authorized to establish the necessary cost centers and appropriations, transfer funds, and honor payrolls and vouchers when presented, as necessary, for the operation of the program as outlined in the foregoing communication.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 4), per motions before adjournment.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,

SCOTT BENSON

Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings, Safety Engineering and Environmental Department that certain structures on premises known as 6140 Fifteenth, 1221 Twenty-Fifth, 4688 Thirty-Fifth, 12231 Abington, 18665 Alcoy, 20019 Alcoy, 2211 Algonquin, 9689 American, 229 American Way and 5020 Anatole, as shown in proceedings of April 15, 2014, (J.C.C. page), are in a dangerous condition and should be removed, be and are hereby approved, and be it further

Resolved, That the Buildings, Safety Engineering & Environmental Department be and it is hereby authorized and directed to take the necessary steps as recommended for the removal of dangerous structures at 6140 Fifteenth, 1221 Twenty-Fifth, 4688 Thirty-Fifth, 20019 Alcoy, 2211 Algonquin, 9689 American, 229 American Way and 5020 Anatole, and to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014, (J.C.C. page), and be it further

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings, Safety Engineering & Environmental Department for the reasons indicated:

- 12231 Abington — Withdrawal;
- 18665 Alcoy — Withdrawal.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,

SCOTT BENSON

Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings, Safety Engineering and Environmental Department that certain structures on premises known as 19424 Anglin, 19603 Anglin, 14009 Appoline, 14128 Appoline, 16519 Appoline, 9415 Appoline, 15378 Ardmore, 11710 Asbury Park, 12941 Asbury Park and 8848 Ashton, as shown in proceedings of April 15, 2014, (J.C.C. page), are in a dangerous condition and should be removed, be and are hereby approved, and be it further

Resolved, That the Buildings, Safety Engineering & Environmental Department be and it is hereby authorized and directed to take the necessary steps as recommended for the removal of dangerous structures at 14009 Appoline, 14128 Appoline, 16519 Appoline, 9415 Appoline, 11710 Asbury Park, 12941 Asbury Park and 8848 Ashton, and to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014, (J.C.C. page), and be it further

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings, Safety Engineering & Environmental Department for the reasons indicated:

- 19424 Anglin — Withdrawal,
- 19603 Anglin — Withdrawal,
- 15378 Ardmore — Withdrawal.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,

SCOTT BENSON

Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings, Safety Engineering and Environmental Department that certain structures on premises known as 8626 Auburn, 19919 Avon, 10728 Balfour, 20056 Barlow, 5211 Beaconsfield, 5151 Belvidere, 6002 Belvidere, 16886 Biltmore, 19716 Bloom and 17338 Bradford, as shown in proceedings of April 15, 2014, (J.C.C. page), are in a dangerous condition and

should be removed, be and are hereby approved, and be it further

Resolved, That the Buildings, Safety Engineering & Environmental Department be and it is hereby authorized and directed to take the necessary steps as recommended for the removal of dangerous structures at 8626 Auburn, 19919 Avon, 20056 Barlow, 5211 Beaconsfield, 5151 Belvidere, 6002 Belvidere, 16886 Biltmore, and 17338 Bradford, and to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014, (J.C.C. page), and be it further

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings, Safety Engineering & Environmental Department for the reasons indicated:

- 10728 Balfour — Withdrawal,
- 19716 Bloom — Withdrawal.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,

SCOTT BENSON

Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings, Safety Engineering and Environmental Department that certain structures on premises known as 7555 E. Brentwood, 20222 Caldwell, 1466 Canton, 291 Chandler, 11340 Cheyenne, 15721 Cheyenne, 9112 Cheyenne, 1939 Clements, 2063 Cody and 5905 Colfax, as shown in proceedings of April 15, 2014, (J.C.C. page), are in a dangerous condition and should be removed, be and are hereby approved, and be it further

Resolved, That the Buildings, Safety Engineering & Environmental Department be and it is hereby authorized and directed to take the necessary steps as recommended for the removal of dangerous structures at 7555 E. Brentwood, 20222 Caldwell, 1466 Canton, 291 Chandler, 11340 Cheyenne, 15721 Cheyenne, 9112 Cheyenne, 1939 Clements, 2063 Cody and 5905 Colfax, and to assess the costs of same against the properties more par-

ticularly described in the above mentioned proceedings of April 15, 2014, (J.C.C. page).

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,

SCOTT BENSON

Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings and Safety Engineering Department that certain structures on premises known as 13053 Corbett, 20400 Coventry, 8589 Coyle, 3400-02 Crane, 15466 Cruse, 16593 Cruse, 19231 Danbury, 19381 Danbury, 20157 Danbury, 14150 Dolphin, as shown in proceedings of April 15, 2014 (J.C.C. _____), are in a dangerous condition and should be removed, be and are hereby approved, and be it further

Resolved, That the Buildings and Safety Engineering Department be and it is hereby authorized and directed to take the necessary steps for the removal of dangerous structures at 13053 Corbett, 3400-02 Crane, 15466 Cruse, 19231 Danbury, 20157 Danbury, 14150 Dolphin, and to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014 (J.C.C. _____), and be it further

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings and Safety Engineering Department for the reasons indicated:

- 20400 Coventry, 8589 Coyle, 16593 Cruse, and 19381 Danbury — Withdraw.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or

owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,
SCOTT BENSON
Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings and Safety Engineering Department that certain structures on premises known as 16716 Dolphin, 13768 Dwyer, 15770 Evergreen, 18296 Evergreen, 4668 Fairview, 19359 Ferguson, 18220 Fielding, 4432 W. Fisher, 13145 Flanders, 4924 Florida, as shown in proceedings of April 15, 2014 (J.C.C. _____), are in a dangerous condition and should be removed, be and hereby approved, and be it further

Resolved, That the Buildings and Safety Engineering Department be and it is hereby authorized and directed to take the necessary steps for the removal of dangerous structures at 16716 Dolphin, 13768 Dwyer, 15770 Evergreen, 18296 Evergreen, 4668 Fairview, 19359 Ferguson, 18220 Fielding, 13145 Flanders, 4924 Florida, and to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014 (J.C.C. _____), and be it further

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings and Safety Engineering Department for the reasons indicated:

4432 W. Fisher — Withdraw.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,
SCOTT BENSON
Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings, Safety Engineering and Environmental Department that certain structures on premises known as 9633 Forrer, 15724 Freeland, 2675 Fullerton, 4046 Garland, 5531

Gateshead, 3255 Goldner, 4323 Grand, 9554 Grandmont, 15830 Grayfield and 3948 Grayton, as shown in proceedings of April 15, 2014, (J.C.C. page _____), are in a dangerous condition and should be removed, be and are hereby approved, and be it further

Resolved, That the Buildings, Safety Engineering & Environmental Department be and it is hereby authorized and directed to take the necessary steps for the removal of dangerous structures at 9633 Forrer, 2675 Fullerton, 4046 Garland, 3255 Goldner, 4323 Grand and 15830 Grayfield, and to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014, (J.C.C. page _____), and be it further

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings, Safety Engineering & Environmental Department for the reasons indicated:

15724 Freeland, 5531 Gateshead, 9554 Grandmont and 3948 Grayton — Withdraw.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,
SCOTT BENSON

Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings, Safety Engineering and Environmental Department that certain structures on premises known as 19164 Greeley, 1915 Green, 16252 Greenlawn, 7588 E. Grixdale, 508 Hague, 19228 Havana, 821 Hazelwood, 6359 Hereford, 13996 Indiana and 12734 Jane, as shown in proceedings of April 15, 2014, (J.C.C. page _____), are in a dangerous condition and should be removed, be and are hereby approved, and be it further

Resolved, That the Buildings, Safety Engineering & Environmental Department be and it is hereby authorized and directed to take the necessary steps for the removal of dangerous structures at 1915 Green, 7588 E. Grixdale, 508 Hague, 19228 Havana, 821 Hazelwood, 6359 Hereford, 13996 Indiana and 12734 Jane,

and to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014, (J.C.C. page _____), and be it further

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings, Safety Engineering & Environmental Department for the reasons indicated:

19164 Greeley and 16252 Greenlawn — Withdraw.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,

SCOTT BENSON

Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings and Safety Engineering Department that certain structures on premises known as 3014 Kendall, 13607 Kentucky, 13233 La Salle Blvd., 14524 Lauder, 4212 Lawndale, 16561 Littlefield, 9131 Mandale, 15865 Manning, 3077 Marlborough, and 462 Marlborough, as shown in proceedings of April 15, 2014 (J.C.C. pg. _____), are in a dangerous condition and should be removed, be and hereby approved, and be it further

Resolved, That the Buildings and Safety Engineering Department be and it is hereby authorized and directed to take the necessary steps for the removal of dangerous structures at 3014 Kendall, 13607 Kentucky, 13233 La Salle Blvd., 14524 Lauder, 4212 Lawndale, 15865 Manning, 3077 Marlborough, and 462 Marlborough, to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014; and be it further

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings and Safety Engineering Department for the following reasons indicated:

16561 Littlefield — Withdraw;

9131 Mandale — Withdraw.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,

SCOTT BENSON

Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings and Safety Engineering Department that certain structures on premises known as 908 Marston, 5014 Maxwell, 22625 W. McNichols, 18025 Mendota, 12047 Mettetal, 13549 Meyers, 11275 Minden, 2385 Monterey, 3200 Montgomery, and 15898 Muirland, in proceedings of April 15, 2014 (J.C.C. pg. _____), are in a dangerous condition and should be removed, be and hereby approved, and be it further

Resolved, That the Buildings and Safety Engineering Department be and it is hereby authorized and directed to take the necessary steps for the removal of dangerous structures at 908 Marston, 5014 Maxwell, 22625 W. McNichols, 12047 Mettetal, 11275 Minden, 2385 Monterey, 3200 Montgomery, and 15898 Muirland, and to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014, and be it further

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings and Safety Engineering Department for the following reasons indicated:

18025 Mendota — Withdraw;

13549 Meyers — Withdraw.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause

why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,

SCOTT BENSON

Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings, Safety Engineering and Environmental Department that certain structures on premises known as 17208 Munich, 18003 Murray Hill, 218 W. Nevada, 208 Newport, 15855 Northlawn, 15668 Novara, 522 Pacific, 15510 Park Grove, 1544 Pasadena and 17609 Patton, as shown in proceedings of April 15, 2014, (J.C.C. page _____), are in a dangerous condition and should be removed, be and are hereby approved, and be it further

Resolved, That the Buildings, Safety Engineering & Environmental Department be and it is hereby authorized and directed to take the necessary steps for the removal of dangerous structures at 17208 Munich, 218 W. Nevada, 208 Newport, 15855 Northlawn, 15668 Novara, 522 Pacific, 15510 Park Grove, 1544 Pasadena and 17609 Patton, and to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014, (J.C.C. page _____), and be it further

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings, Safety Engineering & Environmental Department for the reasons indicated:

18003 Murray Hill — Withdraw.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,

SCOTT BENSON

Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings, Safety Engineering and Environmental Department that certain structures on premises

known as 18130 Patton, 19802 Patton, 20569 Pelkey, 8885 Prairie, 19604 Reno, 4273 Richton, 19127 Riopelle, 7545 E. Robinwood, 5178 Rohns and 5180 Rohns, as shown in proceedings of April 15, 2014, (J.C.C. page _____), are in a dangerous condition and should be removed, be and are hereby approved, and be it further

Resolved, That the Buildings, Safety Engineering & Environmental Department be and it is hereby authorized and directed to take the necessary steps for the removal of dangerous structures at 18130 Patton, 20569 Pelkey, 8885 Prairie, 19604 Reno, 4273 Richton, 19127 Riopelle, 7545 E. Robinwood, 5178 Rohns and 5180 Rohns, and to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014, (J.C.C. page _____), and be it further

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings, Safety Engineering & Environmental Department for the reasons indicated:

19802 Patton — Withdraw.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,

SCOTT BENSON

Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings and Safety Engineering Department that certain structures on premises known as 20444 Rosemont, 14444 Rossini, 10214 Roxbury, 11362 Roxbury, 19727 Rutherford, 7728 Rutherford, 9300 Rutherford, 4448 Seminole, 5921 Seneca and 5461 Sheridan, as shown in proceedings of April 15, 2014 (J.C.C. _____), are in a dangerous condition and should be removed, be and hereby approved, and be it further

Resolved, That the Buildings and Safety Engineering Department be and it is hereby authorized and directed to take the necessary steps for the removal of dangerous structures at 20444

Rosemont, 14444 Rossini, 10214 Roxbury, 11362 Roxbury, 19727 Rutherford, 7728 Rutherford, 9300 Rutherford, 4448 Seminole, 5921 Seneca and 5461 Sheridan, and to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014 (J.C.C. _____).

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.
Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,
SCOTT BENSON
Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings and Safety Engineering Department that certain structures on premises known as 7627 Sherwood — AKA 7629 Sherwood, 11682 St. Louis, 12108 Stoepel, 14029 Stoepel, 12256 Stout, 14845 Sussex, 14416 Tacoma and 4900 Tarnow, as shown in proceedings of April 15, 2014 (J.C.C. _____), are in a dangerous condition and should be removed, be and hereby approved, and be it further

Resolved, That the Buildings and Safety Engineering Department be and it is hereby authorized and directed to take the necessary steps for the removal of dangerous structures at 7627 Sherwood — AKA 7629 Sherwood, 11682 St. Louis, 12108 Stoepel, 14029 Stoepel, 12256 Stout, 14845 Sussex and 14416 Tacoma, and to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014 (J.C.C. _____), and be it further

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings and Safety Engineering Department for reasons indicated:

4900 Tarnow — Withdraw.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,
SCOTT BENSON
Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings, Safety Engineering and Environmental Department that certain structures on premises known as 5902 Tarnow, 2295-2297 Taylor, 2297 Taylor, 21427 Thatcher, 14918 Troester, 15486 Turner, 6760 Vaughan, 2255 Virginia Park, 2901 W. Warren and 6752 Warwick, as shown in proceedings of April 15, 2014, (J.C.C. page _____), are in a dangerous condition and should be removed, be and are hereby approved, and be it further

Resolved, That the Buildings, Safety Engineering & Environmental Department be and it is hereby authorized and directed to take the necessary steps for the removal of dangerous structures at 5902 Tarnow, 21427 Thatcher, 14918 Troester, 15486 Turner, 6760 Vaughan, 2255 Virginia Park, 2901 W. Warren and 6752 Warwick, and to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014, (J.C.C. page _____), and be it further

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings, Safety Engineering & Environmental Department for the reasons indicated:

2295-2297 Taylor, 2297 Taylor — Withdraw.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your Committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,
SCOTT BENSON
Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings, Safety Engineering and Environmental Department that certain structures on premises known as 5710 Wayburn, 2326 Webb, 15883 West Parkway, 241 Westminster, 13505 Westwood, 7327 Wetherby, 9340 Weyher, 7764 Wheeler St., 6195 Woodhall, 18234 Woodingham, 2914-16 Woodmere, 6560 Woodrow, 7496-98 Wykes, 7498 Wykes and 13938 Young, as shown in proceedings of April 15, 2014, (J.C.C. page), are in a dangerous condition and should be removed, be and are hereby approved, and be it further

Resolved, That the Buildings, Safety Engineering & Environmental Department be and it is hereby authorized and directed to take the necessary steps as recommended for the removal of dangerous structures at 5710 Wayburn, 15883 West Parkway, 241 Westminster, 7327 Wetherby, 9340 Weyher, 7764 Wheeler St., 6195 Woodhall, 18234 Woodingham, 2914-16 Woodmere, 6560 Woodrow, 7496-98 Wykes, 7498 Wykes and 13938 Young, and to assess the costs of same against the properties more particularly described in the above mentioned proceedings of April 15, 2014, (J.C.C. page), and be it further

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings, Safety Engineering & Environmental Department for the reasons indicated:

- 2326 Webb — Withdraw,
- 13505 Westwood — Withdraw.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

To your Committee of the Whole were again referred dangerous structures at various locations. After rehearings and further consideration of same, your Committee recommends action as set forth in the following resolution.

Respectfully submitted,
SCOTT BENSON
Chairperson

By Council Member Benson:

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings, Safety Engineering and Environmental Department for the reasons indicated:

- 18921 Archdale — Withdraw;
- 8092 Bliss — Withdraw;
- 18404 Burgess — Withdraw.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

Dangerous Structures

Honorable City Council:

To your Committee of the Whole were again referred dangerous structures at various locations. After rehearings and further consideration of same, your Committee recommends action as set forth in the following resolution.

Respectfully submitted,
SCOTT BENSON
Chairperson

By Council Member Benson:

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings, Safety Engineering and Environmental Department for the reasons indicated:

- 9019 Woodrow Wilson — Withdraw.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

NEW BUSINESS

**Finance Department
Purchasing Division**

May 1, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2890108 — 91% State and 9% City Funding — Peterson Playfield — To Provide Renovations and Repair to the Comfort Station, Amenity Repairs and Spray Parks, as well as Graffiti Removal, Site Restoration and Mobilization — Contractor: Keo & Associates — Location: 18286 Wyoming, Detroit, MI 48221 — Contract Period: May 1, 2014 through July 30, 2014 — Contract Amount: \$43,818.00. **Recreation.**

Respectfully submitted,
BOYSIE JACKSON
Purchasing Director
Finance Dept./Purchasing Div.

By Council Member Sheffield:

Resolved, That Contract No. **2890108** referred to in the foregoing communication dated May 1, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

RESOLUTION

By COUNCIL MEMBERS CASTANEDA-LOPEZ:

RESOLVED, That the City Council hereby appoints the following person to the Board of Review [Property Tax] representing City Council District #6 for the remainder of a one year term effective immediately.

Adriana Alvarez, 1115 Military Street, Detroit, MI 48209.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 5) per motions before adjournment.

RESOLUTION

By COUNCIL MEMBER SHEFFIELD:

RESOLVED, That the Detroit City Council supports the renewal of the operational millage to fund the Detroit Public Library and approves the proposed ballot language submitted by the Detroit Library Commission for forwarding to the Detroit Election Commission for placement on the August 5, 2014 primary ballot.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 6) per motions before adjournment.

MEMBER REPORTS:

Council Member Gabe Leland: Informed the members of the community to be aware this coming Thursday, May 8th, the Detroit Future City will be hosting a forum to discuss its report, Don Bosco Hall, 6-8 (located near West Chicago.

Planning a community safety forum at Gardenview Estates on June 5th, 5:30 p.m. - 7:00 p.m. There will be a presentation by a detective from the Detroit Police Department to inform residents about community safety.

Council Member Raquel Castaneda-Lopez: Read a statement regarding the Cinco de Mayo parade incident.

This Saturday, May 10th, the 2nd District Coalition Meeting, 10-12 pm, Ser Metro.

This Saturday, Michigan Humane Society is hosting their 24th Annual Protective Pet Clinic at Clark Park from 9 am to 11 am.

Council Member Mary Sheffield: Announced that she will be hosting an info. session at Tech Town on Thursday at 6:00 p.m., along with any ideas.

Thanked Crains for selecting her for their 2014 class.

Council Member Scott Benson:

Announced that May 20th is the City Council Evening Community Meeting located on Greater Concord, 4500 East Davison, about 5 blocks east of Ryan.

Had an opportunity to walk in the Cinco de Mayo parade this past Sunday, had an excellent time and look forward to next year.

Council Member Andre Spivey: He and the Mayor were at the groundbreaking for Precinct 5 in District 4. It will be completed at the end of this calendar year.

Announced a brand new business in District 4, Detroit Dog Rescue, on Harper east of Chalmers.

Announced the Motor City Makeover for this coming this Saturday.

District 4 meeting, Wednesday, May 21st at St. Maron Church.

Building Detroit.com. The first home was sold on yesterday.

Council Member Saunteel Jenkins: Offered congratulations to Member Sheffield.

Reminded residents of their trash pick up, which will now be picked up by Rizzo.

Meet Up and Eat Up for children.

Spoke on the issue of the girls that were kidnapped for trying to be educated.

Council President Brenda Jones: Spoke on the issue of the Plan of Adjustment. Another version was filed on yesterday. Looking forward to Jones Day having a closed session with Council to talk about the new version of the plan of adjustment.

Belle Isle situation.

COMMUNICATIONS FROM THE CLERK Mayor's Office

April 21, 2014

To: Kevyn Orr, Emergency Manager
Re: Request to establish revolving account Appropriation 12940 Spring Cleaning Initiative.

Pursuant to your authority under Emergency Order #12, Section 12(1)(b) of Michigan Public Act 436 of 2012 and due to immediate administrative requirements and financial needs, the Mayor's Office requests that you amend the City's Budget, to establish a revolving account for expenditures and revenues for the sole purpose of administering the Annual Motor City Makeover.

Funds are obtained from private donations for the sole purpose of supporting this activity. Each year, the appropriation will be set up for expenditures and matching, donated revenues. For FY2014, the anticipated amount is \$8000.00.

Confirmation of your intent and approval of this reallocation are hereby requested.

Respectively requested,
MELISSA SMILEY
Mayor's Office

Reviewed and approved by
JOHN HILL
Chief Financial Officer

Approved:
PAMELA SCALES
Budget Director
JOHN NAGLICK
Finance Director

By the Emergency Manager:
Resolved, Pursuant to Emergency Order #12, Section 12(1)(b) of Michigan Public Act 436 of 2012 and due to immediate administrative requirements and financial needs, that the City of Detroit of Detroit Budget is hereby amended as follows:

For the purpose of administering the Annual Motor City Makeover, establish a revolving account, Appropriation 12940 Spring Cleaning Initiative, for matching expenditures and revenues, by the way of private donations.

And Be It Further Resolved, That the Finance Director be and is hereby authorized to increase the necessary accounts and honor vouchers in accordance with the forgoing communication and regulations of the City of Detroit.

KEVYN ORR
Emergency Manager
City of Detroit
Date: April 28, 2014.
Receive and place on file.

Memorandum

April 28, 2014

To: Honorable City Council
Re: Professional Services Contracts submitted for approval on April 16, 2014.

I am authorizing approval of the following:

LABOR RELATIONS — Professional Service Contract

2880662 — 100% City Funding — Project Description: 1) Flexible Spending Plan — To Implement and Administer Medical, Dependent Care and Commuter Flexible Spending Account Services for the City of Detroit employees. 2) Stipend Checks — Administration for Retirees who are not eligible for Medicare per the Settlement Agreement with the Official Committee of Retirees and the Emergency Manager, Kevyn Orr. 3) Health Reimbursement — To provide a Monthly Contribution Credit to Medicare Eligible Retirees who Opted out of Coverage under the City's Sponsored Medicare Advantage Plan — Contractor: Flex-Plan Services, Location: 11400 SE 6th St., Suite 125, Bellevue, WA 98004 — Contract period: Upon Date of Approval and Shall Terminate Three (3) Years from that Date — Contract amount: \$707,500.00.

MAYOR'S OFFICE — Professional Service Contract

2891176 — 100% City Funding — Human Resources Director Search — To Manage a Search and to Identify and Hire a new, City of Detroit Director, for its Human Resources Department — Contractor: The Real Advice Plus, Location: 108 Fifth Avenue, #208, New York, NY 10011 — Contract period: April 1, 2014 through August 1, 2014 or until the Project is Completed and a Candidate has been Hired — Contract amount: \$35,000.00.

RECREATION — Professional Service Contract

2891172 — 100% City Funding — To provide Improvements and Repairs at Hart Plaza for Special Event Season 2014 — Contractor: W-3 Construction Company, Location: 7601 Second Avenue, Detroit, MI 48202 — Contract period: Upon City Council or Emergency Manager's approval through June 30, 2015 — Contract amount: \$187,000.00.

Respectfully submitted,
KEVYN D. ORR
Emergency Manager
City of Detroit

Memorandum

April 28, 2014

To: Honorable City Council
Re: Services Contracts submitted for approval on April 24, 2014.

I am authorizing approval of the following:

LAW — Professional Service Contract

2890808 — 100% City Funding — To provide a Litigation Support Services and Testimony Regarding City of Detroit, Chapter 9 Bankruptcy Filing — Contractor: LDiscovery LLC d/b/a AlphaLit, Location: 458 Pike Road, Huntington Valley, PA 19006 — Contract period: Upon City Council approval and Emergency Manager approval the term of this Contract shall terminate three (3) years after the Effective Date of the Contract — Contract amount: \$231,850.00.

RECREATION — Professional Service Contract

2889811 — Revenue Contract Funding — To provide Construction, Operation and Maintenance Services of Hart Plaza Marquee Signage (Rental Lease of Ad Space) — Contractor: Nonrahs Led, Inc., Location: 24225 W. Nine Mile Road, Suite 115, Southfield, MI 48033 — Contract period: Ten Years, March 1, 2014 through February 28, 2024 and may be Extended One (1) Ten Year Term — Contract amount: \$0.00.

CITY CLERK — Personal Service Contract

86723 — 100% City Funding — Recodification Consultant — To Complete Recodification Work of the 1984 Detroit

City Code by Reviewing and Editing the Draft and attend Meetings with the Codification Coordination Committee and City Council Hearings — Contractor: Dennis Mazurek, Location: 6717 Longacre #1, Detroit, MI 48228-3807 — Contract period: January 1, 2014 through June 30, 2014 — \$50.00 per hour — Contract amount: \$42,250.00.

CITY COUNCIL — Personal Service Contracts

86640 — 100% City Funding — Legislative Assistant to Council Member James Tate, Jr. — Contractor: Angela Boyd, Location: 18055 Washburn, Detroit, MI 48221 — Contract period: January 1, 2014 through June 30, 2014 — \$25.00 per hour — Increase amount: \$9,656.66 — Contract amount: \$35,972.00.

86642 — 100% City Funding — Legislative Assistant to Council Member James Tate, Jr. — Contractor: Reginald Alexander, Location: 11435 Somerset, Detroit, MI 48224 — Contract period: January 1, 2014 through June 30, 2014 — \$25.50 per hour — Increase amount: \$9,940.00 — Contract amount: \$36,256.00.

Respectfully submitted,
 KEVYN D. ORR
 Emergency Manager
 City of Detroit

Memorandum

April 28, 2014

To: Janice Winfrey, City Clerk
 Re: Contracts submitted for Approval on March 19, 2014.

I am authorizing approval of the following:

CITY COUNCIL — Personal Service Contracts

86667 — 100% City Funding — Policy Analyst to Council Member Scott Benson — Contractor: Andrew Solkoly, Location: 1655 Clark, Detroit, MI 48209 — Contract period: January 1, 2014 through June 30, 2014 — \$21.00 per hour — Increase amount: \$1,512.00 — Contract amount: \$21,672.00.

86679 — 100% City Funding — Legislative Assistant to Council Member George Cushingberry, Jr. — Contractor: Cleo Teresa Wiley, Location: 15766 Glastonbury, Detroit, MI 48223 — Contract period: January 1, 2014 through June 30, 2014 — \$14.00 per hour — Increase amount: \$2,296.00 — Contract amount: \$9,576.00.

86681 — 100% City Funding — Office Consultant to Council Member Scott Benson — Contractor: Cheryl Thompson-Marsh, Location: 14841 Glastonbury, Detroit, MI 48223 — Contract period: January 1, 2014 through June 30, 2014 — \$20.00 per hour — Increase amount: \$1,440.00 — Contract amount: \$20,640.00.

86682 — 100% City Funding — Office Manager to Council Member Scott

Benson — Contractor: Kelly Ward, Location: 16307 Rossini Drive, Detroit, MI 48205 — Contract period: January 1, 2014 through June 30, 2014 — \$12.00 per hour — Increase amount: \$864.00 — Contract amount: \$12,384.00.

86693 — 100% City Funding — Legislative Assistant to Council Member George Cushingberry, Jr. — Contractor: Natousha Hall, Location: 7050 E. Nevada St., Detroit, MI 48234 — Contract period: January 1, 2014 through June 30, 2014 — \$14.00 per hour — Increase amount: \$2,744.00 — Contract amount: \$10,024.00.

86724 — 100% City Funding — Legislative Assistant to Council Member Scott Benson — Contractor: Tiyansa Pratt, Location: 260 Melbourne, Detroit, MI 48202 — Contract period: January 30, 2014 through June 30, 2014 — \$10.00 per hour — Increase amount: \$2,190.00 — Contract amount: \$8,640.00.

86734 — 100% City Funding — Legislative Assistant to Council Member Raquel Castaneda-Lopez — Contractor: Georgina Garcia Pfeuffer, Location: 2531 Washington Avenue, Royal Oak, MI 48073 — Contract period: April 24, 2014 through June 30, 2014 — \$30.00 per hour — Contract amount: \$6,720.00.

86738 — 100% City Funding — Legislative Assistant to Council Member Mary Sheffield — Contractor: DeAndre J. Calvert, Location: 5229 Commonwealth, Detroit, MI 48208 — Contract period: March 24, 2014 through June 30, 2014 — \$22.00 per hour — Contract amount: \$12,496.00.

88678 — 100% City Funding — Policy/Community Analyst to Council Member Scott Benson — Contractor: Adam Mundy, Location: 19751 Goddard, Detroit, MI 48234 — Contract period: January 1, 2014 through June 30, 2014 — \$26.50 per hour — Increase amount: \$1,908.00 — Contract amount: \$27,348.00.

LAW — Personal Service Contracts

83839 — 100% City Funding — Project Manager — To Assist the Law Department in the Assessment, Integration, Installation, Data Conversion, Selection and Procurement of Hardware and Software — Contractor: Kevin L. McFadden, Location: 1503 Midland Blvd., Royal Oak, MI 48073 — Contract period: April 1, 2014 through June 30, 2014 — \$35.00 per hour — Contract amount: \$20,000.00.

Respectfully submitted,
 KEVYN D. ORR
 Emergency Manager
 City of Detroit

FROM THE CLERK

May 6, 2014

This is to report for the record, that my office is in receipt of the following:

*The Marilyn Kenzie Revocable Trust

(Petitioner) vs. City of Detroit (Respondent); MTT Docket No. 14-000773.

*Demetra Dubose (Plaintiff) vs. City of Detroit (Defendant); Case No. 14-005267-NF.

*Charles Robinson (Plaintiff) vs. City of Detroit (Defendant); Case No. 14-005266-NF.

Also, That my office was served with the following papers issued out of Wayne Circuit Court and United States District Court, and same were referred to the Law Department.

*Place on file.

**TESTIMONIAL RESOLUTION
FOR
BELA HUBBARD
200th Birthday Celebration
April 23, 2014**

By COUNCIL MEMBER CASTAÑEDA-LOPEZ:

WHEREAS, Bela Hubbard was a 19th-century naturalist, geologist, writer, historian, surveyor, explorer, real estate dealer, lumberman and civic leader of early Detroit, Michigan. He was born April 23, 1814 in Hamilton, New York. In 1835, Bela moved to Detroit, Michigan to help manage his family's farm and land agency; and

WHEREAS, Hubbard was quick-deeded ownership of the two-hundred and fifty acre Knaggs farm at Springwells on the river south of Detroit. Bela used his farm not solely as a means of production but to apply scientific principles toward the advancement of agriculture; and

WHEREAS, Hubbard, as a geologist and surveyor, surveyed Lake Huron and Michigan shores of the Lower Peninsula; Wayne and Monroe Counties; and, Lake Superior coast and the copper region of Keweenaw Point. Bela then turned his attention to real estate and lumber; and

WHEREAS, In 1853, Hubbard contracted famed New York architect Alexander Jackson Davis to design several homes. This resulted in the Vinewood estate, in which three Italianate homes were built on a rise one fourth of a mile above the Detroit River. These were the Baughman-Scotten House, first occupied by Hubbard's in laws and later sold to Daniel Scotten, the Reeve House belonging to lumberman Christopher Reeve, and Vinewood, Hubbard' estate. Vinewood was deeded to Grace Hospital in 1913 and demolished in 1933; and

WHEREAS, Hubbard was made Trustee of the Agricultural Society and was instrumental in the formation of a State Agricultural College and Model Farm which was adopted in 1855 and is now Michigan State University. Bela served as a trustee of the Detroit Museum of Art, a precursor to the Detroit Institute of Art. He donated a significant amount of

land to the City of Detroit to serve as the Western Boulevard of Detroit that is now West Grand Boulevard. He was a strong proponent of the acquisition of Belle Isle by the City of Detroit as a public park. He authored many scientific, literary, and historical papers, and in 1888, published a volume entitled "Memorials of a Half Century in Michigan and the Lake Regions". Bela Hubbard died in 1896, and is buried in Elmwood Cemetery, Detroit, Michigan. NOW THEREFORE BE IT

RESOLVED, That the Detroit City Council joins the Hubbard Farms Community as they celebrate the 200th Anniversary of the birth of Bela Hubbard during A Talk and Cake, April 23, 2014, 7 P.M. at Fiesta Center Hall, 4114 W. Vernor Hwy., Detroit, Michigan 48209.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**RESOLUTION
IN MEMORIAM
RICKY LAWSON**

By COUNCIL PRESIDENT JONES:

WHEREAS, It is with great pleasure and privilege that we, the members of the Detroit City Council, recognize and bestow homage upon the late great "Master Drummer" Ricky Lawson, a highly respected and revered musician; and

WHEREAS, Ricky Lawson, a native Detroit, Michigan, gained recognition as one of the most prolific drummers on planet earth, and he was affectionately known as the "Drummer To The Stars." He learned to play drums at the age of 16 and played in his high school jazz band, which consisted of only 5 members, including the director. Ricky's talents extended far beyond his gifted musical abilities as he proved to be an above average academic prodigy. He excelled as an athlete in water polo and on the swimming team which earned him a scholarship to Saint Rose College after graduating from Cooley High School. His love of all music made him eclectic, and though he could croon a bit, his chosen instruments were percussion and the drums. Early on, he developed expertise in jazz, country and western, pop, R&B, funk and Latin rhythms — a versatility that allowed him to play with artists from diverse backgrounds and genres. He earned his jobs and professional reputation by always being well prepared for his gigs. After moving to Los Angeles his natural talent skyrocketed him into a major career as he became one of the music industry's most sought-after studio and tour musicians in the 1980s; and

WHEREAS, Through a storied career that expanded decades, Ricky Lawson was nominated for four Grammy's and

rose to a level of great fame, becoming one of the most well-known and respected percussionists in the world. Some of the biggest Number 1 and multi-platinum singles and albums have featured his impressive talents. He collaborated with many of the best in the music business, including Michael Jackson, Whitney Houston, Steely Dan, Stevie Wonder, Phil Collins, Al Jarreau, George Benson, Anita Baker, Bette Midler, Lionel Ritchie, Quincy Jones, Roy Ayers, George Duke and countless others. He was also a founding member of the jazz-fusion group, The Yellowjackets, and won a Grammy Award in 1986 for co-writing their hit song "And You Know That." With a following of fans that spanned across the globe, his recognition as a musical genius would take him to places far and wide including playing at the White House for President Barack Obama and First Lady Michelle Obama during the 2011 "Motown Sound" concert performance; and

WHEREAS, In 2001, he released his first solo album titled "*Ricky Lawson and Friends*," on which he performed, arranged, produced, and wrote all of the songs in collaboration with a little help from some of his superstar artist friends. In 2008, he put together a classic Christmas CD, "*Christmas with Friends*" featuring special guests. Ricky Lawson was more than a drummer, he was a husband, father, brother and son, a well-spoken man of integrity and peace, and above all, a true professional. He was a warm, caring and kind individual that was truly passionate about music and the education of the next generation of young musicians. NOW THEREFORE BE IT

RESOLVED, That the Detroit City Council and Office of Council President Brenda Jones, hereby joins with family and friends in honoring the legacy of Ricky Lawson and his outstanding musical achievements.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**RESOLUTION
IN MEMORIAM**

ROBERT WILLIAM COSGROVE

By COUNCIL MEMBER SHEFFIELD:

WHEREAS, Robert William Cosgrove was a devoted husband, father, veteran, historian and train enthusiast, who passed from this life February 23, 2014; and

WHEREAS, Bob was married for 39 years to Virginia "Ginni" Schlatter; they proudly raised three children who survive them: Michael Douglas Cosgrove, Bradley Cosgrove and Tracy Cosgrove. They leave behind four grandchildren; and

WHEREAS, Bob proudly served our nation's military achieving the rank of Captain, Field Artillery, U.S. Army Reserves, and rose through the ranks of active duty serving first at Fort Sill Artillery and Missile School, 6th Armored Cavalry Regiment at Fort Knox. Previously, Bob was attached to the 82nd Airborne Division, Fort Bragg, NC. Bob also served as a staff officer at Historic Fort Wayne here in Detroit; and

WHEREAS, Bob was a prolific freelance writer penning articles for publications including the Algonquian Club of Detroit and Windsor's "The Algonquian", and one of his favorites, "Smoke Signals," for the historic Indian Village Association; and

WHEREAS, Over almost 40 years as a resident of the Historic Indian Village, Bob belonged to several local organizations, including: the Indian Village Association, the Bluewater Michigan Chapter, Detroit Historical Society. At the Detroit Historical Society, Bob served as Adjunct Curator of the Glancy Trains Collection for 27 years; and

WHEREAS, Bob truly loved Detroit. In 2001, he served on the Detroit 300 sub-committee, documenting and promoting Detroit's history as part of its 300th Birthday festivities. In 2002, Bob was appointed by the Detroit City Council to the Detroit Historic Designation Advisory Board; and

WHEREAS, Bob's legacy of service and civic involvement will live on through his family, and the mark he left on the city he loved so much. NOW THEREFORE BE IT

RESOLVED, That the Office of Council Member Mary Sheffield and the Detroit City Council, hereby celebrate the rich life and legacy of Mr. Robert William Cosgrove, a pillar of the City of Detroit. We pause today to honor his memory.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

And the Council then adjourned.

BRENDA JONES
President

JANICE M. WINFREY,
City Clerk

(All resolutions and/or ordinances except Resolutions of Testimonial or In Memoriam, are generally in the name of the Council Member who was chairperson of the day of the City Council Meeting on which the resolution was introduced.)

CITY COUNCIL

(REGULAR SESSION)

(All action of the City Council appearing herein is subject to reconsideration and/or approval of the Mayor.)

Detroit, Tuesday, May 13, 2014

Pursuant to adjournment, the City Council met at 10:00 A.M., and was called to order by the President Brenda Jones.

Present — Council Members Benson, Castaneda-Lopez, Cushingberry, Jenkins, Leland, Spivey, and President Jones — 7.

Invocation Given By:
Rev. Mark Thompson, Pastor
Liberty Temple Church of Christ

Council Members Tate and Sheffield entered and took their seats.

There being a quorum present, the City Council was declared to be in session.

The Journal of the Session of Tuesday, April 29, 2014 was approved.

RESOLUTIONS

By ALL COUNCIL MEMBERS:

THE FOLLOWING ITEMS ARE BEING REFERRED TO THE BUDGET, FINANCE AND AUDIT STANDING COMMITTEE:

FINANCE DEPARTMENT / PURCHASING DIVISION

Submitting the following Finance Department/Purchasing Division Contracts:

1. Submitting reso. autho. **Contract No. 2761395** — 100% Other Funding — To Provide Auditing Services for Preparation of City's Comprehensive Annual Financial Report (CAFR) — Contractor: KPMG, LLP — Location: 150 West Jefferson Ave., Suite 1200, Detroit, MI 48226 — Contract Period: April 10, 2008 through June 30, 2015 — Increase Amount: \$1,974,403.00 — Contract Amount: \$22,186,223.00. **Auditor General.**

(This is Amendment #6 to request additional funds to the existing contract — Original Contract: \$20,211,820.00.)

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

RESOLUTIONS

By ALL COUNCIL MEMBERS:

THE FOLLOWING ITEM(S) ARE BEING REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE:

FINANCE DEPARTMENT/PURCHASING DIVISION

Submitting the following Finance Department/Purchasing Division Contracts:

1. Submitting reso. autho. **Contract No. 2867622** — 50% City Funding, 50% Federal Funding — To Provide Historic Property Reviews and Site Improvements to the Detroit Historic District Commission — Contractor: The Mannik & Smith Group, Inc. — Location: 65 Cadillac Square, Suite 3311, Detroit, MI 48226 — Contract Period: July 1, 2012 through December 31, 2015 — Increase Amount: \$218,526.00 — Contract Amount: \$437,052.00. **Planning and Development.**

(This Amendment #1 to request additional funds to the existing contract — Original Contract: \$218,526.00).

DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY

2. Submitting report relative to Comprehensive Logistics Brownfield Redevelopment Plan. (Ford Motor Company is the project developer. The Plan entails the completion of the construction of an approximately 365,040 square foot distribution/warehouse and office building with service utilities in the central portion of the property. Total investment is estimated to be \$19,100,000.00.)

CITY PLANNING COMMISSION

3. Submitting report relative to Removal of Sec. 3-4-1 of the Detroit City Code to remove the prohibition of projecting signs over Woodward Avenue and amendments to the SDI (Special Development District - Residential/ Commercial) and SD2 (Special Development District, Commercial/Residential zoning districts. (RECOMMEND APPROVAL) (On November 21, 2014 meeting, the City Planning Commission took actions to recommend approval of the proposed text changes with stipulations.) (FOR INTRODUCTION OF AN ORDINANCE AND THE SETTING OF A PUBLIC HEARING?)

4. Submitting report and reso. autho. Special District Review — Addition of patio enclosure to the Fountain Bistro, located in Campus Martius and addressed as 800 Woodward Avenue. (RECOMMEND APPROVAL) (The staff of the City Planning Commission (CPC) has received from Marygrove Awnings, on behalf of Fountain Bistro, to approve the addition of a patio enclosure with signage along the eastern portion of the restaurant. This enclosure was already erected, apparently on the verbal authorization of a former staff member of the Buildings, Safety Engineering and Environmental Department.)

DETROIT ECONOMIC GROWTH CORPORATION

5. Submitting report relative to Garfield Development Group, LLC/Request to Rescind the Obsolete Property

Rehabilitation Certificate at 74 Garfield, Detroit, MI 48201. **(On behalf of Garfield Development Group LLC, the Detroit Economic Growth Corporation is submitting an executed copy of the company's request to rescind the Obsolete Property Rehabilitation Exemption Certificate at 74 Garfield, Detroit, MI 48201. The building was demolished as a result of a fire.) (Related to #4.)**

LEGISLATIVE POLICY DIVISION

6. Submitting reso. autho. to revoke Obsolete Property Act (OPRA) (PA 146 of 2000) Certificate #3-03-0027 for 74 Garfield. **(The Detroit Economic Growth Corporation, on behalf of the developer, is recommending that the Detroit City Council revoke the OPRA tax abatement issued to Garfield Development Group LLC, for OPRA Certificate #3-03-0027. The building was demolished as a result of a fire.) (Related to #4.)**

PLANNING AND DEVELOPMENT DEPARTMENT

7. Submitting reso. autho. review and approval of Spring 2014 HOME Awards. **(The HOME program is authorized under Title II of the Cranston-Gonzalez National Affordable Housing Act and is designed exclusively to create affordable housing for low-income households.)**

8. Submitting reso. autho. **Surplus Property Sale Development** — 11559 Woodward, to Woodward & Web Property, LLC, for the amount of \$20,000.00. **(The offeror proposes to develop paved parking on the property as an expansion of their adjacent auto repair business.)**

9. Submitting reso. autho. **Surplus Property Sale** Adjacent Lot Sale to Existing Commercial/Industrial Business Development — Parcel 614; generally bounded by Strong, Sherwood, Harper & Concord, to Strong Steel Products, LLC, for the amount of \$16,500.00. **(The offeror proposes to remove all debris and create a greenspace buffer for their nearby scrap metal processing and recycling facilities located at 6464 Strong.)**

10. Submitting reso. autho. **Surplus Property Sale** Development — 6757, 6763 and 6769 E. Davison. **(The Offeror proposes to demolish the existing building and establish a used auto sales lot in conjunction with their existing property at 6750 E. Davison. This use was granted by the Building, Safety Engineering and Environmental Department on December 10, 2013.)**

11. Submitting reso. autho. **Request for Public Hearing** for Brush Park Rehabilitation Project, Surplus Property Sale — 221 Erskine and 3412 John R. **(The Planning and Development Department is in receipt of an offer**

from Alass Downtown Real Estate, LLC, to purchase 221 Erskine and 3412 John R for the amount f \$25,500.00)

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

RESOLUTIONS

By ALL COUNCIL MEMBERS:

THE FOLLOWING ITEM(S) ARE BEING REFERRED TO THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE:

FINANCE DEPARTMENT/PURCHASING DIVISION

Submitting the following Finance Department/Purchasing Division Contracts:

1. Submitting reso. autho. **Contract No. 2892271** — 100% City Funding — To provide Gas Disconnect Service for the Purpose of Demolitions — Contractor: DTE Energy, Location: 1 Energy Plaza, Detroit, MI 48226 — Contract period: May 1, 2014 through April 30, 2015 — Contract amount: \$1,100,000.00. **Buildings Safety Engineering and Environmental.**

(This is a Sole Source Contract).

2. Submitting reso. autho. **Contract No. 2771374** — 100% City Funding — To provide a Maintenance Plan for the Police Department's 800 MHZ Radio System — Contractor: Motor City Electric Technologies, Location: 9440 Grinnell, Detroit, MI 48213 — Contract period: August 24, 2008 through August 23, 2014 — Increase amount: \$63,334.00 — Contract amount: \$1,837,084.00. **Police.**

(This is Amendment #2 to request additional funds to the existing contract — Original Contract \$1,773,750.00).

3. Submitting reso. autho. **Contract No. 2844554** — 100% (911 Surcharge) Funding — To provide Software Maintenance, Support and Upgrades for Model Stratus 5600 2D02415 CAD/Ti and Fire Records — Contractor: Triburon, Inc., Location: 3000 Executive Parkway, Suite 500, San Ramon, CA 94583 — Contract period: December 15, 2013 through December 14, 2014 — Contract amount: \$347,288.00. **Police.**

(This is a Sole Source Contract).

4. Submitting reso. autho. **Contract No. 2888789** — 100% City Funding — To provide Training on Real-Time Crime Analysis and Research Capacities, Conduct Analyses to Identify Crime Patterns, Hot Spots, Repeat Offenders and Evaluate Impact on Police Tactics and Operations — Contractor: Wayne State University, Location: 5057 Woodward Ave., 13th Floor, Detroit, MI 48202 — Contract period: May 18, 2014 through May 17, 2015 — Contract amount: \$125,000.00. **Police.**

5. Submitting reso. autho. **Contract No. 2839582** — 62.05% City, 28.43% State, 6.13% Federal, 3.39% Other Funding — To provide Cleaning of Diesel Particulate Filters — Contractor: DFT Cleaning Specialists, Location: 5325 Outer Drive, Windsor, ON N9A6J3 — Contract period: April 1, 2011 through March 31, 2015 — Contract amount: \$103,000.00. **Transportation.**

6. Submitting reso. autho. **Contract No. 2889062** — 100% City Funding — Review of Worker's Compensation Medical Bills — To provide Payment for Outstanding Invoices from October, 2013 through March, 2014 — Contractor: Brown Rehab Management, Location: 29688 Telegraph Road, Suite 100, Southfield, MI 48034 — Contract amount: \$44,718.07. **Transportation.**

7. Please be advised that the Contract submitted on Thursday, March 20, 2014 for the City Council Agenda March 25, 2014 has been amended as follows:

Submitted as:

Contract No. 2889784 — 100% City Funding — Removal and Disposal of Animal Carcasses — Company: Partridge Enterprises, Inc., Location: 4705 Industrial Drive, Clarklake, MI 49234 — Contract period: April 1, 2014 through March 30, 2015 — \$2,390.00 per month, Contract amount not to exceed: \$28,680.00. **Police.**

Should read as:

Contract No. 2892760 — 100% City Funding — Removal and Disposal of Animal Carcasses — Company: Partridge Enterprises, Inc., Location: 4705 Industrial Drive, Clarklake, MI 49234 — Contract period: April 1, 2014 through March 30, 2015 — \$2,390.00 per month, Contract amount not to exceed: \$28,680.00. **Police.**

BUILDINGS SAFETY ENGINEERING & ENVIRONMENTAL DEPARTMENT

8. Submitting report relative to response to DEMOLITION ORDER for property located at 11218 Kenmoor. (A recent inspection on April 11, 2014 revealed that the building is vacant and open to trespass or not maintained; therefore it is recommended to PROCEED WITH DEMOLITION as originally ordered.)

9. Submitting report in response to request for DEFERRAL OF DEMOLITION ORDER on property located at 17607 Wildemere. (A special inspection on April 14, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of three months subject to conditions of the order.)

10. Submitting report in response to request for DEFERRAL OF DEMOLITION ORDER on property located at 12086 Winthrop. (A special inspection on April

10, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of three months subject to conditions of the order.)

11. Submitting report in response to request for DEFERRAL OF DEMOLITION ORDER on property located at 8483 Warwick. (A special inspection on April 29, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of three months subject to conditions of the order.)

POLICE DEPARTMENT

12. Submitting report relative to Petition of National Supreme Council AA&SR Masons (#135), request to hold the National Supreme Council 150th Anniversary Parade, August 9, 2013; with route to include Joy Rd. from Linwood to Grand River; from 11:45 a.m. to 2:00 p.m. (The Police Department DENIES this petition. Awaiting reports from Mayor's Office, DPW — Traffic Engineering Division and Transportation Department.)

13. Submitting report relative to Petition of Church of the Messiah (#173), request to hold the "Church of the Messiah Annual Parade" on June 28, 2014 from 11:00 a.m. to 12:30 p.m. in the area of 231 E. Grand Blvd.; with temporary street closure on E. Grand Blvd., Lafayette, Van Dyke and Kercheval. (The Police Department APPROVES this petition. Awaiting reports from Mayor's Office, DPW — City Engineering Division and Transportation Department.)

14. Submitting report relative to Petition of Detroit Historical Society (#179), request to hold "Detroit Historical Society Classic Car Show" at the Detroit Historical Museum on July 23, 2014 from 10:00 a.m. to 4:00 p.m. (The Police Department APPROVES this petition. Awaiting reports from Mayor's Office, DPW — City Engineering Division and Buildings Safety Engineering & Environmental Department.)

DEPARTMENT OF PUBLIC WORKS/ ADMINISTRATION

15. Submitting report relative to Debris at 5937 Hillcrest Avenue. (In response to Council Member Spivey's concern regarding a citizen's complaint on the aforementioned property, a Department of Public Works inspector conducted an investigation on April 25, 2014 and found the location clean and free of debris at the front, sides, and rear of the property.)

DEPARTMENT OF PUBLIC WORKS/ CITY ENGINEERING DIVISION

16. Submitting reso. autho. Petition of Daniel P. Overstreet (#3910), request for conversion of alley to easement of abutting 20' alley between lots 13, plat of subdivision of parcel lots 61 and 62. (The

DPW — City Engineering Division RECOMMENDS APPROVAL of this petition provided that conditions are met.)

WATER & SEWERAGE DEPARTMENT/ PURCHASING DIVISION

17. Submitting report relative to Protest of Award #2 of RFQ. 47825 Bankston Construction. (Bankston Construction has submitted an updated protest regarding the DWSD Wastewater Operation Division's decision to revise the award of RFQ. #47825 by reducing the award from two to awarding the contract to one supplier and the lack of experience of Trinity Environmental. This is in response to the notification received April 14, 2014.)

18. Submitting report relative to Protest of Award RFQ. 47825 Bankston Construction. (Bankston Construction has expressed concerns regarding the DWSD Wastewater Operation Division's decision to not renew their current contract (P.O. 2841419) and not offering an agreement for the new contract solicited under RFQ. #47825 due to past performance.)

PLANNING & DEVELOPMENT DEPARTMENT

19. Submitting report relative to Petition of Parjana & Parjana Distribution (#153), request access of the right-of-way surrounding the David Whitney Building to correct underground water flow issues and hydrostatic pressure which are causing water to infiltrate the foundation. (The Planning and Development Department has reviewed the petition and determined that the DPW — City Engineering Division has jurisdiction over granting access to the public right-of-way surrounding the David Whitney Building. Awaiting report from DPW — City Engineering Division.)

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

PUBLIC COMMENT

The following individuals had public comment during the Formal Session of May 13, 2014.

Cory Holland, Cindy Darrah, Cecily McCiellan, Michael Cunningham, Anthony Smith, Valerie Glenn, Lebernon Befiphem and Hilanius Phillips.

VOTING MATTERS

NONE.

INTERNAL OPERATIONS STANDING COMMITTEE

Finance Department Purchasing Division

April 22, 2014

Honorable City Council:

2891935 — 100% Other (Street)

Funding — To Provide Refurbished Etnyre Trailer — Company: Cannon Engineering & Equipment Co. LLC — Location: 51761 Danview Technology Court, Shelby Township, MI 48315 — REQ: 290944 — (1) Item — Unit Price: \$33,995.00/Each — Lowest Bid — Contract Not to Exceed: \$33,995.00.

General Services.

Respectfully submitted,
BOYSIE JACKSON
Purchasing Director
Finance Dept./Purchasing Div.

By Council Member Spivey:

Resolved, That CPO **#2891935** referred to in the foregoing communication dated April 29, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Finance Department Purchasing Division

May 1, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2867153 — 89.7% City and 19.3% Other (Street Maintenance) Funding — To Provide Vehicle Replacement Parts and/or Services to Fleet Management Division of GSD, Fire and DPW — Contractor: Genuine Parts Company (NAPA) — Location: 2999 Circle 75 Parkway, Atlanta, GA 30339 — Contract Period: September 1, 2012 through August 31, 2014 — Increase Amount: \$1,650,000.00 — Contract Amount: \$10,788,848.00. **General Services Division.**

This is Amendment #3 to request additional funds to the existing contract — Original Contract: \$9,138,848.00.

Respectfully submitted,
BOYSIE JACKSON
Purchasing Director
Finance Dept./Purchasing Div.

By Council Member Spivey:

Resolved, That Contract No. **2867153** referred to in the foregoing communication dated May 1, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, and Tate — 8.

Nays — Council President Jones — 1.

Finance Department Purchasing Division

May 1, 2014

Honorable City Council:

The Purchasing Division of the Finance

Department recommends a Contract with the following firm(s) or person(s):

2835230 — 100% City Funding — To Provide Parts and Service for Elgin and Vac-All Street Sweepers — Contractor: Bell Equipment — Location: 78 Northpointe Drive, Lake Orion, MI 48359 — Contract Period: April 1, 2014 through March 31, 2015 — Contract Amount: \$106,100.00. **General Services Division.**

This is a Contract Renewal.

Respectfully submitted,

BOYSIE JACKSON

Purchasing Director

Finance Dept./Purchasing Div.

By Council Member Spivey:

Resolved, That Contract No. **2835230** referred to in the foregoing communication dated May 1, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

**Finance Department
Purchasing Division**

May 1, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2825169 — 100% City Funding — To Provide Software Maintenance — Contractor: Novell, Inc. — Location: 404 Wyman Street, Waltham, MA 02451 — Contract Period: May 1, 2014 through April 30, 2015 — Contract Amount: \$370,169.92. **ITS.**

This is a Contract Renewal. Original Contract was \$780,000.00.

Respectfully submitted,

BOYSIE JACKSON

Purchasing Director

Finance Dept./Purchasing Div.

By Council Member Spivey:

Resolved, That Contract No. **2825169** referred to in the foregoing communication dated May 1, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

**NEIGHBORHOOD AND COMMUNITY
SERVICES STANDING COMMITTEE
Permit**

Honorable City Council:

To your Committee of the Whole was referred Petition of Ride of Silence (#174), to hold "National Ride of Silence Day." After consultation with the Police Department and careful consideration of the request, your Committee recom-

mends that same be granted in accordance with the following resolution.

Respectfully submitted,

MARY SHEFFIELD

Chairperson

By Council Member Sheffield:

Resolved, That subject to approval of the Mayor's Office, DPW — City Engineering, Police and Recreation Departments, permission be and is hereby granted to Ride of Silence (#174), to hold "National Ride of Silence Day" starting and finishing at Shelter 2 on Belle Isle on May 21, 2014 from 7 p.m. to 8 p.m. Set up begins at 6:00 p.m. with tear down at 8:00 p.m.

Provided, That same is conducted under the rules and regulations of the concerned departments and the supervision of the Police Department, and further

Provided, That the required permits be secured should any tents or temporary installations such as Liquefied Petroleum Gas Systems be used, and further

Provided, That such permission is granted with the distinct understanding that petitioner assumes full responsibility for any and all claims, damages and expenses that may arise by reason of the granting of said petition, and further

Provided, That the site be returned to its original condition after said activity, and further

Provided, That this resolution is revocable at the will, whim or caprice of the City Council.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

**PLANNING & ECONOMIC
DEVELOPMENT STANDING
COMMITTEE**

**Detroit Brownfield Redevelopment
Authority**

May 8, 2014

Honorable City Council:

Re: Queen Lillian II Brownfield Redevelopment Plan.

The Detroit Brownfield Redevelopment Authority has been informed that there is a scheduling conflict for the May 29, 2014 public hearing request date for the Queen Lillian II Brownfield Redevelopment plan. As such, attached please find revised resolutions reflecting the below request.

Authority's Request

The Authority is respectfully requesting the following actions from the City Council:

a.) May 8, 2014

Consideration of City Council's Planning and Economic Development Standing Committee to set a public hearing concerning the Queen Lillian II

Brownfield Redevelopment Plan for June 5, 2014 in the Council Chambers, 13th Floor of the Coleman A. Young Municipal Center, located at 2 Woodward Avenue, Detroit, Michigan.

b.) May 13, 2014

City Council adoption of the Resolution (Exhibit D), setting the Queen Lillian II Brownfield Redevelopment Plan public hearing for June 5, 2014.

c.) June 5, 2014, 10:10 A.M.

Discussion with taxing jurisdictions regarding the fiscal impact of the Plan.

d.) June 5, 2014, 10:45 A.M.

Public Hearing at City Council's Planning and Economic Development Standing Committee concerning the Queen Lillian II Brownfield Redevelopment Plan.

e.) June 10, 2014

City Council adoption of the Resolution approving the Queen Lillian II Brownfield Redevelopment Plan (Exhibit E).

Respectfully submitted

ART PAPAPANOS

Authorizing Agent

EXHIBIT D

RESOLUTION CALLING A PUBLIC HEARING REGARDING APPROVAL OF THE BROWNFIELD PLAN OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE QUEEN LILLIAN II REDEVELOPMENT

By Council Member Leland:

WHEREAS, The City of Detroit, County of Wayne, Michigan (the "City") is authorized by the provisions of Act 381, Public Acts of Michigan, 1996 ("Act 381"), to create a brownfield redevelopment authority; and

WHEREAS, Pursuant to Act 381, the City Council of the City duly established the City of Detroit Brownfield Redevelopment Authority (the "Authority"); and

WHEREAS, In accordance with the provisions of Act 381, the Authority has prepared a Brownfield Plan for the Queen Lillian II Redevelopment (the "Brownfield Plan") and submitted the Brownfield Plan to the Community Advisory Committee for review and comment; and

WHEREAS, After receipt of the recommendation of the Community Advisory Committee to approve the Brownfield Plan, the Authority has approved the Brownfield Plan and forwarded it to City Council with a request for its approval; and

WHEREAS, Prior to approval of the Brownfield Plan, the City Council is required to hold a public hearing in connection with consideration of the Brownfield Plan pursuant to Act 381.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby acknowledges receipt of the Brownfield Plan from the Authority.

2. A public hearing is hereby called on

Thursday, the 5th day of June, 2014 at 10:45 A.M., prevailing Eastern Time, in the Council Chambers, 13th Floor of the Coleman A. Young Municipal Center in the City to consider adoption by the City Council of a resolution approving the Brownfield Plan.

3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

4. The City Clerk is requested to submit three (3) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Detroit Brownfield Redevelopment Authority

May 8, 2014

Honorable City Council:

Re: Du Charme Brownfield Redevelopment Plan.

The Detroit Brownfield Redevelopment Authority has been informed that there is a scheduling conflict for the May 29, 2014 public hearing request date for the Du Charme Brownfield Redevelopment plan. As such, attached please find revised resolutions reflecting the below request.

Authority's Request

The Authority is respectfully requesting the following actions from the City Council:

a.) May 8, 2014

Consideration of City Council's Planning and Economic Development Standing Committee to set a public hearing concerning the Du Charme Place Brownfield Redevelopment Plan for June 5, 2014 in the Council Chambers, 13th Floor of the Coleman A. Young Municipal Center, located at 2 Woodward Avenue, Detroit, Michigan.

b.) May 13, 2014

City Council adoption of the Resolution (Exhibit D), setting the Du Charme Place Brownfield Redevelopment Plan public hearing for June 5, 2014.

c.) June 5, 2014, 10:10 A.M.

Discussion with taxing jurisdictions regarding the fiscal impact of the Plan.

d.) June 5, 2014, 11:00 A.M.

Public Hearing at City Council's Planning and Economic Development Standing Committee concerning the Du Charme Place Brownfield Redevelopment Plan.

e.) June 10, 2014

City Council adoption of the Resolution approving the Du Charme Place Brownfield Redevelopment Plan (Exhibit E).

Respectfully submitted

ART PAPAPANOS

Authorizing Agent

**EXHIBIT D
RESOLUTION CALLING A PUBLIC
HEARING REGARDING APPROVAL OF
THE BROWNFIELD PLAN OF THE CITY
OF DETROIT BROWNFIELD
REDEVELOPMENT AUTHORITY FOR
THE DU CHARME PLACE
REDEVELOPMENT**

By Council Member Leland:

WHEREAS, The City of Detroit, County of Wayne, Michigan (the "City") is authorized by the provisions of Act 381, Public Acts of Michigan, 1996 ("Act 381"), to create a brownfield redevelopment authority; and

WHEREAS, Pursuant to Act 381, the City Council of the City duly established the City of Detroit Brownfield Redevelopment Authority (the "Authority"); and

WHEREAS, In accordance with the provisions of Act 381, the Authority has prepared a Brownfield Plan for the Du Charme Place Redevelopment (the "Brownfield Plan") and submitted the Brownfield Plan to the Community Advisory Committee for review and comment; and

WHEREAS, After receipt of the recommendation of the Community Advisory Committee to approve the Brownfield Plan, the Authority has approved the Brownfield Plan and forwarded it to City Council with a request for its approval; and

WHEREAS, Prior to approval of the Brownfield Plan, the City Council is required to hold a public hearing in connection with consideration of the Brownfield Plan pursuant to Act 381.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby acknowledges receipt of the Brownfield Plan from the Authority.
2. A public hearing is hereby called on Thursday, the 5th day of June, 2014 at 11:00 A.M., prevailing Eastern Time, in the Council Chambers, 13th Floor of the Coleman A. Young Municipal Center in the City to consider adoption by the City Council of a resolution approving the Brownfield Plan.
3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.
4. The City Clerk is requested to submit three (3) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Planning & Development Department
April 16, 2014

Honorable City Council:
Re: Request for Discussion regarding the Approval of the Application for

Industrial Facilities Tax Exemption Certificate for the Comprehensive Logistics Company in accordance with Public Act 198 of 1974. Petition #143.

Representatives of the Planning & Development and Finance Departments have reviewed the application of the following company, which requests City approval for Industrial Facilities Exemption Certificates.

Based on discussions with the company and the examination of the submitted application, we are convinced this company meets the criteria for tax relief as set forth by Public Act 198 of 1974.

Company: Comprehensive Logistics Company
Address: 9400 McGraw
Detroit, MI 48210

Located in: Industrial Development District (Established November 16, 1981)

Type of Business: Manufacturer and wholesale of automobiles, trucks and automotive components.

Investment Amount:	
Real Property	\$12,300,000.00
Personal Property	\$ 2,593,778.00
Total	\$14,893,778.00
Employment:	New hires 240

We request that a discussion be held for the purpose of considering City approval of an Industrial Facilities Exemption Certificate.

Respectfully submitted,
BRIAN ELLISON
Deputy Director

By Council Member Leland:

Whereas, The City Council has established by Resolution an Industrial Development District in the area of 9400 McGraw, Detroit, Michigan 48210 pursuant to the provisions of Act 198 of the Public Acts of 1974, as amended ("the Act") and

Whereas, Comprehensive Logistics Company ("the Applicant") has filed with the Detroit City Clerk (Petition No. 143) an Application for an Industrial Facilities Exemption Certificate (IFEC) for an investment in real and personal property in said Industrial Development District in the manner and form prescribed by the Michigan State Tax Commission; and

Whereas, On Thursday, June 12, 2014 @ 11:00 a.m. in the City Council Committee Room, 13th floor, Coleman A. Young Municipal Center, Detroit, Michigan, a discussion was held on said Application, as required by the Act, at which time the Applicant, the Assessor and a representative of the affected taxing units had an opportunity to be heard; and

Whereas, Notice was given, by mail, to the Detroit Board of Education, the City of Detroit Board of Assessors, the Wayne County Commissioners, Wayne County Community College, the Wayne County Intermediate School District, the Huron-

Clinton Metropolitan Authority, and the Applicant, informing them of the receipt of the Application, the date and location of said discussion, and the opportunity to be heard; and

Whereas, The City and the Applicant have entered into an Industrial Facilities Exemption Certificate Agreement as required by the Act; and

Whereas, The written agreement required under the Act includes an acknowledgement of receipt of a copy of the Detroit Living Wage Ordinance and prevailing wage requirements, and affirmations that the applicant will comply with the aforesaid in all respects as required by law;

Now Therefore Be It

Resolved, That it is hereby found and determined that granting approval of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of Industrial Facilities Exemption Certificates previously granted and currently in force, will not have the effect of substantially impeding the operation of the local government unit or impairing the financial soundness of any taxing unit which levies an ad valorem property tax within the City of Detroit; and be it further

Resolved, That it is hereby found and determined that the Applicant has complied with the requirements of the Act; and be it further

Resolved, That it is hereby found and determined that the Applicant has entered into a written Agreement with the City of Detroit, memorializing the commitments made upon which this approval is based, as required by the Act, which Agreement is hereby approved; and be it further

Resolved, That the Application of Comprehensive Logistics Company, (Petition #143), for an Industrial Facilities Exemption Certificate is hereby approved by this City Council for a period of _____ (____) years from the completion of the Facility; and be it finally

Resolved, That the City Clerk shall forward said Application to the Michigan State Tax Commission as provided by the Act.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

**PUBLIC HEALTH AND SAFETY
STANDING COMMITTEE**

**Finance Department
Purchasing Division**

April 16, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2869879 — 100% City Funding — To

Provide Towing and Boot Services — Company: Pickup and Run Auto Recovery LLC — Location; 8616 Evergreen Road, Detroit, MI 48228 — Contract Period: November 1, 2013 through September 30, 2014 with an Additional One (1) Year Option — Increase Amount: \$66,650.00 — Contract Amount: \$116,650.00.

Municipal Parking.

Amendment for Extension of Time and Funds. Original Contract Period: November 12, 2012 through October 31, 2013 — Original Amount: \$50,000.00.

Respectfully submitted,

BOYSIE JACKSON

Purchasing Director

Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That Contract No. **2869879** referred to in the foregoing communication dated April 16, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**Finance Department
Purchasing Division**

April 24, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2884711 — 100% City (Street) Funding — To Provide Construction Engineering and Inspection Services for Five (5) MDOT Projects — Company: Parsons Brinckerhoff Michigan, Inc. — Location: 500 Griswold St., Suite 2900, Detroit, MI 48226-5001 — Contract Period: Upon City Council Approval and Emergency Manager Approval through December 31, 2018 — Contract Amount: \$600,780.62.

DPW.

Respectfully submitted,

BOYSIE JACKSON

Purchasing Director

Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That Contract No. **2884711** referred to in the foregoing communication dated April 24, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, and Tate — 7.

Nays — Council President Jones — 1.

**Finance Department
Purchasing Division**

April 24, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2889631 — 100% City Funding — To

Restore Power Lines and Replace Potheads and Ancillary Equipment — Notification of Emergency Procurement as Provided by Ordinance No. 15-00 — Basis for the Emergency: Down Power Lines Created Hazardous Conditions — Basis for Selection of Contractor: Currently Doing Work for Public Lighting — Contractor: TMC Alliance LLC — Location: 5671 Trumbull Ave., Detroit, MI 48208 — Contract Period: One Time Purchase — Contract Amount: \$90,900.51. **Public Lighting.**

This is an Emergency Contract. Date of Emergency — February 21, 2014.

Respectfully submitted,
BOYSIE JACKSON
Purchasing Director
Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That Contract No. **2889631** referred to in the foregoing communication dated April 24, 2014, be hereby and is approved.

Adopted as follows:
Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.
Nays — None.

**Finance Department
Purchasing Division**

April 24, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2891449 — 100% City Funding — To Furnish Potheads and Accessories — Contractor: T&N Services, Inc. — Location: 2940 E. Jefferson, MI 48207 — Contract Period: One Time Purchase — Contract Amount: \$152,592.00. **Public Lighting.**

Respectfully submitted,
BOYSIE JACKSON
Purchasing Director
Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That Contract No. **2891449** referred to in the foregoing communication dated April 24, 2014, be hereby and is approved.

Adopted as follows:
Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.
Nays — None.

**Finance Department
Purchasing Division**

April 16, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2878054 — 100% City Funding — To

Provide Insurance Liability for Coleman A. Young Municipal Airport — Company: Avsurance Corporation — Location: 47 West Ellsworth Road, Ann Arbor, MI 48108 — Contract Period: April 20, 2014 through April 20, 2015 — Contract Amount: \$21,402.00/Year. **Airport.**

Renewal of Existing Contract — Original Contract Expired April 20, 2014.

Respectfully submitted,
BOYSIE JACKSON
Purchasing Director
Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That Contract No. **2878054** referred to in the foregoing communication dated April 16, 2014, be hereby and is approved.

Adopted as follows:
Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.
*WAIVER OF RECONSIDERATION (No. 1), per motions before adjournment.

Department of Public Works

April 3, 2014

Honorable City Council:

Re: Traffic Control Devices Installed and Discontinued.

We are submitting a list of traffic control devices dated December 16, 2013 — January 15, 2014, to your Honorable Body for approval.

The attached list shows traffic control devices installed, and those discontinued during the period of December 16, 2013 — January 15, 2014.

Respectfully submitted,
RON BRUNDIDGE
Director

Department of Public Works

By Council Member Benson:

Resolved, That the traffic regulations, as listed in Communications from the Department of Public Works dated December 16, 2013 — January 15, 2014, and the discontinuance of restrictions as listed therein, be and the same are hereby approved and confirmed and further

Resolved, That any regulation or restriction in conflict with the foregoing be and the same is hereby rescinded.

Provided, That the traffic regulations adopted pursuant to the Ordinance provisions of Section 55-2-1, 55-2-2, and 55-2-3 of Chapter 55, Article 2, of the Code of Detroit and properly indicated by signs, signals, markings, or other devices as authorized by the ordinance provisions, and further

Provided, The traffic regulations listed in the communication above referred to shall be kept on file by the City Clerk in her office for reference and for inspection.

Traffic Control Devices Installed and Discontinued
December 16, 2013 — January 15, 2014

	Date Installed
Handicapped Parking Signs	
Burt ES in front of 11414 Burt Rd.	12/17/13
Canfield E. NS in front of 3327 Canfield E.	12/19/13
Cooper ES in front of 5168 Cooper	12/16/13
Forrer WS at side of 15801 McNichols W.	12/20/13
Longacre ES in front of 6906 Longacre	12/17/13
Nashville NS in front of 12027 Nashville	12/16/13
Woodmere WS btw. 415' & 459' S/O End of Street	12/18/13

	Date Installed
Parking Prohibition Signs	
Cass WS btw. Grand Blvd. W. & Milwaukee W. "Tow Away Zone"	1/14/14
Grand Blvd. W. SS btw. Second and Cass "Tow Away Zone"	1/14/14
Second ES btw. Milwaukee W. & Grand Blvd. W. "Tow Away Zone"	1/14/14
Second ES btw. 17' & 177' N/O Milwaukee W. "No Parking Except Michigan State Police Vehicles"	1/14/14

	Date Installed
Parking Regulations Signs	
None	

	Date Installed
Traffic Control Signs	
None	

	Date Installed
Turn Control Signs	
None	

	Date Installed
Stop Signs	
Carrie-Covert INT. to govern EB Covert at Carrie 30 "STOP"	1/15/14
Pulford-Townsend INT. to govern SB Townsend at Pulford 30 "STOP"	12/17/13

	Date Installed
Yield Signs	
None	

	Date Installed
One Way Signs	
None	

	Date Installed
Speed Limit Signs	
None	

Discontinued
Handicapped Parking Signs **Date Discontinued**

Clements SS in front of 2641 Clements	1/13/14
Clements SS in front of 2747 Clements	1/13/14
Cheyenne WS in front of 9265 Cheyenne	1/09/14

Parking Prohibition Signs **Date Discontinued**

Cass WS btw. 187' & 278' S/O Grand Blvd. "No Parking Except Road Test Cars"	1/14/14
Cass WS btw. 278' & 374' S/O Grand Blvd. "Taxicab Stand Vehicles"	1/14/14
Fifteenth WS btw. Perry & 107' N/O Perry "No Parking"	12/19/13
Perry NS btw. Fifteenth & 122' W/O Fifteenth "No Parking"	12/19/13
Rosa Parks Blvd. WS btw. Bryant & Merrick "No Standing" (w/symbol)	12/20/13
Rosa Parks Blvd. WS btw. Calumet to Canfield "No Standing" (w/symbol)	12/20/13
Rosa Parks Blvd. WS btw. McGraw to Marquette "No Standing" (w/symbol)	1/10/14
Rosa Parks Blvd. WS btw. Marquette to Ferry Park "No Standing" (w/symbol)	1/13/14
Rosa Parks Blvd. WS btw. Merrick to Mark "No Standing" (w/symbol)	12/20/13
Rosa Parks Blvd. WS btw. Putnam & Bryant "No Standing" (w/symbol)	12/20/13
Rosa Parks Blvd. WS btw. Stanley to Antoinette "No Standing" (w/symbol)	1/10/14

Parking Regulations Signs **Date Discontinued**

Chalfonte NS btw. Strathmoor & Hubbell "No Parking School Days 8 a.m.-4 p.m."	12/20/13
Chalfonte SS btw. Hubbell & Strathmoor "No Parking School Days 8 a.m.-4 p.m."	12/20/13
Cheyenne ES btw. Joy & Ellis "No Parking School Days 8 a.m.-4 p.m."	1/09/14
Forrer WS btw. 151' S/O McNichols W. & Grove "No Parking 7 a.m.-4 p.m."	12/20/13
Grand Blvd. W. SS btw. 203' & 253' E/O Second "No Standing 4 p.m.-6 p.m. Except Coaches, Parking Two Hours 7 a.m.-4 p.m."	1/14/14

<u>Traffic Control Signs</u>	<u>Date Discontinued</u>
None	
<u>Turn Control Signs</u>	<u>Date Discontinued</u>
None	
<u>Stop Signs</u>	<u>Date Discontinued</u>
None	
<u>Yield Signs</u>	<u>Date Discontinued</u>
None	
<u>One Way Signs</u>	<u>Date Discontinued</u>
None	
<u>Speed Limit Signs</u>	<u>Date Discontinued</u>
None	

Adopted as follows:
 Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.
 Nays — None.

Department of Public Works

April 8, 2014

Honorable City Council:
 Re: Traffic Control Devices. Installed and Discontinued.

We are submitting a list of traffic control devices dated January 16, 2014 - February 15, 2014, to your Honorable Body for approval.

The attached list shows traffic control devices installed, and those discontinued during the period of January 16, 2014 - February 15, 2014.

Respectfully submitted,
RON BRUNDIDGE

Director

Department of Public Works

By Council Member Benson:

Resolved, That the traffic regulations, as listed in Communications from the Department of Public Works dated January 16, 2014 - February 15, 2014, and the discontinuance of restrictions as listed therein, be and the same are hereby approved and confirmed and further

Resolved, That any regulation or restriction in conflict with the foregoing be and the same is hereby rescinded.

Provided, That the traffic regulations adopted pursuant to the Ordinance provisions of Section 55-2-1, 55-2-2, and 55-2-3 of Chapter 55, Article 2, of the Code of Detroit and properly indicated by signs, signals, markings, or other devices as authorized by the ordinance provisions, and further

Provided, The traffic regulations listed in the communication above referred to shall be kept on file by the City Clerk in her office for reference and for inspection.

Traffic Control Devices Installed and Discontinued	
January 16, 2014 - February 15, 2014	
<u>Handicapped Parking Signs</u>	<u>Date Installed</u>
Annsbury WS on side of 12352 Elmdale	1/30/14
Kensington WS in front of 5565 Kensington	2/14/14
Linwood WS in front of 11345 Linwood	1/31/14
Porter SS in front of 4063 Porter	2/04/14
Prairie ES in front of 7454 Prairie	2/13/14
Waterman WS in front of 1313 Waterman	2/05/14
<u>Parking Prohibition Signs</u>	<u>Date Installed</u>
None	
<u>Parking Regulations Signs</u>	<u>Date Installed</u>
Broadway WS btw 243' S/O Grand River	1/22/14
Broadway WS btw 243' S/O Grand River and Gratiot	1/22/14
<u>Traffic Control Signs</u>	<u>Date Installed</u>
None	
<u>Stop Signs</u>	<u>Date Installed</u>
Alpena-Prescott INT to govern E/B Prescott at Alpena 30" Stop	2/13/14
Brimson-Carrie INT to govern E/B Brimson at Carrie 30" Stop	1/17/14
Cardova-Moenart INT to govern W/B Cardova at Moenart 30" Stop	1/31/14
Carrie-Milbank INT to govern S/B Carrie at Milbank 30" Stop	1/16/14
<u>Yield Signs</u>	<u>Date Installed</u>
None	
<u>One Way Signs</u>	<u>Date Installed</u>
None	
<u>Speed Limit Signs</u>	<u>Date Installed</u>
None	
DISCONTINUED	
<u>Handicapped Parking Signs</u>	<u>Date Discontinued</u>
Dubois WS from in front of 5563 Dubois	1/22/14
Indiana ES in front of 15512 Indiana	2/05/14
Regent ES in front of 19918 Regent	1/27/14
Stahelin ES in front of 17706 Stahelin	1/16/14
Theodore SS in front of 5031 Grandy	1/22/14

<u>Parking Prohibition Signs</u>	<u>Date Dis-continued</u>
None	
<u>Parking Regulations Signs</u>	<u>Date Dis-continued</u>
None	
<u>Traffic Control Signs</u>	<u>Date Dis-continued</u>
None	
<u>Turn Control Signs</u>	<u>Date Dis-continued</u>
None	
<u>Stop Signs</u>	<u>Date Dis-continued</u>
None	
<u>Yield Signs</u>	<u>Date Dis-continued</u>
None	
<u>One Way Signs</u>	<u>Date Dis-continued</u>
None	
<u>Speed Limit Signs</u>	<u>Date Dis-continued</u>
None	

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

**Department of Public Works
City Engineering Division**

April 11, 2014

Honorable City Council:

Re: Petition No. 2923, Laura Reyes Kopack, request for an alley to easement at 7150 W. Vernor, Detroit, MI 48209.

Petition No. 2923, Laura Reyes Kopack on behalf of LA SED requests conversion of the West 1/2 of the East-West public alley, 18 feet wide, into a private easement for utilities; all in the block bounded by Vernor Highway, 66 feet wide, Pitt Street, 50 feet wide, Green Avenue, 60 feet wide, and Reiden Avenue, 60 feet wide.

The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

The request was approved by the Solid Waste Division — DPW, and Traffic Engineering Division — DPW.

All City Departments and privately-owned utility companies have reported no objections to the conversion of the public rights-of-way into a private easement for the public utilities. Provisions protecting utility installations are part of the attached resolution.

Detroit Water and Sewerage Department (DWSD) have no objection to the

conversion to easement. The specific DWSD provisions for easements are included in the resolution.

Public Lighting Department (PLD) has no objection to the conversion to easement. The specific PLD provisions for easements are included in the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
RICHARD DOHERTY
City Engineer

City Engineering Division — DPW
By Council Member Benson:

Resolved, All that part of the East-West public alley, 18 feet wide, lying Southerly of and abutting the South line of Lot 51, and lying Northerly of and abutting the North line of Lots 47 thru 49, both inclusive and the westerly 23.5 feet of Lot 50 all in the "Rieden's Subdivision of that part of Lot 8 of the subdivision of P.C. 60 which lies South of Dix Avenue, City of Detroit, Wayne County, Michigan" as recorded in Liber 29, Page 77 of Plats, Wayne County Records.

Be and the same is hereby vacated as a public alley and is hereby converted into a private easement for public utilities of the full width of the alley, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said street and alley and by their heirs, executors, administrators and assigns, forever to wit:

First, Said owners hereby grant to and for the use of the public easement or right-of-way over said vacated alley herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth,

Second, Said utility easement or right-of-way in and over said vacated alley herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easement with any necessary equipment to perform the above mentioned task, with the understanding that the utility companies shall

use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition,

Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls, shall be built or placed upon said easements, nor change of surface grade made, without prior approval of the City Engineering Division — DPW,

Fourth, That if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and

Provided, That an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

Provided, That free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for Detroit Water and Sewerage Department equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

Provided, That the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

Provided, That said owners of the adjoining property, for themselves, their

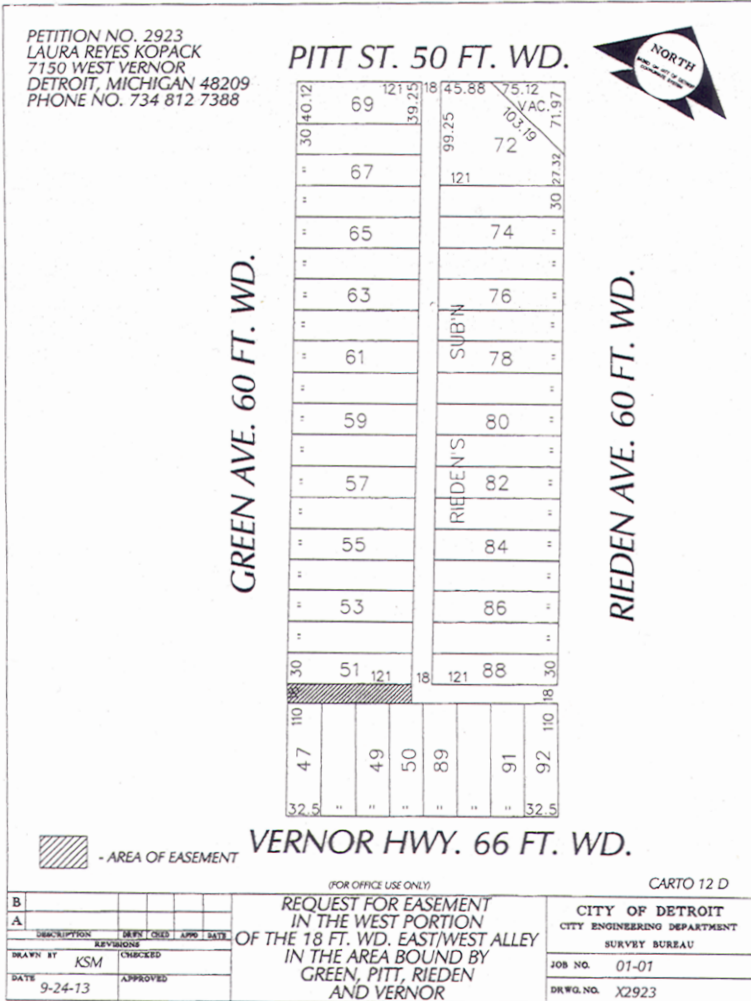
heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc., shall be built upon or over said easement, or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, That the Public Lighting Department requires that no structures or barricades be built over PLD installations or on existing utility easement areas. As per PLD requirements, any structure proposed to be built shall maintain 10 feet horizontal clearance from the overhead PLD lines and installations also any structure proposed to be built shall maintain a minimum of 3 feet horizontal clearance and 12 feet vertical clearance from the PLD conduit bank and manholes. The contractor should take necessary precautions not to damage PLD utilities, if they plan to use heavy earth moving equipment. The contractor will be liable for any damages to any PLD underground facilities. PLD requires unrestricted easement rights with 24-hour heavy vehicle access in order to maintain their facilities; and be it further

Provided, That if any time in the future, the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action; and be it further

Provided, That if it becomes necessary to remove the paved alley return at the entrance (into Green Avenue) such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications with all costs borne by the abutting owner(s), their heirs or assigns; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.



Adopted as follows:
 Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.
 Nays — None.

Permit

Honorable City Council:
 To your Committee of the Whole was referred petition of Dally in the Alley (#185), to conduct "37th Dally in the Alley". After consultation with the Detroit Police Department and careful consideration of the request, your Committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,
SCOTT BENSON
 Chairperson

By Council Member Benson:
 Resolved, That subject to approval of the Mayor's Office, DPW - City Engineering Division, Buildings, Safety Engineering & Environmental, Business, Transportation, Police and Fire Departments, permission be and is hereby granted to Dally in the Alley (#185), for "37th Dally in the Alley" on September 6, 2014 from 11:00 a.m. - 11:00 p.m., with temporary street closures in area of Forest and Second Ave., etc.
 Resolved, That the Buildings, Safety Engineering and Environmental Department is hereby authorized and directed to waive the zoning restrictions on said property during the period of the promotion, and further
 Provided, That the required permits be secured should any tents or temporary installations such as Liquefied Petroleum Gas Systems be used, and further

Provided, That said activity is conducted under the rules and regulations of the concerned departments and the supervision of the Police Department, and further

Provided, That such permission is granted with the distinct understanding that petitioner assumes full responsibility for any and all claims, damages or expenses that may arise by reason of the granting of said petition, and further

Provided, That site be returned to its original condition at the termination of its use, and further

Provided, That this resolution is revocable at the will, whim or caprice of the City Council.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

**NEW BUSINESS
Airport Department**

April 30, 2014

Honorable City Council:

Re: Lease of Hangar Space at Coleman A. Young International Airport to the School District of the City of Detroit.

The Airport Department ("Airport") is hereby requesting the authorization of your Honorable Body to lease certain hangar space at Coleman A. Young International Airport to the School District of the City of Detroit ("District") for a period of twenty five (25) years.

The District has closed the Davis Aerospace Technical High School and is in the process of selling the remaining half of the building it owns to the City. The District plans to relocate its aircraft that were housed at the school to certain hangar space provided by the Airport. This will allow the District to continue the operation of its flight school program.

Airport wishes to lease certain hangar space within the Executive Hangar Building and certain administrative space within the Main Terminal Building to the District in consideration of the District providing flight school programs for children at the airport.

We respectfully request your approval and grant of authority to the Airport to enter into and execute a twenty five (25) year lease pursuant to the above referenced terms and for the benefit of the City of Detroit by adopting the attached resolution with a Waiver of Reconsideration.

Respectfully submitted,
JASON WATT
Director

By Council Member Benson:

Whereas, The School District of the City of Detroit ("District") has proposed to lease from the Airport Department ("Airport") certain hangar space and administrative space at the Coleman A.

Young International Airport as designated by the Airport Director for the purpose of housing District aircraft and continuing the operation of flight school programs and activities; and

Whereas, In furtherance of Airport's powers under § 4-1-2(7) of the Detroit City Code to lease any of the buildings or land under its control whenever required by the interests of the City and with the approval of the City Council, Airport hereby requests the authority to execute and approve a lease with the District; now therefore be it

Resolved, That in accordance with the foregoing communication, Detroit City Council hereby authorizes and approves a twenty five (25) year lease with the District for certain space at Coleman A. Young International Airport as designated by the Airport sufficient to house the District's aircraft and conduct classes in exchange for the District's operation of flight school programs for children at the Airport; and be it further

Resolved, That Detroit City Council hereby authorizes the Airport Director, or his designee, to enter into, execute and approve a lease agreement that includes the terms approved above and to execute and approve any other documents necessary to effectuate the lease; and be it further

Resolved, That such lease authorized and approved under this authority shall be approved as to form by the Law Department under §7.5-206 of the Detroit City Code and that any revenue to be received is certified received by the Finance Department under §18-5-4(b).

Lease of Hangar Space at Coleman A. Young International Airport to the School District of the City of Detroit is on file in the Clerk's Office.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 2) per motions before adjournment.

**COMMUNICATIONS
FROM THE CLERK**

**Memorandum
Office of the Emergency Manager
May 6, 2014**

To: Honorable City Council
From: Kevyn Orr, Emergency Manager
Re: Services Contracts Submitted for Approval on May 5, 2014.

I am authorizing approval of the following:

ADMINISTRATIVE HEARINGS
86414 — 100% City Funding — Personal Services — Administrative Hearing Officer — Contractor: Anthony P. Jackson — Location: 2301 Golfview

Drive, Apt. #102, Troy, MI 48084 — Contract Period: July 1, 2013 through June 30, 2014 — \$50.00 per hour — Increase Amount: \$15,000.00 — Contract Amount: \$60,000.00.

CITY CLERK

86607 — 100% City Funding — Information Technician — Contractor: Lauren Winfrey — Location: 17224 Annchester, Detroit, MI 48219 — Contract Period: April 11, 2014 through June 30, 2014 — Increase Amount: \$6,500.00 — Contract Amount: \$22,246.00.

CITY COUNCIL

86639 — 100% City Funding — Legislative Assistant to Council Member James Tate — Contractor: DeAndree Watson — Location: 12035 Olga Street, Detroit, MI 48213 — Contract Period: January 1, 2014 through June 30, 2014 — \$42.50 per hour — Increase Amount: \$9,656.00 — Contract Amount: \$35,972.00.

86641 — 100% City Funding — Legislative Assistant to Council Member James Tate — Contractor: Rodney Liggins — Location: 18412 Avon, Detroit, MI 48219 — Contract Period: January 1, 2014 through June 30, 2014 — \$41.00 per hour — Increase Amount: \$10,792.00 — Contract Amount: \$33,496.00.

86643 — 100% City Funding — Legislative Assistant to Council Member James Tate — Contractor: Edwina King — Location: 15469 Ashton Drive, Detroit, MI 48223 — Contract Period: January 1, 2014 through June 30, 2014 — \$43.60 per hour — Increase Amount: \$9,883.20 — Contract Amount: \$36,921.60.

86684 — 100% City Funding — Youth Interns to Council Member Scott Benson — Contractor: DeJuan M. Vann — Location: 15880 Linnhurst, Detroit, MI 48205 — Contract Period: January 1, 2014 through June 30, 2014 — \$11.00 per hour — Increase Amount: \$792.00 — Contract Amount: \$11,352.00.

86727 — 100% City Funding — Legislative Assistant to Council President Pro Tem George Cushingberry, Jr. — Contractor: Arthur J. Divers, Sr. — Location: 18501 Marlowe, Detroit, MI 48235 — Contract Period: January 28, 2014 through June 30, 2014 — \$85.00 per hour — Increase Amount: \$11,475.00 — Contract Amount: \$25,075.00.

86741 — 100% City Funding — Legislative Assistant to Council Member Andre Spivey — Contractor: Keith Jones — Location: 11865 Roxbury, Detroit, MI 48224 — Contract Period: April 21, 2014 through June 30, 2014 — \$30.00 per hour — Contract Amount: \$12,000.00.

DETROIT BUILDING AUTHORITY

86745 — 100% City Funding — Financial Accounting Manager — Contractor: Roger Short — Location: 18925 Parkside, Detroit, MI 48221 —

Contract Period: April 23, 2014 through June 30, 2014 — Contract Amount: \$26,924.00.

RECREATION

85380 — 100% City Funding — Food and Friendship Worker — Prep Kitchen, Receive, Heat and Serve Meals as well as Attend Meetings of the Detroit Area Agency on Aging — Contractor: Michael Odom — Location: 2261 Calvert Street, Detroit, MI 48206 — Contract Period: January 1, 2014 through December 31, 2014 — Contract Amount: \$5,000.00.

Memorandum

Office of the Emergency Manager

April 28, 2014

To: Honorable City Council

From: Kevyn Orr, Emergency Manager

Re: Professional Services Contracts Submitted for Approval on April 8, 2014.

I am authorizing approval of the following:

FINANCE

2890840 — 100% City Funding — To Provide Property Assessing/Equalization Sketching Software — Company: Starcap Marketing, Inc. d/b/a APEX Software — Location: 5039 Beckwith Boulevard, Suite 109, San Antonio, TX 78249 — Contract Period: April 1, 2014 through March 31, 2017 — Unit Price \$7,470.00 Per Year — Contract Amount: \$22,410.00 — For Three (3) Years.

GENERAL SERVICES

2819571 — 100% City Funding — To Provide Weed and Grass Cutting and Debris Removal — Company: Brilar, LLC — Location: 13200 Northend Ave., Oak Park, MI 48237 — Contract Period: Extension for Time Only — May 1, 2014 through July 31, 2014 — Contract Amount: \$0.00. Contract Not to Exceed 90 Days or Until New Contract is in Effect. Original Contract Period: May 25, 2010 through April 30, 2014.

2878604 — No Funding — Amendment #1 — To Provide a Real Estate Services Advisor — Company: CBRE, Inc. — Location: 400 Renaissance Center, Suite 2500, Detroit, MI 48243 — Contract Period: Extension for Time Only: December 1, 2013 through November 30, 2014 — Contract Amount \$0.00 — Original Contract Period: May 1, 2013 through November 30, 2013.

HOMELAND SECURITY

2890533 — 100% Federal Funding — To Provide an Emergency Response Trailer, Medical Supplies and Rehabilitation Equipment for Responders to Utilize During Emergency Situations — Company: Propac Inc., 2390 Air Park Road, North Charleston, SC 29406 — Contract Amount: \$153,838.03. Sole Source Purchase.

2890534 — 100% Federal Funding — To Provide Portable Inflatable Emergency Rehabilitation Shelters for Responders to

Utilize During Emergency Situations — Company: Propac Inc., 2390 Air Park Road, North Charleston, SC 29406 — Contract Amount: \$92,302.24. Sole Source Purchase.

POLICE

2890535 — 100% City Funding — To Provide Portable Radio Batteries for DPD Motorola Radio Equipment — Company: Motorola Solutions — Location: 1303 East Algonquin Road, Schaumburg, IL 60196 — Contract amount: \$61,000.00. Sole Source Purchase.

PUBLIC WORKS

2887817 — 100% Revenue Contract Funding — To Provide a License Agreement between City of Detroit and Extenet Systems, Inc. for Three (3) Distributed Antenna System Nodes on Three (3) Traffic Signal Poles — Company: Extenet Systems, Inc., 3030 Warrenville Road, Suite 340, Lisle, IL 60532 — Contract Period: January 10, 2014 through June 30, 2019 — Contract Amount: \$0.00. This is a Revenue Contract. The Licensee shall be authorized to install and maintain the following nodes: Node 1: Atwater Street and Beaubien Street — Node 8: Michigan Avenue at Griswold Street — Node 9: Washington Boulevard at West Larned.

RECREATION

2889755 — 34.33% City Funding, 65.67 State Funding — Belle Isle Livingstone Lighthouse — To Remove and Replace Joint Sealant, Repair and Resetting of Base Stones, Clean Tower Interior and Paint, Clean Bronze, Plexiglas Pane Replacement, Etc.. — Company: Grunwell-Chashero Company — Location; 1041 Major Avenue, Detroit, MI 48217 — Contract Period; Upon Receipt of Written Notice to Proceed and Completion within Sixty (60) Days — Contract Amount: \$56,350.00.

MEMBER REPORTS

TATE: Noted that he was at an event where 31 schools were acknowledged for the academic improvements of their students. He congratulated Madison Carver Academy and Wright Academy of Arts and Sciences in District 1. They showed an increase in improvements.

CUSHINGBERRY, JR.: On May 15, 2014 at 2:00 p.m. at NWAC there will be a community help fair. There will be a Motor City Makeover fundraiser at 6:00 p.m. in the Russell Woods area at 8867 Livernois at the Penthouse.

SPIVEY: On May 21, 2014 there will be a District 4 meeting at St. Marion Catholic Church. Internal Operations will be cancelled tomorrow.

JENKINS: Seniors can apply for a solid waste discount of \$120.00. Dial 224-

4415. She reminded the listening audience about the Meet up and Eat Up program. Dial 211 for places in your neighborhood for free lunch. Last week she neglected to congratulate Mary Bara, Linda Forte and Irma Elder, all of whom were honored by the Michigan Womens Foundation for their excellent work in the community and for shattering the glass ceiling. She also thanked member Sheffield for wearing red in support of #bring our girls back.

SHEFFIELD: Her district office is now open at Butzel Monday and Wednesday from 11-5. She or her staff will be there and she'll be available by appointment to meet residents. There will be an official open house with the summer youth jam at Butzel on June 26th. There will be more info to follow. She thanked the Mayor. She attended the press conference in Boston Edison regarding the auction.

BENSON: On June 7th there will be a Susan B. Coleman Challenge. "Team Soul Survivors." The challenge is to see who gets the most sign ups between 11th floor and the 13th floor. The evening community meeting will be held on May 20 7:00 p.m.-8:30 p.m. at Greater Concord located at 4500 E. Davison. The next Green Task Force meeting will be on May 22, 2014, at 2408 Woodward 3:00 p.m.-4:30 p.m.

LELAND: Looking forward to working with the Motor City Makeover at Russell Woods Park. There will be a Jazz quartet there. He's been informed that DWSD has started doing their shut-offs. Close to 15000 people will be shut off by the end of the day. He asserts that the people have not been properly contacted. He requested that DWSD cease and begin to properly notify residents.

CASTANEDA-LOPEZ: Announced that District 6 has the most signups for Motor City Makeover. Between District 6 and 1 there's a tire sweep taking place between June 24-26. If you have a site that needs tires picked up dial 224-2450.

JONES: Submitted a memo regarding availability of staff for water department rate changes hearing. There will not be a veterans task force meeting today due to the CDBG/NOF Hearings.

From the Clerk

May 13, 2014

This is to report for the record that, in accordance with the City Charter, the portion of the proceedings of April 29, 2014, on which reconsideration was waived,

was presented to His Honor, the Mayor, for approval on April 30, 2014, and same was approved on May 7, 2014.

Also, That the balance of the proceedings of April 29, 2014 was presented to His Honor, the Mayor, on May 5, 2014, and the same was approved on May 12, 2014.

*Riverfront Towers Holdings, LLC, (Petitioner) vs. City of Detroit (Respondent); MTT Docket No. 14-000705.

*Steven E. Smith, Receiver, (Petitioner) vs. City of Detroit (Respondent); MTT Docket No. 14-000943; Parcel No. 12010941-2.

*Fort Street Business Park, LLC, (Petitioner) vs. City of Detroit (Respondent); MTT Docket No. 14-001153; Parcel No. 18007357-87.

Also, That my office was served with the following papers issued out of Wayne Circuit Court and United States District Court, and the same were referred to the Law Department.

Placed on file.

**TESTIMONIAL RESOLUTIONS AND
SPECIAL PRIVILEGE
TESTIMONIAL RESOLUTION
FOR
SERGEANT SARAH McCLURE**

“Congratulations on your Retirement”
By COUNCIL PRESIDENT JONES:

WHEREAS, On May 12, 2014, Sergeant Sarah McClure, Badge 762 assigned to Crime Control Strategies, Intelligence Resource Center will retire after 25 years of service to the citizens of the City of Detroit. Sergeant Sarah McClure was appointed to the Detroit Police Department on May 8, 1989. Upon graduation from the Detroit Metropolitan Police Academy, she began her career at the Eighth Precinct as a Patrol Officer; and

WHEREAS, Officer McClure was transferred to the Narcotics Prisoners Processing Unit in 1997, where she was responsible for reviewing and determining the validity of narcotics arrests and the appropriate charge. She also received training as the “court liaison” and “property” officer. Officer McClure was promoted to the rank of Sergeant in 1999 and was assigned to the Thirteenth Precinct Patrol Operation Section. While at the Thirteenth Precinct, Sergeant McClure was assigned to the Special Operations Unit. She later became the Training Sergeant for the entire Thirteenth Precinct ensuring that all personnel received designated training; and

WHEREAS, Sergeant McClure transferred to the Detroit/Federal Bureau of Investigation’s Violent Crime Task Force (VCTF) in 2000, a multi-jurisdictional task force with members from local, county, state and federal agencies. In 2010,

Sergeant McClure was assigned as the Officer-in-Charge of the Intelligence Resources Center (IRC). The IRC is the intelligence arm of the Michigan High Intensity Drug Trafficking Agency (MI HIDTA) where all members are required to maintain a Federal clearance; and

WHEREAS, She participations and raises money for the “Muscular Dystrophy Association’s” annual Lock-up. She donated to adopted needy families for Christmas, and continues to ride her bicycle in the Susan G. Komen Cancer Mid-Michigan 30 mile bicycle ride. Through her training as Mediator with the Wayne Mediations at 36th District Court and Wayne County Probate for small claims and Parenting Time cases respectively; NOW, THEREFORE BE IT

RESOLVED, That Council President Brenda Jones and the Detroit City Council recognize Sergeant Sarah McClure 25 years of distinguished service and commitment to the citizens of Detroit and the Detroit Police Department. May God grant you every success now and in the years to come!

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

**TESTIMONIAL RESOLUTION
FOR**

**WILLIAM A. THEIN
Commander-in-Chief
Veterans of Foreign Wars of the
United States**

By COUNCIL PRESIDENT JONES:

WHEREAS, William A. “Bill” Thein was elected Commander-in-Chief of the Veterans of Foreign Wars on July 24, 2013, at the VFW’s 114th National Convention, held in Louisville, Kentucky. Mr. Thein served in the U.S. Navy from 1969-1974 and served five years in the Indiana National Guard. His decorations include the Vietnam Service Medal with 3 stars, Vietnam Campaign Medal with 1960 Bar, Armed Forces Expeditionary Medal (Korea), National Defense Service Medal and several from the National Guard; and

WHEREAS, Mr. William A. Thein joined the VFW in 1971 at Post 3281 in New Albany, Indiana, where he maintains his Gold Legacy Life Membership. He has served the VFW in many leadership positions including All American Post Commander, All State District Commander and All American State Commander. He has also held positions on numerous National committees, including Vice Chairman of Citizenship Education and Community Service and as Chairman of National Scholarship Recognition; and

WHEREAS, He is a member of the American Legion, DAV, Veterans of Vietnam War Inc., National Rifle Association, Patriot Guard Riders, Military Order of the Cootie Pup Tent 51 and VFW National Home; and

WHEREAS, Mr. William A. Thein attended Indiana University Southeast. He worked as a Team Leader/Shift Supervisor at Duke Energy and is now retired. He and his wife Linda reside in Georgetown, Indiana; NOW, THEREFORE BE IT

RESOLVED, That the Detroit City Council, Office of Council President Jones, hereby joins with family and friends congratulating you on this momentous event and we wish you much success in all of your endeavors. May God grant you every success now and in the years to come!

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

TESTIMONIAL RESOLUTION FOR

TOSA MARIE GILBERT

“Congratulations on Your Retirement”
By COUNCIL PRESIDENT JONES:

WHEREAS, Tosa Marie Gilbert has 30 years experience as a Civil Servant which began as a Junior Typist in the Employment Training Department in 1984. She was promoted to Junior and then Intermediate Urban Renewal Assistant where she worked in the Budget/CEDMIS unit of the Community Economic Development Department. She worked as a Specialist preparing the departmental budget and investigating contracts for the Grantee Performance Report. With the advent of greater computer usage by the City of Detroit, she was chosen to train staff and develop training material for the department. Also, with that inspiration, she decided to enter the Masters Program at WSU where she obtained a Masters Degree in Instructional Technology in 1989. Pursuing higher educational achievement assisted her with the training of staff and development of training material; and

WHEREAS, After attending an award ceremony for municipal employees, she was interviewed and later began working in the City of Detroit’s Personnel Department in 1989. During her tenure with the Personnel Department, she achieved recognition and honor as she rose to the levels of management and was promoted from Associate Personnel Management Specialist to Senior Personnel Management Specialist, Principal Human Resources Specialist, Human Resources Specialist II and Manager I - Human Resources; and

WHEREAS, Tosa Marie Gilbert was able to utilize her training skills again when she was identified by HR management to assist with the training of City employees in the roll out of the Sigma Applicant Management System. Mayor Dennis Archer presented her with a plaque for “World Class Service” in recognition of Outstanding Service as a Sigma Training Facilitator. She was also recognized by the Good Fellows organization for many years of service as Coordinator of the City of Detroit’s Good Fellows Dolls Dressing/Contest, and fund raising efforts. Tosa Marie Gilbert was a Junior Church Leader and a Choir Director at Tried Stone Baptist Church and is currently a member of Hartford Memorial Baptist Church. Of her many talents and achievements, her most gracious achievement was the birth of her two children, Christopher and Natasha Gilbert; NOW THEREFORE BE IT

RESOLVED, That the Detroit City Council, Office of Council President Brenda Jones along with family and friends congratulate you on your dedicated service to the City of Detroit for 30 years. may God continue to bless you in abundance!

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

And the Council then adjourned to reconvene at the call of the Chair.

Pursuant to recess, the City Council met at 2:45 P.M., and was called to order by the President Brenda Jones.

Present — Council Members Benson, Castaneda-Lopez, Cushingberry, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

RESOLUTION APPROVING THE ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET FOR FISCAL YEAR 2014-2015

By ALL COUNCIL MEMBERS:

WHEREAS, Each year the Administration and City Council collectively evaluate proposals for the allocation of Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD) through the City of Detroit Neighborhood Opportunity Fund (NOF); and

WHEREAS, Under the federal guidelines, CDBG funds may be used to support programs operated by organizations that service low- to moderate-income families and other vulnerable populations within our community. Given the serious challenges in our community, the City of Detroit uses CDBG funding to create economic development, support the stabiliza-

tion of neighborhoods through home repair and demolition programs and to provide the necessary public service programs to address the vast needs of the vulnerable in our community; and

WHEREAS, While the critical need for these types of services within the City has not diminished, the resources available from HUD to address those needs is consistently being reduced; and

WHEREAS, Over the past few years, there has been an effort by the City to maximize the impact of CDBG funding by making greater allocation amounts to a fewer number of eligible groups. This shift in policy has not only made the selection process more difficult, but it has also impacted the ability of groups that have historically relied on CDBG funds to operate; and

WHEREAS, The need for increased operational efficiencies within CDBG funded organizations could be achieved through greater interagency collaboration such as merger of groups with compatible missions or consolidation of administrative fiduciary functions to increase service capacity. These expressions of encouragement are offered in recognition of the funding trends and the need for even stronger service delivery groups in these times; and

WHEREAS, A review team which included Planning and Development Department representatives, its consultants, Legislative Policy Division (LPD) staff as well as other organizations reviewed the various proposals received of the program and prepared recommendations to the Mayor; and

WHEREAS, The Mayor subsequently prepared recommendations which were submitted to the City Planning Commission (CPC). CPC then recommended twelve (12) adjustments, including the addition of three (3) groups and the deletion of one (1) as well as corresponding changes to funding amounts; and

WHEREAS, City Council, having received the recommendations of the Mayor and the CPC, has reviewed the various proposals, held a public hearing as well as an appeals hearing regarding the organizations that were not initially recommended to receive 2014-2015 CDBG NOF funds; and

WHEREAS, In addition to the fifty-five (55) organizations recommended by the Mayor to receive CDBG funding, City Council has expanded the list to include the following eight (8) groups that provide unique, high impact, or critical services to our community: Forgotten Harvest, United Community Housing Coalition, Mercy Education Project, Wellspring, Coleman Young, SEED, Mosaic Youth Training Program and Detroit Non-Profit Housing Corporation; and

WHEREAS, The City Council elected to include Forgotten Harvest, which the City Planning Commission also recommended and was supported by the Administration for funding. The organization conducts a food service program that provides homeless and low-income individuals direct access to food not only at its own facilities but it also supports the food distribution efforts of other area public service groups, which greatly expands the impact of this CDBG allocation; and

WHEREAS, United Community Housing Coalition (UCHC), a safety net service for our homeless and low-income population, was included. This organization is a comprehensive housing services provider and many of its clients are referred from other service providers for foreclosure and homeless prevention services of all kinds. According to its application, during the last CDBG cycle it assisted 11,485 individuals and 4,594 households. UCHC also provided legal representation at 612 landlord/tenant hearings and 157 clients were provided mortgage foreclosure counseling; and

WHEREAS, Mercy Education Project is a public service education provider with an 80% GED graduation rate and 80% of adult females in the program improve one grade level within 60 days. It provides a supportive learning environment for low-income women and girls who have suffered educational failures to move them to self-sufficiency through mentoring and tutoring. According to its application, during the last CDBG cycle it provided 24,451 hours in literacy training to adults, 9,876 hours to youth in after-school tutoring, and provided transportation to 4,097 riders; and

WHEREAS, Wellspring, a public service education provider, operates the only non-profit Kumon Center in the country. Kumon is an internationally acclaimed education program designed to provide students with a strong foundation in literacy skill development and math that is generally cost-prohibitive to the City's low to moderate income population which greatly needs these services. Wellspring provide reading or math services during a 50 week program year to youth ages 6-21 in Northwest Detroit; and

WHEREAS, The Coleman Young Foundation program increases academic performance and provides college prep, scholarship funds and support services to assist students in completing secondary and post-secondary education. This is also one of the few programs that continue its mentorship through the student's post-secondary education to increase the likelihood of completing their degrees; and

WHEREAS, SEED's application was placed in the public service education category; however, after closer examination

of its work, it was transferred to the public service foreclosure prevention category. SEED supports the City's efforts to increase homeownership. It provides homebuyer education as well as counseling services and its counselors are HUD approved. According to its application, during its last year of operation 350 of its clients became first time homeowners, 107 clients were new homeowners using Housing Choice vouchers and of the 1,000 graduates of the homeownership counseling program, none have experienced foreclosure; and

WHEREAS, The Detroit Non-Profit Housing Corporation was also added under the public service foreclosure prevention category. This organization provides mortgage and tax foreclosure prevention services as well as homebuyer education to avoid foreclosure and retain homes. It uses the Fannie Mae client management system and its counselors, who travel to the homes of clients to meet face to face, are HUD approved. According to its application, during the last CDBG cycle it provided services to 962 households; and

WHEREAS, Mosaic Youth Training Program is a creative and performing arts program housed at the former and recently renovated historic Miller School, a sentimental treasure to our City. It is funded in the public service recreation category. 95% of program participants graduate high school and receive scholarships. For the current 2013 class, nineteen (19) are high school seniors and all are scheduled to graduate on time. This program exposes Detroit youth to careers in the arts, and provides entertainment and professional dramatic performance opportunities locally and throughout the United States. These young performers are valuable ambassadors for the City of Detroit. The program serves young artists (ages 7-18) by providing training opportunities in vocal, acting, professional development activities. Students have opportunities to participate as part of a summer program and/or participate in the core curriculum which rehearses after school and weekends; and

WHEREAS, Given the historic and very public role in the vetting of CDBG applicants as well as its unique knowledge of the residents of the City as their locally-elected representatives, City Council's involvement in the CDBG process is not only mandated by law but critical to the appropriate distribution of these funds; and

WHEREAS, The current fiscal situation in Detroit, coupled with the presence of multiple layers of professional consultants involvement in fundamental City service delivery systems, has created a level of uncertainty that requires heightened transparency for residents and business-

es in our community especially during the CDBG process, which has undergone significant revisions in the past few years. As such, the City has endeavored to make this allocation process, although truncated, as transparent as possible; and NOW THEREFORE BE IT

RESOLVED, That the Detroit City Council hereby approves the allocation of Community Development Block Grant Neighborhood Opportunity Fund budget for FY 2014-15 with the addition of the following organizations: Forgotten Harvest, United Community Housing Coalition, Mercy Education Project, Wellspring, Coleman Young, SEED, Mosaic Youth Training Program and Detroit Non-Profit Housing Corporation as set forth in the attached CDBG NOF allocation chart; and BE IT FURTHER

RESOLVED, That the Detroit City Council strongly urges Emergency Manager Orr to implement Community Development Block Grant Neighborhood Opportunity Fund budget for FY 2014-15 as approved by the Detroit City Council; and BE IT FURTHER

RESOLVED, That a copy of this resolution be sent to Emergency Manager Kevyn Orr, Mayor Mike Duggan, and P&DD Interim Director Trisha Stein.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 1) per motions before adjournment.

**RESOLUTION
APPROVING THE ALLOCATION
OF COMMUNITY DEVELOPMENT
BLOCK GRANT BUDGET FOR
FISCAL YEAR 2014-2015**

By ALL COUNCIL MEMBERS:

WHEREAS, Each year the Administration and City Council collectively evaluate and determine the expenditure of the Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, Under the federal guidelines, CDBG funds may be used for City staffing, administrative costs, planning initiatives, various City projects including, but not limited to public facility rehabilitation, demolition, public infrastructure and economic development, as well as support for programs operated by organizations that service low- to moderate-income families and other vulnerable populations within our community.

WHEREAS, The Planning and Development Department (P&DD) has prepared and the City Council has reviewed the 2014-15 CDBG Summary which allocates these funds across vari-

ous categories of need and priority; NOW THEREFORE BE IT

RESOLVED, That the Detroit City Council hereby approves the attached 2014-15 CDBG Summary and authorizes the finalization and inclusion in the 2014-15 Action Plan for submittal to HUD; and BE IT FURTHER

RESOLVED, That a copy of this resolution be sent to Emergency Manager Kevyn Orr, Mayor Mike Duggan and P&DD Interim Director Trisha Stein.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 2), per motions before adjournment.

**RESOLUTION
APPROVING THE CONSOLIDATED
PLAN 2014-2015 ACTION PLAN**

By ALL COUNCIL MEMBERS:

WHEREAS, The U.S. Department of Housing and Urban Development (HUD) requires its entitlement cities to prepare and submit a five-year Consolidated Plan detailing the general plan for expenditure of funds from the major HUD programs; Community Development Block Grants (CDBG), HOME Investment Partnership Program (HOME), Emergency Solutions Grant (ESG) and Housing Opportunities for Persons with AIDS (HOPWA); and

WHEREAS, Each intervening year of the Consolidated Plan an Action Plan providing details of the upcoming annual expenditure of these funds must be prepared and submitted to HUD; and

WHEREAS, The Planning and Development Department (P&DD) has prepared and the City Council has reviewed the draft 2014-15 Action Plan; NOW THEREFORE BE IT

RESOLVED, That the Detroit City Council hereby accepts the draft City of Detroit HUD 2014-15 Annual Action Plan overview and authorizes the finalization of the 2014-15 Annual Action Plan and execution of all required forms and the submittal of same to HUD in accordance with federal regulations; and BE IT FURTHER

RESOLVED, That a copy of this resolution be sent to Emergency Manager Kevyn Orr, Mayor Mike Duggan and P&DD Interim Director Trisha Stein.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 3), per motions before adjournment.

And the Council then adjourned.

BRENDA JONES
President

JANICE M. WINFREY,
City Clerk

(All resolutions and/or ordinances except Resolutions of Testimonial or In Memoriam, are generally in the name of the Council Member who was chairperson of the day of the City Council Meeting on which the resolution was introduced.)

NOTICE OF SPECIAL SESSION OF THE DETROIT CITY COUNCIL

Honorable City Council:

In accordance with Section 4-102 of the Charter of the City of Detroit, the undersigned members of the Detroit City Council call for a Special Session of the Detroit City Council on MONDAY, MAY 19, 2014 AT 10:00 A.M. in order to consider a resolution to reschedule City Council's regular formal session, currently scheduled for Tuesday, May 20, 2014, to Monday, May 19, 2014 at 10:05 a.m.

Respectfully submitted,
GEORGE CUSHINGBERRY, JR.
SCOTT BENSON
RAQUEL CASTANEDA-LOPEZ
JAMES TATE

CITY COUNCIL

(SPECIAL SESSION)

(All action of the City Council appearing herein is subject to reconsideration and/or approval of the Mayor.)

Detroit, Monday, May 19, 2014

Pursuant to adjournment, the City Council met at 10:00 a.m., and was called to order by the President Brenda Jones.

Present — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

There being a quorum present, the Council was declared to be in session.

RESOLUTION

By ALL COUNCIL MEMBERS:

RESOLVED, That the formal session of the Detroit City Council, scheduled for Tuesday, May 20, 2014, at 10:00 a.m., is rescheduled to Monday, May 19, 2014, at 10:05 a.m. The expanded committee of the Budget, Finance and Audit Committee scheduled to meet on Monday, May 19, 2014 at 10:00 a.m. is cancelled and will be rescheduled for a date and time to be determined.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

And the Council then adjourned.

BRENDA JONES,
President

JANICE M. WINFREY,
City Clerk

(All resolutions and/or ordinances except Resolutions of Testimonial or In Memoriam, are generally in the name of the Council Member who was chairperson of the day of the City Council Meeting on which the resolution was introduced.)

CITY COUNCIL

(REGULAR SESSION)

(All action of the City Council appearing herein is subject to reconsideration and/or approval of the Mayor.)

Detroit, Monday, May 19, 2014

Pursuant to adjournment, the City Council met at 10:00 a.m., and was called to order by President Brenda Jones.

Present — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Invocation given by: Imam Abdul Latif Azom from the Islamic Center of North Detroit.

There being a quorum present, the City Council was declared to be in session.

The Journal of the Session of Tuesday, May 6, 2014, was approved.

PRESIDENT'S REPORT ON STANDING COMMITTEE REFERRALS AND OTHER MATTERS

BUDGET, FINANCE AND AUDIT STANDING COMMITTEE

By ALL COUNCIL MEMBERS:

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE BUDGET, FINANCE AND AUDIT STANDING COMMITTEE:

BUDGET DEPARTMENT/ADMINISTRATION

1. Submitting report relative to Responses to Questions on 2014-15 proposed budget from the Legislative Policy Division.

LEGISLATIVE POLICY DIVISION

2. Submitting report relative to Initial Review of HB 5566 and 5567. (The Legislative Policy Division was asked to provide an initial review of pending House Bills 5566 and 5567. The attached House Fiscal Agency summary provides a basic review of the package of ten pending bills and warrants your attention.)

3. Submitting report relative to Requirement of Contract Approval by State Oversight Commission. (The Legislative Policy Division submitted this report to supplement our initial review of pending House Bill 5566. This proposed State Legislation to require all City of Detroit contracts for goods or services that either exceed \$750,000.00 or exceed a term of

two (2) years is problematic for a number of reasons. This requirement will result in numerous routine contracts having to be submitted for review and approval by the contemplated Oversight Commission.)

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

INTERNAL OPERATIONS STANDING COMMITTEE

By ALL COUNCIL MEMBERS:

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE: **CITY CLERK'S OFFICE**

1. Submitting reso. autho. Petition of North Rosedale Park Civic Association (NRPCA) (#240), requesting from your Honorable Body for a charitable gaming license. (The City Clerk's Office recommends approval of this petition.)

GENERAL SERVICES DEPARTMENT

2. Submitting reso. autho. to accept and expend a \$750,000.00 grant from the Federal Government/CMAQ and the Michigan Department of Transportation (MDOT) for the installation of APU's into Fire Dept. Ambulances. (This grant will allow for the purchase/installation of APU's that will provide the following improvements: Saves fuel, lower air emissions, allows longer preventative maintenance scheduling and increases the life of the initiation/starting components in the vehicles; Appropriation #13813.)

3. Submitting reso. autho. to accept and expend \$900,000.00 from a \$750,000.00 CMAQ Grant from the Southeastern Michigan Council of Governments (SEMCOG) and the Michigan Department of Transportation (MDOT) and \$150,000.00 match from City fund for the procurement of 20 F250 Trucks from project No. 2011396. (This grant will allow for procurement of new equipment that will provide the following improvements: Saves fuel, lower air emissions, allow the city to replace older diesel vehicles with those that are less polluting and prevents the need to constantly seek parts and make repairs on vehicles that are very old; Appropriation #13825.)

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE

By ALL COUNCIL MEMBERS:

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE:

POLICE DEPARTMENT

1. Submitting report relative to Petition of Ultimate Fun Productions Inc. (#160), request to host the "Detroit Summer Beer Fest" in Cadillac Square and Campus Martius Park on June 20, 2014 from 5:00 p.m. to 10:00 p.m., on June 20th and from 12:00 p.m. to 5:00 p.m. on June 21st; with temporary street closure. Set up begins June 19 with tear down on June 22. (The Police Department RECOMMENDS APPROVAL of this petition. Awaiting reports from Mayor's Office, DPW — City Engineering Division, Business License Center, Transportation, Municipal Parking, Fire and Buildings Safety Engineering & Environmental Departments.)

2. Submitting report relative to Petition of Olympia Entertainment (#199), request to host the "32nd Annual 99.5 WYCD Downtown Hoedown" in the Comerica Park Parking Lots (1, 2, 3) on May 30, 2014-June 1, 2014 with various times each day and temporary street closures. Set up is to begin May 30 with tear down on June 2. (The Police Department RECOMMENDS APPROVAL of this petition. Awaiting reports from Mayor's Office, DPW — City Engineering Division, Business License Center, Municipal Parking, Fire and Buildings Safety Engineering & Environmental Departments.)

POLICE AND RECREATION DEPARTMENTS

3. Submitting report relative to Petition of Equality Michigan (#182), request to host "Motor City Pride" in Hart Plaza on June 7-8, 2014 from 1:00 p.m. to 8:00 p.m. each day with temporary street closure on Griswold, Michigan Ave. and Jefferson Ave.; Set up is to begin June 6 at 8:00 a.m. with tear down ending on June 9 at 10:00 a.m. (The Police and Recreation Departments RECOMMENDS APPROVAL of this petition. Awaiting reports from Mayor's Office, DPW — City Engineering Division, Business License Center, Transportation, Fire and Buildings Safety Engineering & Environmental Departments.)

RECREATION DEPARTMENT/ADMINISTRATION OFFICE

4. Submitting reso. autho. to enter into a Memorandum of Understanding with the National Recreation and Park Association for grant funding in the amount of \$192,500.00 for the Coco-Cola Troops for Fitness program. (According to the requirements of the program, the Recreation Department will hire military veterans to instruct/lead fitness and nutrition program/activities for the duration of the MOU agreement; Appropriation #13815.)

5. Submitting reso. autho. to enter into a binding agreement with the Michigan Economic Development Corporation for funding to cover the operation costs for Rouge Park Brennan Pool for the 2014 summer season. (This grant agreement

will enable the department to cover the operation costs for Brennan Pool for the 2014 summer season July 1st-September 30th. Cost include the following: Staff costs, bath house equipment and pool supplies/chemicals; Appropriation #13816.)

6. Submitting report relative to Petition of Crash Detroit (#189), request to hold "Crash Detroit" in Roosevelt Park on July 19, 2014 from 2:00 p.m. to 10:00 p.m.: with temporary street closure on W. Vernor, Dalzelle and 14th Street. Set up is to begin on July 9 at 8:00 a.m. with tear down on July 20 by 1:00 a.m. (The Recreation Department RECOMMENDS APPROVAL of this petition provided conditions are met. Awaiting reports from Mayor's Office, DPW — City Engineering Division, Police, Transportation and Buildings Safety Engineering & Environmental Departments.)

7. Submitting report relative to Petition of Detroit Spoke (#178), request to hold "Criterion Detroit City — Race 2" at Roosevelt Park on July 19, 2014 from 12:00 p.m. to 4:00 p.m.: with temporary street closure on Michigan Ave., 14th, 16th and Lacombe Streets. (The Recreation Department can not approve this request. Access to this location has already been requested and approved. Awaiting reports from Mayor's Office, DPW — City Engineering Division, Business License Center, Police, Buildings Safety Engineering & Environmental and Transportation Departments.)

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

By ALL COUNCIL MEMBERS:

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE:

PLANNING AND DEVELOPMENT DEPARTMENT

1. Submitting reso. autho. Property Transfer — 20426 Hanna, Detroit, MI 48203, Millar Development Corporation. (Based on the foregoing information, we hereby request approval from your Honorable Body to deed 20426 Hanna to Millar Development Corporation for \$1.00 subject to the final approval by the Detroit Emergency Manager.)

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

PUBLIC HEALTH AND SAFETY STANDING COMMITTEE

By ALL COUNCIL MEMBERS:

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE:

FINANCE DEPARTMENT/PURCHASING DIVISION

Submitting the following Finance Department/Purchasing Division Contracts:

1. Submitting reso. autho. **Contract No. 2851840** — 100% Other (Street) Funding — To provide Stainless Steel Strapping (Parts) for Traffic Roadway Signs — Contractor: MD Solutions, Inc., Location: 8225 Estates Pkwy., Plain City, OH 43064 — Contract period: October 1, 2014 through September 30, 2015 — Contract amount: \$234,000.00. **Public Works.**

(This is a Contract Renewal).

2. Submitting reso. autho. **Contract No. 2892567** — 100% State Funding — To receive Funds for the Acquisition of 91.08 Acres of Land for a Trail Connection for the Inner Circle Greenway — Contractor: State of Michigan Department of Natural Resources, Location: P.O. Box 30425, Lansing, MI 48989-7925 — Contract period: April 30, 2013 through April 30, 2017 — Contract amount: \$0.00. **Public Works.**

(This is a Revenue Contract).

3. Submitting reso. autho. **Contract No. 2613600** — 100% Revenue Funding — To secure Advertisements for the DDOT Coaches — Contractor: CBS Outdoors, Location: 88 Custer Street, Detroit, MI 48202-2977 — Contract period: September 9, 2003 through September 17, 2014 — Contract amount: \$419,043.72. **Transportation.**

(This Amendment is for Extension of Time and to Decrease the Monthly Guarantee Amount DDOT will Receive of \$419,043.72 or \$34,920.31 per month).

4. Submitting reso. autho. **Contract No. 2839577** — 100% City Funding — To provide Translation Services — Contractor: Interpreters Unlimited, Location: 11199 Sorrento Valley Road #203, San Diego, CA 92121 — Contract period: February 15, 2014 through February 14, 2015 — Contract amount: \$27,738.57. **Transportation.**

(This Contract is for Extension of Time, no Additional Funds Required).

5. Submitting reso. autho. **Contract No. 2893077** — 20% State, 80% Federal Funding — To purchase Seven (7) Vehicles for use by Maintenance Staff — Contractor: Galeana's Van Dyke Dodge, Location: 28400 Van Dyke, Warren, MI 48093 — Contract amount: \$169,891.00. **Transportation.**

(This Contract is for a One Time Purchase).

POLICE DEPARTMENT

6. Submitting report relative to Petition of Sidewalk Festival of Performing Arts, LLC, (#193) request to hold the "Sidewalk Festival of Performing Arts" at 17336 Lahser on August 2, 2014 from 3:00 p.m. to 9:00 p.m.; with temporary street closure on Lahser, Grand River and Orchard St. (The Police Department recommends that the street closure of Lahser be denied, but the festival approved. Awaiting reports from Mayor's Office, DPW — City Engineering Division, Business License Center and Transportation Department.)

7. Submitting report relative to Petition of Greater Grace Temple (#192) request to host "Bishop Ellis Birthday Block Party" on July 19, 2014 from 3:00 to 7:00 p.m. at 23500 W. Seven Mile Road with temporary street closure. (Mayor's Office, DPW — City Engineering Division, Business License Center, Fire, Transportation and Buildings Safety Engineering & Environmental Departments.)

8. Submitting report relative to Petition of God's Old School Ministry (#181), request to host the "Annual Community Outreach Fair" at 18633 John R. St., on August 23, 2014 from 11:00 a.m. to 4:00 p.m. with temporary street closure on John R. St., Greendale and Goldengate. (The Police Department RECOMMENDS APPROVAL of this petition. Awaiting reports from Mayor's Office, DPW — City Engineering Division, Fire and Transportation Departments.)

9. Submitting report relative to Petition of Foran's Grand Trunk Pub (#169), request to renew the outdoor café seating permit located at 608 and 612 Woodward Ave., Detroit, MI 48226 from April 1, 2014 through November 1, 2014. (The Police Department RECOMMENDS APPROVAL of this petition. An investigation conducted by the First Precinct has determined that this location still has to go through Planning and Development as well as DPW — City Engineering Division in regards to patio seating on Woodward with the M1 Rail Project scheduled. Awaiting reports from Planning and Development Department, DPW — City Engineering Division and Institution of Population Health.)

10. Submitting Petition of Sequoia LB King, LLC (#197), requesting transfer of permit of building located at 1274 Library Avenue to encroach granted in a Resolution of the Detroit City Council adopted June 5, 1991 and approved by the Mayor of the City of Detroit on June 11, 1991. (Awaiting reports from DPW — City Engineering Division and Planning and Development Department.)

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

**VOTING ACTION MATTERS
OTHER MATTERS**

NONE.

**COMMUNICATIONS FROM MAYOR
AND OTHER GOVERNMENTAL
OFFICIALS AND AGENCIES**

NONE.

**ADOPTION WITHOUT
COMMITTEE REFERENCE**

NONE.

PUBLIC COMMENTS

NONE.

STANDING COMMITTEE REPORTS

**NEIGHBORHOOD AND COMMUNITY
SERVICES STANDING COMMITTEE**

**Finance Department
Purchasing Division**

May 1, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2883482 — 100% Revenue Contract — To Provide a License to Dock The Detroit Princess Boat at Hart Plaza — Contractor: CJC Cruises, Inc. — Location: 3621 West Jefferson, Grand Ledge, MI 48837 — Contract Period: January 1, 2013 through December 31, 2017 — Contract Amount: \$435,000.00. **Recreation.**

Prior contract between CJC and Detroit Civil Center expired, no revenue was paid. Current Agreement between Recreation Department and CJC, the Contractor will pay retroactively over a three (3) year period beginning January 1, 2013, to recover the annual revenue respectively, through December 31, 2017.

Respectfully submitted,

BOYSIE JACKSON

Purchasing Director

Finance Dept./Purchasing Div.

By Council Member Sheffield:

Resolved, That Contract No. **2883482** referred to in the foregoing communication dated May 1, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 1), per motions before adjournment.

**PLANNING AND ECONOMIC
DEVELOPMENT STANDING
COMMITTEE**

**Finance Department
Purchasing Division**

May 16, 2014

Honorable City Council:

Re: Contracts and Purchase Orders

Scheduled to be Considered at the Formal Session of May 13, 2014.

Please be advised that the Contract submitted on Thursday, May 8, 2014 for the City Council Agenda of May 13, 2014 has been amended as follows:

1. The contractor's **End Date** was submitted incorrectly to Purchasing by the Department. Please see the corrections below:

Should read as:

Page 1

PLANNING AND DEVELOPMENT

2867322 — 50% City Funding, 50% Federal Funding — To Provide Historic Property Reviews and Site Improvements to the Detroit Historic District Commission — Contractor: The Mannik & Smith Group, Inc. — Location: 65 Cadillac Square, Suite 3311, Detroit, MI 48226 — Contract Period: July 1, 2012 through December 31, 2014 — Increase Amount: \$218,526.00 — Contract Amount: \$437,052.00.

This Amendment #1 to request additional funds to the existing contract — Original Contract: \$218,526.00.

Respectfully submitted,
BOYSIE JACKSON
Purchasing Director
Finance Dept./Purchasing Div.

By Council Member Sheffield:

Resolved, That CPO #**2867322** referred to in the foregoing communication dated May 16, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

City Planning Commission

May 9, 2014

Honorable City Council:

Re: Removal of Sec. 3-4-1 of the Detroit City Code to remove the prohibition of projecting signs over Woodward Avenue and amendments to the SD1 (Special Development District — Residential/ Commercial) and SD2 (Special Development District — Commercial/Residential) zoning districts. (RECOMMEND APPROVAL)

BACKGROUND

City Planning Commission (CPC) staff has been working with the staff of the Planning and Development Department (PDD), community representatives and stakeholders to amend the text of SD1 (Special Development District — Residential/ Commercial) and SD2 (Special Development District — Commercial/Residential) zoning districts culminating in the proposed amendments to the Zoning Ordinance. Also proposed is an amendment to Chapter 3 of the City Code with the deletion of Sec. 3-4-1, which would remove the prohibition of

projecting signs over Woodward Avenue.

The SD1 and SD2 districts are proposed to be revised to allow more of the mixed-use character that is seen as desirable in the most logical or targeted areas. It is anticipated that once these zoning districts are amended, various areas will be rezoned to one of these classifications, likely those designated as Traditional Main Street overlay areas and portions of Midtown. The SD1 district is seen as being appropriate for lower intensity areas with a greater emphasis on residential development. While the SD2 is seen as more conducive to high intensity uses emphasizing commercial activity, more residential uses would be allowed on a by-right basis in the SD1 district. Both allow a mixture of residential, commercial and low-intensity industrial uses (limited in square footage and mandated to include a retail component) at different scales. Other, non-substantive changes are proposed as well.

Many changes were made to the allowable uses in order to provide for more retail opportunity, as well as the aforementioned low-intensity, small-scale industrial uses that include retail component.

Bars in the SD2 district were removed from the list of regulated uses to acknowledge the entertainment nature of the district. The intensity standards were also simplified to reduce the setbacks for many uses and also to change the height requirements.

PROPOSED AMENDMENTS

Following is the section of Chapter 3 of the City Code proposed to be amended with the proposed change and analysis where applicable in italics.

3-4-1 Prohibition of projecting signs over Woodward Avenue between Grand Boulevard and the Detroit River. *Delete. This does not seem necessary or appropriate at the present time.*

Following are the sections of the zoning ordinance proposed to be amended with the proposed change and analysis in italics.

Sec. 61-3-113, Applicability. *Removal of requirement of site plan review (SPR) for any project in SD1 and SD2 and semantic changes. New construction still requires SPR.*

Sec. 61-3-121. Expedited review. *Removal of expedited site plan review for SD1/SD2. Alterations, the trigger for SPR, no longer requires SPR.*

Sec. 61-3-253. List of Regulated Uses. *Removal of brewpubs, microbrewery and small distilleries located in the SD2 district from the list of regulated uses. This removes the spacing requirements.*

Art. XI, Div. 9. SD1. *Name of district changed from Special Development District, Residential/Commercial to Special Development District — Small-Scale, Mixed Use.*

Sec. 61-11-161. Description. *Changed*

to describe the desired character of the SD1 district.

Sec. 61-11-162. Site plan review clarify that only new construction and conditional uses in the SD1 District are subject to site plan review.

Sec. 61-11-164. By-right residential uses. Remove:

- Convalescent, nursing, or rest home
- Fraternity or sorority house

Add:

- Loft
- The requirement that Religious residential facilities be in conjunction with religious institutions in the immediate vicinity
 - Residential use combined in structures with permitted (first-floor) commercial uses

Sec. 61-11-165. By-right public, civic, and institutional uses. Add fire or police station, post office and similar public building. Remove the following non-pedestrian, possibly unsightly uses:

- Electric transformer station
- Gas regulator station
- Telephone exchange building
- Water works, reservoir, pumping station, or filtration plant

Sec. 61-11-166. By-right retail, service, and commercial uses.

Add:

- Animal-grooming shop
 - Art gallery
 - Automated teller without drive-up, drive-through facilities
 - Bake shop, retail
 - Barber or beauty shop
 - Brewpub or microbrewery of small distillery, not exceeding 3,000 square feet
 - Dry cleaning, laundry or laundromat
 - Establishment for the sale of beer or intoxicating liquor for consumption on the premises, not exceeding 3,000 square feet
 - Nail salon
 - Pet shop
 - Printing or engraving shops not exceeding 4,000 square feet of gross floor area with a minimum of 10 percent of the gross floor area being used as a retail store for the sale of the goods produced
 - Recreation, indoor commercial and health club
 - Restaurant carry-out or fast-food, without drive-up or drive thru facilities
 - Restaurant, standard, without drive-up or drive thru facilities
 - School or studio of dance, gymnastics, music, art or cooking
 - Shoe repair shop
 - Stores of a generally recognized retail nature whose primary business is the sale of new merchandise
 - Veterinary clinic for small animals
- Remove:
- Parking structure having ground floor commercial space or other space oriented to pedestrian traffic
 - Radio or television station
- Sec. 61-11-167. By-right manufacturing

and industrial uses. Add uses not exceeding 4,000 square feet of gross floor area with a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced:

- Confection manufacturing
- Food catering
- Low/Medium impact Manufacturing or processing facilities limited to the following:
 - o Art needlework
 - o Canvas goods manufacture
 - o Cigar or cigarette manufacture
 - o Clock or watch manufacture
 - o Coffee roasting
 - o Door, sash, or trim manufacture
 - o Draperies manufacture
 - o Flag or banner manufacture
 - o Glass blowing
 - o Knit goods manufacturing
 - o Leather goods manufacture or fabrication
 - Low-impact Manufacturing or Processing facilities
 - Jewelry manufacture
 - Lithographing and sign shops
 - Trade services, general, with the exception of cabinet making
 - Wearing apparel manufacturing

Sec. 61-11-168. By-right other uses. Add Urban garden not exceeding 0.5 acres,

Sec. 61-11-170. Conditional residential uses.

Add:

- Assisted living
- Convalescent, nursing or rest home
- Fraternity or sorority house
- Single-room-occupancy (SRO) housing, nonprofit

Remove uses that predominantly become matter of right:

- Loft
- Residential use combined in structures with permitted commercial uses
- Single-family detached dwelling
- Two-family dwelling

Sec. 61-11-171. Conditional public, civic, and institutional uses. Add uses that had been matter of right

- Electric transformer station
- Gas regulator station
- Telephone exchange building

Remove:

- Fire or police station, post office and similar public building
- Hospital or hospice
- Substance abuse service facility

Sec. 61-11-172. Conditional retail, service and commercial uses.

Add:

- That requirement that Brewpub or microbrewery are conditional when they exceed 3,000 square feet
 - The requirement that Establishment for the sale of beer or intoxicating liquor for consumption on the premises are conditional when they exceed 3000 square feet

- Kennel, commercial
- The requirement that parking structures must have at least 60% of the ground floor level façade abutting a public street dedicated to commercial space or other space oriented to pedestrian traffic
 - Pool or billiard hall
 - Radio or television station
 - Secondhand store and secondhand jewelry store
 - Theater, excluding concert café and drive-in theater, not exceeding 150 fixed seats

- Youth Hostel/hostel

Remove uses that have become, predominantly, matter of right:

- Art gallery
- Bake shop, retail
- Barber or beauty shop
- Dry cleaning, laundry, or laundromat
- Motel
- Pool or billiard hall
- Radio or television station
- Restaurant, carry-out, fast-food, without drive-up or drive-through facilities
 - Restaurant standard without drive-up or drive-through facilities
- Retail sales and personal service in business and professional offices
 - Retail sales and personal service in multiple-residential structures
 - Shoe repair shop
 - Stores of a generally recognized retail nature whose primary business is the sale of new merchandise

Sec. 61-11-173. Conditional manufacturing and industrial uses. Remove "Research or testing laboratory." Add the following, when not exceeding 4,000 square feet and when containing a minimum of 10% of the area for retail sales:

- General: High/medium-impact Manufacturing or processing limited to furniture manufacturing
 - Machine shop
 - Trade services, general limited to cabinet making

Sec. 61-11-174. Conditional other uses. Remove agricultural uses that are non-pedestrian. Small-sale gardens and hoop or green-houses that are a part of a garden center, a retail use, are permitted:

- Greenhouse
- Hoophouse
- Urban farm
- Urban garden

Sec. 61-11-175. General intensity and dimensional standards. No front setback is required and the maximum is the buildings located on either side or 20 feet, whichever is less. Off-street parking is prohibited in the front setback. Rear setbacks are dependent on building type and the zoning of the property to the rear. Side setbacks are again not required unless the building is adjacent to land zoned R1, R2, R3 or R4. Maximum height is limited to thirty-five (35) feet for non-mixed-use, fifty (50) feet for mixed-use buildings, not

to exceed four (4) stories. Additional height is allowed when on a street wider than 50 feet.

Art. XI, Div. 10. SD2. Name of district changed from Special Development District, Commercial/Residential to Special Development District — Mixed Use.

Sec. 61-11-181. Description. Changed to describe the desired mixed-use character of the SD2 district.

Sec. 61-11-182. Site plan review. All new and conditional uses are subject to site plan review.

Sec. 61-11-184. By-right residential uses. Add "Multiple-family dwelling where combined in structures with permitted first-floor commercial use" and "Residential use combined in structures with permitted (first floor) commercial use"

Sec. 61-11-185. By-right public, civic, and institutional uses. Remove uses that are too intense or non-pedestrian:

- Electric transformer station
- Gas regulator station
- Telephone exchange building
- Water works, reservoir, pumping station, or filtration plant

Sec. 61-11-186. By-right retail, service, and commercial uses.

Add:

- Animal-grooming shop
- Art gallery
- The requirement that Banks not have drive-up or drive-through facilities
 - Nail salon
 - The requirement that accessory parking lots or parking areas for operable private passenger vehicles not be farther than the maximum distance specified
- Pet shop
- Printing or engraving shops not exceeding 5,000 square feet of gross floor area with a minimum of 10 percent of the gross floor area being used as a retail store for the sale of the goods produced
 - Theater, excluding concert café and drive-in theaters, not exceeding 150 fixed seats

Remove:

- Cabaret
- Parking structure

Sec. 61-11-187. By-right manufacturing and industrial uses. Remove Research or testing laboratory. Add the following uses not exceeding 5,000 square feet with a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced:

- Confection manufacturing
- Food catering
- Low/Medium impact Manufacturing or Processing facilities limited to the following:

- o Art needlework
- o Canvas goods manufacture
- o Cigar or cigarette manufacture
- o Clock or watch manufacture

- o Coffee roasting
- o Door, sash, or trim manufacture
- o Draperies manufacture
- o Flag or banner manufacture
- o Glass blowing
- o Knit goods manufacturing
- o Leather goods manufacture or fabrication
 - Low-impact Manufacturing or Processing facilities
 - Jewelry manufacture
 - Lithographing and sign shops
 - Trade services, general, with the exception of cabinet making
 - Wearing apparel manufacturing
- Sec. 61-11-190. Conditional residential uses. Remove "Residential use combined in structures with permitted commercial uses", as both the residential and commercial uses are permitted on a matter of right basis
- Sec. 61-11-191. Conditional public, civic, and institutional uses. Add the following less-pedestrian uses which used to be a matter of right:
 - Electric transformer station
 - Gas regulator station
 - Telephone exchange building
 - Water works, reservoir, pumping station, or filtration plant
- Sec. 61-11-92. Conditional retail, service, and commercial uses. Add the following uses which required additional scrutiny and possible conditions to fit in with possible adjacent residential uses:
 - Cabaret
 - Customer service center without drive-up or drive-through facilities
 - Kennel, commercial
 - Motel
 - Parking lots or parking areas, commercial
 - Parking lots or parking areas, accessory for operable private passenger vehicles, farther that the maximum distance specified
 - Parking structure having at least 60% of the ground floor devoted to commercial space or other space oriented to pedestrian traffic
 - Printing or engraving shops exceeding 5,000 square feet of gross floor area with a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced
 - Secondhand store and secondhand jewelry store
 - Tattoo and/or piercing parlor
 - Theater, excluding concert café and drive-in theaters, exceeding 150 fixed seats
 - Youth hostel/hostel
 - Sec. 61-11-193. Conditional manufacturing and industrial uses. Remove "none" and add specific higher intensity manufacturing uses and specific factors to consider when reviewing the following uses not exceeding 5,000 square feet of gross floor area and having a minimum of ten percent (10%) of the gross floor area

being used as a retail store for the sale of the goods produced:

- General: High/medium-impact Manufacturing or Processing limited to furniture manufacturing
- Machine shop
- Trade services, general limited to cabinet making

Sec. 61-11-194. Conditional other uses. Remove: "Heliports" and add Urban Garden not exceeding 0.5 acres in size

Sec. 61-11-195. Intensity and dimensional standards. The required front setback is removed and a maximum of 20 feet or the average of the adjacent buildings is inserted, as is a prohibition of parking in the front setback. Rear setbacks are dependent on building type and the zoning of the property to the rear. Side setbacks are again not required unless the building is adjacent to land zoned R1, R2, R3 or R4. Maximum height is limited to forty-five (45) feet for non-mixed-use, sixty (60) feet for mixed-use buildings, not to exceed five (5) stories. Additional height is allowed when on a street wider than 60 feet.

Article XII. Use Regulations. The use table and use regulations are updated to reflect the standards and permissibility specified in the zoning districts. Sec. 61-12-230 is deleted, as it becomes redundant: all of the uses are allowed without being in an office building.

Article XIII. Intensity and Dimensional Standards. These are updated to reflect the standards specified in the zoning districts. Many lines of the table are removed as a specific standard for that specific use is deemed not necessary.

Sec. 61-14-7. Off-street parking exemptions and allowances. The maximum distance within which required parking can be provided is 1,320 feet. A district approach for parking is allowed.

Article XIV. Subdivision B. Off-street Parking Schedule "A". Chart is amended to allow reduction in required parking spaces for multi-family dwellings to 1.0 per dwelling unit of 0.75 per dwelling unit if located within 0.25 miles of a bus rapid transit, street car/trolley or light rail line. For retail, service, and commercial uses, where the use is located within 0.25 miles of a bus rapid transit, street car/trolley or light rail line, 0.75 of the minimum required off-street spaces.

Sec. 61-14-103. Waiver of off-street parking requirements for uses or buildings minimally deficient. The Planning and Development Department may grant a waiver of the off-street parking requirements, for the first three thousand (3,000) square feet of pedestrian-oriented retail, service, or commercial uses. This is in addition to the waiver for building under 3,000 square feet.

Sec. 61-14-113. Credit for public parking. City of Detroit public parking lots within one-thousand three hundred and twen-

ty (1,320) feet of the site proposed for occupancy may be used toward the required amount of off-street parking in SD1 or SD2.

Sec. 61-14-149. Traditional Main Street overlay areas, SD1 and SD2. *The prohibition on parking in front of the building is restated.*

Sec. 61-16-124. Words and terms (Ln-Lz). *“Manufacture of musical instruments, toys, novelties, metal or rubber stamps, or other small rubber products” is added to Low-impact Manufacturing or Processing.*

Sec. 61-16-132. Words and terms (Mh-Mm). *“Mixed Use” is defined.*

Sec. 61-16-142. Words and terms (Nn-Nz). *“Nonconforming use” is defined unless otherwise specified in the “Description” section of the zoning district. This deals with existing single-family homes being defined as conforming in SD1, even though new single-family construction would not be allowed.*

PUBLIC DISCUSSION RESULTS

At the November 21, 2013 public hearing on this matter, questions were raised about the appropriateness of the “financial services center” use in the SD1 and SD2 districts, as well as in some of the existing commercial zoning districts. Also discussed was the possibility of adding a spacing requirement between such uses. Removing this use from one or both of the proposed districts is something that the CPC could recommend as part of the approval of this ordinance if it so chooses. The adding of a spacing requirement and/or a comprehensive look at the permissibility of this use City-wide is currently beyond the scope of staff, but it is something that the CPC could request of staff when capacity is increased.

ANALYSIS

The proposed changes are generally in response to the input given by the community representatives of the various TMS areas, other stakeholders, and a focus group of manufacturers. The changes bring the uses and development standards in line with the vision for the mixed-uses areas these districts would seem to be appropriate for. These zoning district provisions as they exist today do not allow the mix of uses that seems most appropriate. It is envisioned that the SD1 district would be appropriate for less-intense streets, such as Livernois Avenue or some of the east-west street in the Midtown area and SD2 for larger streets like portions of Michigan of Cass or Woodward Avenues.

The removal of the projecting sign over Woodward provision has been reviewed with both the Michigan Department of Transportation, who has jurisdiction over most of Woodward Avenue, the Law Department and the Detroit Department of Public Works. We are unable to find any merit in retaining the provision today.

RECOMMENDATION

The proposed amendments eliminate an undesirable provision sign restriction in Chapter 3 of the City Code, while revising and broadening the utility of underutilized zoning classifications of Chapter 61 that have wide appeal. These changes will support various current and future development initiatives and lessen the need to employ the PD classification. At the November 21, 2013 meeting the CPC took action to recommend approval of the proposed text changes, with the following changes:

1. That the Financial Services Center use be removed from SD1.
2. That single family residential use be made conditional in the SD1 district and that the following language in 61-11-161 be removed: “No new single-family residential development will be permitted in this district. However, the existing single or two-family family residential developments will not be considered non-conforming.”

Respectfully submitted,
 LESLEY C. CARR
 Chairperson
 DAVID WHITAKER
 Director LPD
 MARCELL R. TODD, JR.
 Senior Planner
 GREGORY F. MOOTS
 Zoning Specialist

By Council Member Leland:
AN ORDINANCE to amend Chapter 61 of the 1984 Detroit City Code, ‘Zoning,’ commonly known as the Detroit Zoning Ordinance by deleting Sec. 61-12-230 and by adding Secs. 61-12-242, 61-12-280, 61-12-281, 61-12-282, 61-12-283, 61-12-284, and 61-12-285 and by amending Secs. 61-3-113, 61-3-121, 61-3-253, 61-11-161, 61-11-162, 61-11-164, 61-11-165, 61-11-166, 61-11-167, 61-11-168, 61-11-170, 61-11-171, 61-11-172, 61-11-173, 61-11-174, 61-11-175, 61-11-181, 61-11-182, 61-11-184, 61-11-185, 61-11-186, 61-11-187, 61-11-190, 61-11-191, 61-11-192, 61-11-193, 61-11-194, 61-11-195, 61-12-11, 61-12-12, 61-12-22, 61-12-24, 61-12-30, 61-12-31, 61-12-43, 61-12-44, 61-12-45, 61-12-46, 61-12-47, 61-12-49, 61-12-50, 61-12-51, 61-12-61, 61-12-62, 61-12-71, 61-12-79, 61-12-158, 61-12-161, 61-12-220, 61-12-238, 61-12-254, 61-12-260, 61-12-262, 61-12-274, 61-13-69, 61-13-70, 61-13-106, 61-14-7, 61-14-24, 61-14-39, 61-14-103, 61-14-113, 61-14-149, 61-16-124, and 61-16-132 to further provide for and regulate mixed-use development in the SD1 and SD2 Districts.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 61 of the 1984 Detroit City Code, 'Zoning,' commonly known as the Detroit Zoning Ordinance, is amended by deleting Sec. 61-12-230 and by adding Secs. 61-12-242, 61-12-280, 61-12-281, 61-12-282, 61-12-283, 61-12-284, and 61-12-285 and by amending Secs. 61-3-113, 61-3-121, 61-3-253, 61-11-161, 61-11-162, 61-11-164, 61-11-165, 61-11-166, 61-11-167, 61-11-168, 61-11-170, 61-11-171, 61-11-172, 61-11-173, 61-11-174, 61-11-175, 61-11-181, 61-11-182, 61-11-184, 61-11-185, 61-11-186, 61-11-187, 61-11-190, 61-11-191, 61-11-192, 61-11-193, 61-11-194, 61-11-195, 61-12-11, 61-12-12, 61-12-22, 61-12-24, 61-12-30, 61-12-31, 61-12-43, 61-12-44, 61-12-45, 61-12-46, 61-12-47, 61-12-49, 61-12-50, 61-12-51, 61-12-61, 61-12-62, 61-12-71, 61-12-79, 61-12-158, 61-12-161, 61-12-220, 61-12-238, 61-12-254, 61-12-260, 61-12-262, 61-12-274, 61-13-69, 61-13-70, 61-13-106, 61-14-7, 61-14-24, 61-14-39, 61-14-103, 61-14-113, 61-14-149, 61-16-124, and 61-16-132 as follows:

**CHAPTER 61. ZONING.
ARTICLE III. REVIEW AND
APPROVAL PROCEDURES
(PART 1)**

Subdivision A. General.

Sec. 61-3-113. Applicability.

Applications for proposed developments that meet any one (1) or more of the applicability criteria in this section shall be reviewed through the site plan review process. Developments that do not meet any of the applicability criteria in this section shall be reviewed by the Buildings, Safety Engineering and Environmental Department through its permitting process. However, site plan review is not required for the construction or alteration of an individual single- or two-family dwelling.

(1) New construction that involves any one (1) of the following:

(a) Any new development ~~that has more than~~ exceeding twenty thousand (20,000) square feet of gross floor area, except that on land zoned M1, M2, M3, M4, or M5, the threshold for industrial uses shall be fifty thousand (50,000) square feet of gross floor area; or

(b) Projects with multiple principal structures on one zoning lot.

(c) Any multiple-family residential or loft or town house development with more than twelve (12) dwelling units.

(d) Site Condominium developments.

(e) Projects in a one hundred (100) year floodplain.

(f) Any parking structure as defined in Sec. 61-16-151 of this Code.

(g) Any motor vehicle salesroom or sales lot for the sale of used vehicles.

(2) Additions and/or major structural alterations that involve any of the following:

(a) Any development ~~that has not exceeding more than~~ twenty thousand (20,000) square feet of gross floor area where the addition or alteration results in a cumulative total of ~~more than~~ exceeding twenty thousand (20,000) square feet of gross floor area, considering existing floor area and proposed additions, except that on land zoned M1, M2, M3, M4, or M5, the threshold for industrial uses shall be fifty thousand (50,000) square feet of gross floor area.

(b) An increase of twenty-five percent (25%) or more in gross square footage to an existing building that contains more than twenty thousand (20,000) square feet of gross floor area, except that on land zoned M1, M2, M3, M4, or M5, the threshold for industrial uses shall be fifty thousand (50,000) square feet of gross floor area.

(c) Projects in a one hundred (100) year floodplain.

(3) Any development with a lot area of more than one (1) acre in cumulative total (considering existing lot area and any proposed additional lot area), except that on land zoned M1, M2, M3, M4, or M5, the threshold for industrial uses shall be three (3) acres.

(4) Substantial changes in use within any building that has more than twenty thousand (20,000) square feet of gross floor area or of any use with a lot area of more than one (1) acre, except that on land zoned M1, M2, M3, M4, or M5, the threshold for industrial uses shall be fifty thousand (50,000) square feet of gross floor area and three (3) acres. For purposes of site plan review, a substantial change in use is one that involves the establishment of a use from one of the major land use classifications that are set out in Article XII of this Chapter which are residential, public/civic/institutional, retail/service/commercial, manufacturing/industrial, and other, where the use immediately preceding the new use was from a different major land use classification.

(5) Any Conditional, Regulated, or Controlled land use and any case before the Board of Zoning Appeals as the body of first jurisdiction.

(6) Any use that has drive-up or drive-through facilities or a walk-up component.

(7) Animated signs as provided for in Sec. 61-6-71 of this Code.

(8) Projects within any PD, ~~SD1, SD2, SD3, or SD5~~ District. However, in the ~~SD1, SD2, SD3 and SD5~~ Districts, alterations to an existing structure, that do not involve additions or major structural alterations, qualify for "expedited review" as provided for in Sec. 61-3-121(b) of this Code.

(9) Projects within the SD4 District that involve the following four (4) utility uses: electric transformer station; gas regulator

station; telephone exchange building; water works, reservoir, pumping station, or filtration plant.

(10) Projects seeking approval under the Alternative Residential Development Options provisions of ARTICLE XIII, Division 3 of this Chapter.

(11) Urban farms and all other agricultural uses specified as a conditional use in Sec. 61-12-79 of this Code.

(Ord. No. 11-05, §1, 5-28-05; Ord. No. 20-05, §1, 5-29-05; Ord. No. 34-05, §1, 12-06-05; Ord. No. 26-12, §1, 11-21-12; Ord. No. 10-13, §1, 04-16-13)

Subdivision B. Submission Requirements.

Sec. 61-3-121. Expedited review.

(a) Urban farms and other agricultural uses requiring site plan review are subject only to the submission requirements as specified in Sec. 61-3-128 of this Code.

(b) Plans that are subject to review solely by virtue of the provisions of Sec. 61-3-113(5) and Sec. 61-3-113(6) of this Code may be expedited by review limited to the Planning and Development Department and the Buildings, Safety Engineering and Environmental Department, with the exception of urban farms and other agricultural uses, which shall always include the City Planning Commission. Similarly, in the SD1, SD2, SD3, SD4, and SD5 Districts, plans which relate to alterations to an existing structure, that do not involve additions or major structural alterations, may be expedited by review limited to the Planning and Development Department or City Planning Commission, as appropriate. Advisory review by other such departments as is usually undertaken pursuant to Sec. 61-3-141 of this Code is not required in such cases of expedited review. The submittal requirements that apply in cases of expedited review are limited to those specified in Sec. 61-3-122, Sec. 61-3-123, Sec. 61-3-125 and Sec. 61-3-126 of this Code, with the exception of urban farms and other agricultural uses which shall meet the submittal requirements as specified in Sec. 61-3-128 of this Code only. The appropriate review body is authorized to tailor the information that is required by this subdivision to the site under consideration.

(Ord. No. 11-05, §1, 5-28-05; Ord. No. 20-05, §1, 5-29-05; Ord. No. 10-13, §1, 04-16-13)

**DIVISION 8. REGULATED USES
Subdivision A. General.**

Sec. 61-3-253. List of Regulated Uses.

The following use types shall be considered "Regulated Uses" under this zoning ordinance:

(1) Brewpub outside the Central Business District and SD2 District and microbrewery outside the Central Business District and SD2 District and

small distillery outside the Central District and SD2 District that serve alcohol for consumption on the premises;

(2) Cabaret, outside the Central Business and SD5 District;

(3) Dance hall, public, outside the Central Business District;

(4) Establishment for the sale of beer or intoxicating liquor for consumption on the premises, outside the Central Business District and outside the SD1, SD2 and SD5 Districts;

(5) Hotel, outside the Central Business District and SD5 District;

(6) Lodging house, public;

(7) Motel;

(8) Pawnshop;

(9) Plasma donation center; and

(10) Secondhand store and Second-hand jewelry store.

(Ord. No. 11-05, §1, 5-28-05; Ord. No. 01-10, §1, 4-01-10; Ord. No. 06-13, §1, 3-20-13)

ARTICLE XI. SPECIAL PURPOSE ZONING DISTRICTS AND OVERLAY AREAS

DIVISION 9. SD1 — SPECIAL DEVELOPMENT DISTRICT; RESIDENTIAL/COMMERCIAL — SMALL-SCALE, MIXED-USE

Sec. 61-11-161. Description

The SD1 District is designed for areas of the City where there is much investment interest and activity, and great development potential. Generally, in these areas, private developers have been active in changing the character of the area by increasing the intensity of development and converting land to both residential and commercial higher intensity uses. The SD1 District is designed to encourage one (1) portion of this development, and will permit high intensity residential development with a carefully controlled mix of low rise office, commercial, and service facilities. The SD1 District is designed to encourage a complementary mixture of small-scale uses including residential, local business, and office uses that are compatible in a neighborhood setting. This zone will serve surrounding residential areas with day-to-day consumer goods and services. It is the purpose of these regulations to encourage mixed-use developments that are compatible with the surrounding area and promote pedestrian activity. Size thresholds listed in this Division are provided for convenience and also appear in Article XII; they may be appealed to the Board of Zoning Appeals.

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-162. Site plan review

All new construction and conditional uses in the SD1 District are subject to site plan review as provided for in ARTICLE III, Division 5 of this Chapter.

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-164. By-right residential uses.

- ~~(1) Convalescent, nursing, or rest home~~
 - ~~(2) Fraternity or sorority house~~
 - ~~(1) Loft~~
 - ~~(2)(2) Multiple-family dwelling~~
 - ~~(4)(3) Religious residential facilities (in conjunction with religious institutions in the immediate vicinity)~~
 - ~~(4) Residential use combined in structures with permitted (first-floor) commercial uses~~
 - ~~(5)(5) Shelter for victims of domestic violence~~
- (Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-165. By-right public, civic, and institutional uses.

- (1) Child care center
 - (2) Educational institution
 - ~~(3) Electric transformer station~~
 - ~~(4)(3) Family day care home~~
 - ~~(4) Fire or police station, post office and similar public building~~
 - ~~(5) Gas regulator station~~
 - ~~(6)(5) Library~~
 - ~~(7)(6) Museum~~
 - ~~(8)(7) Neighborhood center, nonprofit~~
 - ~~(9)(8) Outdoor recreation facility~~
 - ~~(10)(9) Religious institution~~
 - ~~(11)(10) School, elementary, middle/junior high, or high~~
 - ~~(12) Telephone exchange building~~
 - ~~(13) Water works, reservoir, pumping station, or filtration plant~~
- (Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-166. By-right retail, service, and commercial uses.

- (1) Animal-grooming shop
- (2) Art gallery
- (3) Automated teller without drive-up, drive-through facilities
- (4) Bake shop, retail
- ~~(4)(5) Banks without drive-up or drive-through facilities~~
- (6) Barber or beauty shop
- (7) Brewpub or microbrewery or small distillery, not exceeding three thousand (3,000) square feet
- (8) Dry cleaning, laundry, or laundromat
- (9) Establishment for the sale of beer or intoxicating liquor for consumption on the premises, not exceeding three thousand (3,000) square feet
- ~~(2)(10) Medical or dental clinic, physical therapy clinic, or message therapy clinic~~
- (11) Nail salon
- ~~(2)(12) Office, business or professional~~
- ~~(4)(13) Parking lots or parking areas, accessory for operable private passenger vehicles, not farther than the maximum distance specified in ARTICLE XIV, Division 1 of this Chapter.~~
- ~~(5) Parking structure having ground floor commercial space or other space oriented to pedestrian traffic~~
- (14) Pet shop

(15) Printing or engraving shops not exceeding four thousand (4,000) square feet of gross floor area with a minimum of 10 percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced

- ~~(6) Radio or television station~~
 - ~~(7)(16) Recording studio or photo studio or video studio, no assembly hall~~
 - (17) Recreation, indoor commercial and health club
 - (18) Restaurant carry-out or fast-food, without drive-up or drive thru facilities
 - (19) Restaurant, standard, without drive-up or drive-through facilities
 - (20) School or studio of dance, gymnastics, music, art or cooking
 - (21) Shoe repair shop
 - (22) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise
 - (23) Veterinary clinic for small animal
- (Ord. No. 11-05, §1, 5-28-05; Ord. No. 34-05, §1, 12-06-05)

Sec. 61-11-167. By-right manufacturing and industrial uses.

- ~~(1) None~~
- The following uses not exceeding four thousand (4,000) square feet of gross floor area with a minimum of ten (10%) of the gross floor area being used as a retail store for the sale of the goods produced:
- (1) Confection manufacturing
 - (2) Food catering
 - (3) General: Low/Medium impact Manufacturing or Processing facilities as defined in Sec. 61-16-124 of this Code and limited to the following:
 - (a) Art needlework
 - (b) Canvas goods manufacture
 - (c) Cigar or cigarette manufacture
 - (d) Clock or watch manufacture
 - (e) Coffee roasting
 - (f) Door, sash, or trim manufacture
 - (g) Draperies manufacture
 - (h) Flag or banner manufacture
 - (i) Glass blowing
 - (j) Knit goods manufacturing
 - (k) Leather goods manufacture or fabrication
 - (4) General: Low-impact Manufacturing or Processing facilities as defined in Sec. 61-16-124 of this Code
 - (5) Jewelry manufacture
 - (6) Lithographing, and sign shops
 - (7) Trade services, general, with the exception of cabinet making
 - (8) Wearing apparel manufacturing
- (Ord. No. 11-05, §1, 5-28-05)
- Sec. 61-11-168. By-right other uses.**
- (1) Antennas as provided for in ARTICLE XII, DIVISION 3, Subdivision G of this Chapter.
 - (2) Farmers market as defined in Article XVI, Division 2, Subdivision G of this Chapter
 - (3) Marinas
 - (4) Signs as provided for in Article VI of this Chapter

(5) Urban Garden not exceeding 0.5 acres in size as provided for in ARTICLE XII, DIVISION 3, Subdivision H of this Chapter

(Ord. No. 11-05, §1, 5-28-05; Ord. No. 10-13, §1, 04-16-13)

Sec. 61-11-170. Conditional residential uses.

(1) Assisted living
(2) Convalescent, nursing, or rest home

(3) Fraternity or sorority house

(4) Loft

~~(4) Residential use combined in structures with permitted commercial uses~~

(4) Rooming house

(5) Single-family detached dwelling

(6) Single-room-occupancy (SRO) housing, nonprofit

~~(5)(7) Town house~~

~~(6) Two family dwelling~~

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-171. Conditional public, civic, and institutional uses.

(1) Electric transformer station

~~(1) Fire or police station, post office and similar public building~~

(2) Gas regulator station

~~(2) Hospital or hospice~~

~~(3) Substance abuse service facility~~

(3) Telephone exchange building

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-172. Conditional retail, service, and commercial uses.

(1) Art gallery

~~(2) Bake shop, retail~~

~~(3) Barber or beauty shop~~

~~(4)(1) Bed and breakfast inn~~

(2) Brewpub or microbrewery exceeding three thousand (3,000) square feet

~~(5) Dry cleaning, laundry, or laundromat~~

~~(6)(3) Establishment for the sale of beer or intoxicating liquor for consumption on the premises exceeding three thousand (3,000) square feet~~

~~(7)(4) Hotel~~

(5) Kennel, commercial

~~(8) Motel~~

~~(9)(6) Parking lots or parking areas, commercial and accessory parking farther than the maximum distance specified in ARTICLE XIV, Division 1 of this Chapter~~

~~(10)(7) Parking structure not having at least sixty percent (60%) of the ground floor level façade abutting a public street dedicated to commercial space or other space oriented to pedestrian traffic~~

(8) Pool or billiard hall

~~(11)(9) Private club, lodge, or similar use~~

(10) Radio or television station

~~(12)(11) Radio, television, or household appliance repair shop~~

~~(13) Restaurant, carry-out, fast food without drive up or drive through facilities~~

~~(14) Restaurant, standard without drive up or drive through facilities~~

~~(15) Retail sales and personal service in business and professional offices~~

~~(16) Retail sales and personal service in multiple residential structures~~

~~(12) Secondhand store and second-hand jewelry store~~

~~(17) Shoe repair shop~~

~~(18)(13) Specially designated distributor's (SDD) or specially designated merchant's (SDM) establishment~~

~~(22) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise~~

(14) Theater, excluding concert café and drive-in theater, not exceeding one hundred fifty (150) fixed seats

(15) Youth hostel/hostel

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-173. Conditional manufacturing and industrial uses.

~~(1) Research or testing laboratory~~

When considering the conditional uses specified in this section, the factors listed in Sec. 61-2-84(b)(2), Sec. 61-2-84(b)(3), and Sec. 61-2-84(b)(14) of this Code shall be considered.

The following uses not exceeding four thousand (4,000) square feet of gross floor area with a minimum of ten (10%) of the gross floor area being used as a retail store for the sale of the goods produced:

(1) General: High/medium-impact Manufacturing or Processing limited to furniture manufacturing

(2) Machine shop

(3) Trade services, general limited to cabinet making

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-174. Conditional other uses.

(1) Antennas as provided for in ARTICLE XII, DIVISION 3, Subdivision G of this Chapter.

~~(2) Greenhouse as provided for in ARTICLE XII, DIVISION 3, Subdivision H of this Chapter~~

~~(3) Hoophouse as provided for in ARTICLE XII, DIVISION 3, Subdivision H of this Chapter~~

~~(4)(2) Signs as provided for in Article VI of this Chapter.~~

~~(5) Urban farm as provided for in ARTICLE XII, DIVISION 3, Subdivision H of this Chapter~~

~~(6) Urban garden as provided for in ARTICLE XII, DIVISION 3, Subdivision H of this Chapter~~

(Ord. No. 11-05, §1, 5-28-05; Ord. No. 10-13, §1, 04-16-13)

Sec. 61-11-175. General intensity and dimensional standards.

Development in the SD1 District shall comply with the standards provided in Sec. 61-13-69 of this Code and as follows.

(1) Front Setback:

(a) A minimum front setback is not required.

(b) The maximum front setback allowed shall be the average of the front

setback of the buildings located on the adjacent lots on each side of the subject building or twenty (20) feet, whichever is less.

(c) Off-street parking shall be prohibited in the front setback.

(2) Rear Setback:

(a) If an alley is to the rear of a single-story building, a minimum rear setback is not required. If no alley is present, single-story buildings shall have a minimum rear setback of ten (10) feet.

(b) Where land zoned R1, R2, R3, R4, R5, R6, residential PD, or SD1 is located to the rear, multi-story buildings shall have a rear setback of ten (10) feet if an alleys is to the rear of the building and thirty (30) feet if one is not present.

(c) Multi-family dwellings shall have a rear setback of ten (10) feet if an alley is present and thirty (30) feet if one is not present.

(3) Side Setback: No minimum side setback is required except where building is adjacent to land zoned R1, R2, R3, or R4. Where adjacent to land zoned R1, R2, R3, or R4, the side setback shall be calculated using Formula A.

(4) Off-street parking location: Parking shall be prohibited between the street and front façade of the building.

(5) Maximum height: thirty-five (35) feet for non-mixed-use, fifty (50) feet for mixed-use, not to exceed four (4) stories. Where a lot fronts on a right-of-way which is more than fifty (50) feet wide and where the outermost point of the proposed building is at least forty (40) feet from all R1, R2, and R3 Districts, the maximum height may be increased one (1) foot for each one (1) foot of right-of-way width greater than fifty (50) feet. The building shall not exceed sixty (60) feet in height.

(Ord. No. 11-05, §1, 5-28-05)

DIVISION 10. SD2 — SPECIAL DEVELOPMENT DISTRICT, COMMERCIAL/RESIDENTIAL MIXED-USE

Sec. 61-11-181. Description.

The SD2 District is designed for areas of the City where there is much investment interest and activity, and great development potential. Generally, in these areas, private developers have been active in changing the character of the area by increasing the intensity of development and converting land to both residential and commercial higher intensity uses. The SD2 District is designed to encourage one (1) portion of this development, and will permit high rise office and commercial structures with a controlled mix of transient and permanent residential facilities, together with appropriate service and retailing facilities and with an emphasis on entertainment venues. The SD2 District is designed to encourage a complementary mixture of uses including

residential, business, and office uses that are compatible in a neighborhood center. This zone will serve surrounding residential areas with consumer goods and services. It is the purpose of these regulations to encourage mixed-use developments that are compatible with the surrounding area and promote pedestrian activity. Size thresholds listed in this Division are provided for convenience and also appear in Article XII; they may be appealed to the Board of Zoning Appeals.

Sec. 61-11-182. Site plan review

All new construction and conditional uses in the SD2 District are subject to site plan review as provided for in ARTICLE III, Division 5 of this Chapter.

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-184. By-right residential uses.

(1) Lofts

(2) Multiple-family dwelling where combined in structures with permitted first-floor commercial use

~~(2)~~(3) Religious residential facilities in conjunction with religious institutions in the immediate vicinity

(4) Residential use combined in structures with permitted (first floor) commercial use

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-185. By-right public, civic, and institutional uses.

(1) Child care center

(2) Educational institution

~~(3) Electric transformer station~~

~~(4)~~(3) Fire or police station, post office and similar public building

~~(5) Gas regulator station~~

~~(6)~~(4) Library

~~(7)~~(5) Museum

~~(8)~~(6) Neighborhood center, nonprofit

~~(9)~~(7) Outdoor recreation facility

~~(10)~~(8) Religious institution

~~(11)~~(9) School, elementary, middle/junior high, or high

~~(12) Telephone exchange building~~

~~(13) Water works, reservoir, pumping station, or filtration plant~~

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-186. By-right retail, service, and commercial uses.

(1) Animal-grooming shop

(2) Art gallery

~~(2)~~(3) Automated teller machine not accessory to another use on the same zoning lot, which is stand-alone, without drive-up or drive-through facilities

~~(3)~~(4) Bake shop, retail

~~(4)~~(5) Banks without drive-up or drive-through facilities

~~(5)~~(6) Barber or beauty shop

~~(6)~~(7) Brewpub or microbrewery or small distillery, subject to Sec. 61-12-158(4)

~~(7) Cabaret~~

(8) Dry cleaning, laundry, or laundromat

(9) Establishment for the sale of beer or intoxicating liquor for consumption on the premises

(10) Medical or dental clinic, physical therapy clinic, or massage therapy clinic

(11) Nail salon

~~(11)~~(12) Office, business or professional

~~(12)~~(13) Parking lots or parking areas, accessory, for operable private passenger vehicles, not farther than the maximum distance specified in ARTICLE XIV, Division 1 of this Chapter

~~(13)~~ Parking structure

(14) Pet shop

(15) Printing or engraving shops not exceeding five thousand (5,000) square feet of gross floor area with a minimum of 10 percent of the gross floor area being used as a retail store for the sale of the goods produced

~~(14)~~(16) Radio or television station

~~(15)~~(17) Recording studio or photo studio or video studio, no assembly hall

~~(16)~~(18) Recreation, indoor commercial and health club, excluding golf dome

~~(17)~~(19) Restaurant, carry-out or fast-food, located in a multi-story building and integrated into a mixed-use or multi-tenant development, and without drive-up or drive-through facilities without drive-up or drive-through facilities

~~(18)~~(20) Restaurant, standard without drive-up or drive-through facilities

~~(19)~~(21) Retail sales and personal service in business and professional offices

~~(20)~~(22) Retail sales and personal service in multiple-residential structures

~~(21)~~(23) School or studio of dance, gymnastics, music, or art or cooking

~~(22)~~(24) Shoe repair shop

~~(23)~~(25) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise

(26) Theater, excluding concert café and drive-in theaters, not exceeding one hundred fifty (150) fixed seats

(27) Veterinary clinic for small animals (Ord. No. 11-05, §1, 5-28-05; Ord. No. 34-05, §1, 12-06-05; Ord. No. 13-11, §1, 8-23-11; Ord. No. 21-12, §1, 11-2-12)

Sec. 61-11-187. By-right manufacturing and industrial uses.

~~(1) Research or testing laboratory~~

The following uses not exceeding five thousand (5,000) square feet with a minimum of ten (10%) of the gross floor area being used as a retail store for the sale of the goods produced:

(1) Confection manufacturing

(2) Food catering

(3) General: Low/Medium impact Manufacturing or Processing facilities as defined in Sec. 61-16-124 of this Code and limited to the following:

(a) Art needlework

(b) Canvas goods manufacture

(c) Cigar or cigarette manufacture

(d) Clock or watch manufacture

(e) Coffee roasting

(f) Door, sash, or trim manufacture

(g) Draperies manufacture

(h) Flag or banner manufacture

(i) Glass blowing

(j) Knit goods manufacturing

(k) Leather goods manufacture or fabrication

(4) General: Low-impact Manufacturing or Processing facilities as defined in Sec. 61-16-124 of this Code

(5) Jewelry manufacture

(6) Lithographing, and sign shops

(7) Trade services, general, with the exception of cabinet making

(8) Wearing apparel manufacturing

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-190. Conditional residential uses.

(1) Convalescent, nursing, or rest home

(2) Fraternity or sorority house

(3) Multiple-family dwelling

~~(4) Residential use combined in structures with permitted commercial uses~~

~~(5)~~(4) Rooming house

~~(6)~~(5) Single-room-occupancy housing, nonprofit

~~(7)~~(6) Town house

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-191. Conditional public, civic, and institutional uses.

(1) Electric transformer station

(2) Gas regulator station

~~(1)~~(3) Hospital or hospice

~~(2)~~(4) Substance abuse service facility

(5) Telephone exchange building

(6) Water works, reservoir, pumping station, or filtration plant

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-192. Conditional retail, service, and commercial uses.

(1) Arcade

~~(2) Brewpub or microbrewery or small distillery, subject to Subsection 61-12-158(4)~~

(2) Cabaret

~~(3) Customer service center without drive-up or drive-through facilities~~

~~(3)~~(4) Dance hall, public

~~(4)~~(5) Hotel

(6) Kennel, commercial

(7) Motel

~~(5)~~(8) Motor vehicle filling station

~~(6)~~(9) Motor vehicle services, minor

(10) Parking lots or parking areas, commercial

(11) Parking lots or parking areas, accessory for operable private passenger vehicles, farther than the maximum distance specified in ARTICLE XIV, Division 1 of this Chapter

(12) Parking structure having at least sixty percent (60%) of the ground floor devoted to commercial space or other space oriented to pedestrian traffic

~~(7)~~(13) Pool or billiard hall

(14) Printing or engraving shops

exceeding five thousand (5,000) square feet of gross floor area with a minimum of 10 percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced

~~(9)~~(15) Private club, lodge, or similar use

~~(9)~~(16) Radio, television, or household appliance repair shop

(17) Secondhand store and second-hand jewelry store

~~(10)~~(18) Specially designated distributor's (SDD) or specially designated merchant's (SDM) establishment

(19) Tattoo and/or piercing parlor

~~(11)~~(20) Theater, excluding ~~and~~ concert cafe, ~~excluding~~ and drive-in theaters, exceeding one hundred fifty (150) fixed seats

(21) Youth hostel/hostel
(Ord. No. 11-05, §1, 5-28-05; Ord. No. 13-11, §1, 8-23-11)

Sec. 61-11-193. Conditional manufacturing and industrial uses.

(1) ~~None~~
When considering the conditional uses specified in this sections, the factors listed in Sec. 61-2-84(b)(2), Sec. 61-2-84(b)(3), and Sec. 61-2-84(b)(14) of this Code shall be considered.

The following uses not exceeding five thousand (5,000) square feet of gross floor area with a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced:

(1) General: High/medium-impact Manufacturing or Processing limited to furniture manufacturing

(2) Machine shop

(3) Trade services, general limited to cabinet making

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-194. Conditional other uses.

(1) ~~Heliports~~

~~(2)~~(1) Passenger transportation terminal

~~(3)~~(2) Signs as provided for in Article VI of this Chapter.

(3) Urban Garden not exceeding 0.5 acres in size as provided for in ARTICLE XII, DIVISION 3, Subdivision H of this Chapter
(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-11-195. Intensity and dimensional standards.

Development in the SD2 District shall comply with the standards provided for in Sec. 61-13-70 of this Code and as follows.

(1) Front Setback:

(a) A minimum front setback is not required.

(b) The maximum front setback allowed shall be the average of the front setback of the buildings located on each side of the subject building or twenty (20) feet, whichever is less. Parking in front of a neighboring building does not count as a front setback.

(c) Off-street parking shall be prohibited in the front setback.

(2) Rear Setback:

(a) If an alley is to the rear of a single-story building, a minimum rear setback is not required. If no alley is present, single-story buildings shall have a minimum rear setback of ten (10) feet.

(b) Where land zoned R1, R2, R3, R4, R5, R6, residential PD is located to the rear, multi-story buildings shall have a rear setback of ten (10) feet if an alley is to the rear of the building and thirty (30) feet if one is not present.

(c) Multi-family dwellings shall have a rear setback of ten (10) feet if an alley is present and thirty (30) feet if one is not present.

(3) Side Setback: No minimum side setback is required except where building is adjacent to land zoned R1, R2, R3, or R4. Where adjacent to land zoned R1, R2, R3, or R4, the side setback shall be calculated using Formula A.

(4) Off-street parking location: Parking shall be prohibited between the street and front façade of the building.

(5) Maximum height: forty-five (45) feet for non-mixed-use, sixty (60) feet for mixed-use, not to exceed five (5) stories. Where a lot fronts on a right-of-way which is more than sixty (60) feet wide and where the outermost point of the proposed building is at least forty (40) feet from all R1, R2, and R3 Districts, the maximum height may be increased one (1) foot for each one (1) foot of right-of-way width greater than sixty (60) feet.

(Ord. No. 11-05, §1, 5-28-05)

Use Category	Residential					Business					Industrial					Special and Overlay										Standards General (Art. XII, Div. 2), Specific (Art. XII, Div. 3)																	
	R 1	R 2	R 3	R 4	R 5	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	M 6	P 1	P 2	P 3	P 4	P 5	P 6	A	C		C	M	R	P	T	P	W	S	S	S	S	S	S				
Specific Land Use																																											
Barber or beauty shop						R	R	R	R	R	R	R	R	R	R	R	R	L																								Sec. 61-12-408	
Business college or commercial trade school												C	R	R	R	R	R	L							R	R																Sec. 61-12-239	
Customer service center with drive-up or drive-through facilities						C	C	C				R	R	R	R	R	R	L							R																	Article XIV, Division 1, Subdivision H	
Customer service center without drive-up or drive-through facilities												R	R	R	R	R	R	L							R																		
Dry cleaning, laundry, or laundromat						R	R	R	R	R	R	R	R	R	R	R	R	L							R	R																Sec. 61-12-162	
Employee recruitment center												C	R	R	R	R	R	L							R																		
Financial services center, with drive-up or drive-through												C	C	C				L							C	R																	Sec. 61-12-162.5; Article XIV, Division 1, Subdivision H
Financial services center (without drive-up or drive-through)						C	C	C	R	R	R	R	R	R	R	R	R	L							R	R																Sec. 61-12-162.5	

Use Category	Specific Land Use	Residential			Business			Industrial			Special and Overlay										Standards General (Art. XII, Div. 2), Specific (Art. XII, Div. 3)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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DIVISION 3. SPECIFIC USE STANDARDS

**Subdivision C. Retail, Service, and Commercial Uses; Generally
Sec. 61-12-158. Brewpubs and microbreweries and small distilleries.**

Brewpubs and microbreweries and small distilleries shall be subject to the following provisions:

(1) Regulated Use provisions of ARTICLE III, Division 8 of this Chapter where there is consumption of beer or intoxicating liquor on the premises, located outside of the Central Business District;

(2) Controlled Use provisions of ARTICLE III, Division 9 of this Chapter where beer or wine or intoxicating liquor are sold to the general public for consumption off the premises at a brewpub or small distillery;

(3) Review by the County of Wayne Department of Environment as provided for in Sec. 61-12-82 of this Code;

(4) In the M1, M2, M3, and M4 Districts: where a brewpub, microbrewery, or small distillery is classified as a Regulated Use and/or a Controlled Use, the use shall be permitted on a conditional basis; where a brewpub, microbrewery, or small distillery is not classified as a Regulated Use or Controlled Use, the use shall be permitted on a by-right basis;

(5) In the SD1 District, a brewpub or microbrewery or small distillery shall be permitted on a by-right basis where not exceeding three thousand (3,000) square feet and on a conditional basis where exceeding three thousand (3,000) square feet.

(Ord. No. 11-05, §1, 5-28-05; Ord. No. 13-11, §1, 8-23-11)

Sec. 61-12-161. Establishment for the sale of beer or intoxicating liquor for consumption on the premises.

(a) Establishments for the sale of beer or intoxicating liquor for consumption on the premises are permitted conditionally in the R5 District and by right in the R6 District only where they are located in a multiple-family dwelling, hotel, or motel that has at least fifty (50) units and, provided, that the establishment for consumption on the premises:

(1) Does not exceed two thousand (2,000) square feet in gross floor area;

(2) Is accessible only from the interior of the building; and

(3) Has no advertising or display of said use visible from the exterior of the building.

(b) In the SD1 District, establishments for the sale of beer or intoxicating liquor for consumption on the premises shall be permitted on a by-right basis where not exceeding three thousand (3,000) square feet and on a conditional basis where exceeding three thousand (3,000) square feet.

(See ARTICLE III, Division 8 for Regulated Use provisions)

(Ord. No. 11-05, §1, 5-28-05; Ord. No. 34-05, §1, 12-06-05)

**Subdivision E. Retail, Service and Commercial Uses; Generally,
continued**

Sec. 61-12-220. Parking structures.

Parking structures shall be subject to the following provisions:

(1) The dimensions of parking spaces in a parking structure shall be nine (9) feet by twenty (20) feet as specified in Sec. 61-14-151 of this Code, except that not more than twenty percent (20%) of the total number of spaces may be striped to smaller dimensions, provided, that all such spaces are located in those areas of the structure most remote from street-level ingress and egress and from direct access points to adjacent buildings. No other administrative adjustment of parking space dimensions may be granted;

(2) Parking structures shall conform to the specifications for Accessible Parking for Physically Disabled Persons as provided for in Sec. 61-14-122 through Sec. 61-14-126 of this Code. In addition, the minimum height clearance shall be ninety-eight inches (98") for van accessibility;

(3) In the B5, PC, and PCA, ~~and SD1~~ Districts, a parking structure shall be permitted by right if at least thirty percent (30%) of the ground floor level façade abutting a public street is dedicated to commercial space or other space oriented to pedestrian traffic. Otherwise, a parking structure may only be permitted as a Conditional use;

~~(4) In the SD1 and SD2 districts, a parking structure may be permitted as a Conditional use if least sixty percent (60%) of the ground floor level façade abutting a public street is dedicated to commercial space or other space oriented to pedestrian traffic;~~

~~(4)(5) Parking structures shall be subject to site plan review as provided for in Sec. 61-13-113(1)(f) of this Code.~~

(Ord. No. 11-05, §1, 5-28-05)

~~**Sec. 61-12-230. Retail sales and service in business and professional offices.**~~

~~In the SD2 District, business or professional offices may contain the following uses:~~

~~(1) Barber or beauty shops;~~

~~(2) Cleaning or pressing shops;~~

~~(3) Coffee shops;~~

~~(4) Delicatessens or restaurants, either of which may sell liquor, or establishments for the sale of beer or intoxicating liquor for consumption on the premises, provided, that each of these uses shall have a maximum gross floor area of two thousand (2,000) square feet;~~

~~(5) Drug stores;~~

~~(6) Gift shops;~~

~~(7) Laundry pick up stations;~~

- ~~(8) Shoeshine stand or parlor;~~
- ~~(9) Telegraph offices;~~
- ~~(10) Tobacco or newspaper stands or shops;~~

~~(11) Similar commercial uses located on or below the ground floor of business or professional offices; and~~

~~(12) Similar commercial uses located elsewhere in the building where approved as Conditional Uses pursuant to ARTICLE III, Division 7 of this Chapter. (Repealed)~~

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-12-238. Theaters and concert cafés.

Theaters and concerts cafés shall be subject to the following provisions:

(1) Multiplex theaters ~~in excess of~~ ~~exceeding~~ fifty thousand (50,000) square feet shall conform to the standards for large retail centers as provided for in ARTICLE XIV, DIVISION 3, Division 3 of this Chapter;

(2) It shall be unlawful to establish any concert hall within five hundred (500) feet of land zoned R1, R2, R3, R4, R5, R6, or residential PD; said prohibition shall be waived upon presentation to the Buildings, ~~and~~ Safety Engineering, ~~and~~ Environmental Department of a verified petition requesting such waiver, signed by two-thirds (2/3) of those persons owning, residing, or doing business within five hundred (500) feet of the proposed location; and

(3) It shall be unlawful to establish any concert café within five hundred (500) feet of land zoned R1, R2, R3, R4, R5, R6, or residential PD. Said prohibition shall be waived upon presentation to the Buildings, ~~and~~ Safety Engineering, ~~and~~ Environmental Department of a verified petition requesting such waiver, signed by two-thirds (2/3) of those persons owning, residing, or doing business within five hundred (500) feet of the proposed location;

(4) Theaters, stage show theaters, concert halls, and motion picture theaters are subject to licensing by the Business License Center, as provided for in Chapter 5, Articles XIV of this Code;

(5) Concert cafés are subject to licensing by the Business License Center, as provided for in Chapter 5, Article IX of this Code;

~~(6) In the SD1 District, theaters, excluding concert cafes, not exceeding one hundred fifty (150) fixed seats may be permitted on a conditional basis.~~

~~(7) In the SD2 District, theaters, excluding concert cafes, not exceeding one hundred fifty (150) fixed seats are permitted on a matter-of-right basis. Those exceeding one hundred fifty (150) fixed seats may be permitted on a conditional basis.~~

(Ord. No. 11-05, §1, 5-28-05; Ord. No. 20-05, §1, 5-29-05; Ord. No. 34-05, §1, 12-06-05; Ord. No. 01-10, §1, 04-01-10)

Sec. 61-12-242. Printing or engraving shops

In the SD1 District, Printing or engraving shops not exceeding 4,000 square feet may be permitted on a conditional basis where a minimum of ten percent (10%) of the gross floor area is used as a retail store for the sale of the goods produced.

In the SD2 District, Printing or engraving shops not exceeding five thousand (5,000) square feet may be permitted on a matter of right basis where a minimum of ten percent (10%) of the gross floor area is used as a retail store for the sale of the goods produced. Printing or engraving shops exceeding five thousand (5,000) square feet may be permitted on a conditional basis where a minimum of ten percent (10%) of the gross floor area is used as a retail store for the sale of the goods produced.

~~Secs. 61-12-242 61-12-243 — 61-12-250. Reserved.~~

Subdivision F. Manufacturing and Industrial Uses

Sec. 61-12-254. Confection manufacturing.

In the B2 District, confection manufacturing must include retail sales, and the building size shall not exceed six thousand (6,000) square feet in gross floor area.

In the SD1 District, confection manufacturing with a minimum of 10 percent of the gross floor area being used as a retail store for the sale of the goods produced, shall not exceed four thousand (4,000) square feet in gross floor area.

In the SD2 District, confection manufacturing with a minimum of 10 percent of the gross floor area being used as a retail stores for the sale of the goods produced, shall not exceed five thousand (5,000) square feet in gross floor area.

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-12-260. Jewelry manufacturing.

In the B2 District, only the manufacture of handcrafted jewelry is permitted, and the building size shall not exceed four thousand (4,000) square feet in gross floor area.

In the SD1 District, jewelry manufacturing establishments shall have a minimum of ten percent (10%) of the gross floor area being used as a retail stores for the sale of the goods produced and shall not exceed four thousand (4,000) square feet in gross floor area.

In the SD2 District, jewelry manufacturing establishments shall have a minimum of ten percent (10%) of the gross floor area being used as a retail stores for the sale of the goods produced and shall not exceed five thousand (5,000) square feet in gross floor area.

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-12-262. Lithographing and sign shops.

In the B2 and B4 Districts, sign shops shall be prohibited.

In the SD1 District, lithographing and sign shop establishments shall have a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced and shall not exceed four thousand (4,000) square feet in gross floor area.

In the SD2 District, lithographing and sign shop establishments shall have a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced and shall not exceed five thousand (5,000) square feet in gross floor area.

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-12-274. Trade services, general.

General trade services shall be subject to the following provisions:

(1) General Trade Services are defined in Sec. 61-16-182 of this Code;

(2) All material shall be stored within an enclosed building with walls on all sides; and

(3) Carpenter shops shall be properly ventilated as required by the County of Wayne Department of the Environment.

(4) SD1 District.

(a) In the SD1 District, Trade services, general, with the exception of cabinet making establishments shall be permitted on a by-right basis if they have a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced and do not exceed four thousand (4,000) square feet in gross floor area.

(b) In the SD1 District, Trade services, general, cabinet making establishments may be permitted on a conditional basis if they have a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced and shall not exceed five thousand (5,000) square feet in gross floor area.

(Ord. No. 11-05, §1, 5-28-05)

Sec. 61-12-280. Food catering.

In the SD1 District, food catering establishments not exceeding four thousand (4,000) square feet in gross floor area shall be permitted on a by-right basis.

In the SD2 District, food catering establishments not exceeding five thousand (5,000) square feet in gross floor area shall be permitted on a conditional basis.

Sec. 61-12-281. General: Low-impact Manufacturing or processing facilities.

In the SD1 District, Low-impact Manufacturing or processing facilities with a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced, shall not exceed four thousand (4,000) square feet in gross floor area.

In the SD2 District, Low-impact Manufacturing or processing facilities with

a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced, shall not exceed five thousand (5,000) square feet in gross floor area.

Sec. 61-12-282. General: Wearing apparel manufacturing.

In the SD1 District, wearing apparel manufacturing facilities with a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced, shall not exceed four thousand (4,000) square feet in gross floor area.

In the SD2 District, wearing apparel manufacturing facilities with a minimum of 10 percent of the gross floor area being used as a retail store for the sale of the goods produced, shall not exceed five thousand (5,000) square feet in gross floor area.

Sec. 61-12-283. Low/Medium impact Manufacturing or processing facilities.

(a) In the SD1 and SD2 Districts, Low/Medium-impact Manufacturing or processing facilities with a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced are limited to the following:

- (1) Art needlework
- (2) Canvas goods manufacture
- (3) Cigar or cigarette manufacture
- (4) Clock or watch manufacture
- (5) Coffee roasting
- (6) Door, sash, or trim manufacture
- (7) Draperies manufacture
- (8) Flag or banner manufacture
- (9) Glass blowing
- (10) Knit goods manufacturing
- (11) Leather goods manufacture or fabrication

(b) In the SD1 District, such facilities shall not exceed four thousand (4,000) square feet in gross floor area; in the SD2 District, such facilities shall not exceed five thousand (5,000) square feet in gross floor area.

Sec. 61-12-284. High/medium Impact Manufacturing or processing facilities.

(a) In the SD1 and SD2 Districts, High/Medium-impact Manufacturing or processing facilities with a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced may be permitted as a conditional use and are limited to furniture making facilities.

(b) In the SD1 District, furniture making facilities shall not exceed four thousand (4,000) square feet in gross floor area; in the SD2 District, furniture making facilities shall not exceed five thousand (5,000) square feet in gross floor area.

Sec. 61-12-285. Machine Shop.

(a) In the SD1 and SD2 Districts, machine shop facilities with a minimum of

ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced may be permitted as a Conditional use.

(b) In the SD1 District, machine shops shall not exceed four thousand (4,000) square feet in gross floor area; in the SD2 District, machine shops shall not exceed five thousand (5,000) square feet in gross floor area.

Secs. ~~61-12-280~~ 61-12-286 — 61-12-290. Reserved.

ARTICLE XIII. INTENSITY AND DIMENSIONAL STANDARDS
DIVISION 1. TABLES OF INTENSITY AND DIMENSIONAL STANDARDS

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max. FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Section Reference	Sec. 61-13-142	Sec. 61-13-142	Sec. 61-16-172	Sec. 61-16-172	Sec. 61-13-151	Sec. 61-13-152	Sec. 61-13-156 Sec. 61-13-157		

*Formula A = Length (feet) + 2 (height) / 15
*Formula B = Length (feet) + 2 (height) / 6

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max. FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Section Reference	Sec. 61-13-142	Sec. 61-16-172	Sec. 61-16-172	Sec. 61-16-172	Sec. 61-13-151	Sec. 61-13-152	Sec. 61-13-156 Sec. 61-13-157		
Sec. 61-13-69. SD1. (Ord. No. 11-05, §1, 5-28-05)									
Gas regulator stations, electric transformer stations, telephone exchange buildings, water works, reservoirs, pumping stations, fire hydrant plants.			20 See Sec. 61-11-175	45 See Sec. 61-11-175	20 See Sec. 61-11-175				
Establishment for the sale of beer or intoxicating liquor for consumption on the premises			20 See Sec. 61-11-175	Formula-B See Sec. 61-11-175	20 See Sec. 61-11-175	See Sec. 61-11-175		2-00	
Fraternity or sorority houses	7000	70	20 See Sec. 61-11-175	Formula-A See Sec. 61-11-175	20 See Sec. 61-11-175	See Sec. 61-11-175		1-00	

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max. FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Section Reference	Sec. 61-13-142		Sec. 61-16-172	Sec. 61-16-172	Sec. 61-13-151	Sec. 61-13-152	Sec. 61-13-156 Sec. 61-13-157		
Hotels or motels	7000	70	20 See Sec. 61-11-175	Formula A See Sec. 61-11-175	20 See Sec. 61-11-175	See Sec. 61-11-175	2-00		
Libraries or museums	10000	70	20 See Sec. 61-11-175	Formula B See Sec. 61-11-175	20 See Sec. 61-11-175	See Sec. 61-11-175	2-00		
Marinas			20	20					Sec. 61-13-91
Multiple-family dwellings	7000	70	20 See Sec. 61-11-175	Formula A See Sec. 61-11-175	20 See Sec. 61-11-175	See Sec. 61-11-175	(0.07 RSR)	2-00	
Neighborhood centers (non-profit)	7000	70	20 See Sec. 61-11-175	Formula B See Sec. 61-11-175	20 See Sec. 61-11-175	See Sec. 61-11-175		4-60	

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max. FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Outdoor recreation facilities									Sec. 61-13-131
Parking lots or parking areas			20 See Sec. 61-11-175	Formula A See Sec. 61-11-175	See Sec. 61-11-175				Article XIV, Division 1, Subdivision 1
Parking structures			20 See Sec. 61-11-175	Formula B See Sec. 61-11-175	5 See Sec. 61-11-175	See Sec. 61-11-175		4.00	Sec. 61-13-103
Personal service			20 See Sec.	Formula B See Sec.	20 See Sec.	See Sec. 61-11-175		4.60	

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max. FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Section Reference	Sec. 61-13-142		Sec. 61-16-172	Sec. 61-16-172	Sec. 61-13-151	Sec. 61-13-152	Sec. 61-13-156 Sec. 61-13-157		
establishment as defined in Sec. 61-16-151			61-11-175	61-11-175	61-11-175	175			
Radio television, or household appliance repair shop			20 See Sec. 61-11-175	Formula-A See Sec. 61-11-175	20 See Sec. 61-11-175	See Sec. 61-11-175	200		
Religious institutions	10000	70	20 See Sec. 61-11-175	Formula-B See Sec. 61-11-175	20 See Sec. 61-11-175	See Sec. 61-11-175	200		
Residential use combined in structures with permitted (first floor) commercial uses			See Sec. 61-11-175	See Sec. 61-11-175	See Sec. 61-11-175	50 not to exceed 4 stories. See Sec. 61-11-175			
Restaurants, standard			20 See Sec. 61-11-175	Formula-B See Sec. 61-11-175	20 See Sec. 61-11-175	See Sec. 61-11-175	200		
Rooming houses	7000	70	20 See Sec. 61-11-175	Formula-A See Sec. 61-11-175	20 See Sec. 61-11-175	See Sec. 61-11-175	(0.07 RSR)	4-60	

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max. FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Section Reference	Sec. 61-13-142		Sec. 61-16-172	Sec. 61-16-172	Sec. 61-13-151	Sec. 61-13-152	Sec. 61-13-156 Sec. 61-13-157		
Schools	10000	70	20 See Sec. 61-11-175	Formula-B See Sec. 61-11-175	20 See Sec. 61-11-175	See Sec. 61-11-175	2-00		
Single-family dwellings; religious residential facilities	5000	50	20	4 ft. minimum/ 14 ft. combined	30	35	25		
Specially designated distributors' (SDD) establishment			20 See Sec. 61-11-175	Formula-B See Sec. 61-11-175	20 See Sec. 61-11-175	See Sec. 61-11-175	2-00		
Specially designated merchant's (SDM) establishment			20 See Sec. 61-11-175	Formula-B See Sec. 61-11-175	20 See Sec. 61-11-175	See Sec. 61-11-175	2-00		
Stores of a generally recognized retail nature whose primary			20 See Sec. 61-11-175	Formula-B See Sec. 61-11-175	20 See Sec. 61-11-175	See Sec. 61-11-175	2-00		

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max. FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Section Reference	Sec. 61-13-142		Sec. 61-16-172	Sec. 61-16-172	Sec. 61-13-151	Sec. 61-13-152	Sec. 61-13-156 Sec. 61-13-157		
business is the sale of new merchandise									
Town houses (attached group)	7000	70	20	Formula A	30		35	1.50	Sec. 61-13-106
Two-family dwellings	6000	65	20	4-ft. minimum/14-ft. combined	30	35	35		
All mixed use			See Sec. 61-11-175	See Sec. 61-11-175	See Sec. 61-11-175	See Sec. 61-11-175	See Sec. 61-11-175		
All other uses, other than mixed use	7000	70	20 See Sec. 61-11-175	Formula-B See Sec. 61-11-175	30 See Sec. 61-11-175	35		4.00	
Sec. 61-13-70. SD2. (Ord. No. 11-05, §1, 5-28-05; Ord. No. 34-05, §1, 12-06-05)									
Arcade			20	Formula-B	30			2.00	
Fire or police stations or other public buildings			20	45	30			2.25	

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max. FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Section Reference	Sec. 61-13-142		Sec. 61-16-172	Sec. 61-16-172	Sec. 61-13-151	Sec. 61-13-152	Sec. 61-13-156 Sec. 61-13-157		
Fraternity or sorority houses	7000	70	20	Formula A	30		1.50		
Gas-regulator stations, electric transformer stations, telephone exchange buildings, water-walker, reservoirs, pumping stations, filtration plants,			20	15	30		2.25		
Hotels	7000	70	20 See Sec. 61-11-195	Formula-A See Sec. 61-11-195	30 See Sec. 61-11-195	See Sec. 61-11-195	2.25		
Libraries or museums	10000	70	20 See Sec. 61-11-195	Formula-B See Sec. 61-11-195	30 See Sec. 61-11-195	See Sec. 61-11-195	2.00		
Motor vehicle filling station	See Sec. 61-13-93		See Sec. 61-13-98 and Sec. 61-13-99				Sec. 61-13-97		
Multiple-family dwellings	7000	70	20 See Sec. 61-11-195	Formula-B See Sec. 61-11-195	30 See Sec. 61-11-195	See Sec. 61-11-195	(0.07 RSR)	2.25	

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max. FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Section Reference	Sec. 61-13-142		Sec. 61-16-172	Sec. 61-16-172	Sec. 61-13-151	Sec. 61-13-152	Sec. 61-13-156 Sec. 61-13-157		
Neighborhood centers (non-profit)	7000	70	20 See Sec. 61-11-195	Formula-B See Sec. 61-11-195	20 See Sec. 61-11-195	See Sec. 61-11-195	4-50		
Outdoor recreation facilities								Sec. 61-13-131	
Parking lots or parking areas			20 See Sec. 61-11-195	Formula-A See Sec. 61-11-195	See Sec. 61-11-195				Article XIV, Division 1, Subdivision I
Parking structures			20 See Sec. 61-11-195	Formula-B See Sec. 61-11-195	5 See Sec. 61-11-195	See Sec. 61-11-195	4-50	Sec. 61-13-103	
Personal service establishment as defined in Sec. 61-16-154			20	Formula-B	20		4-50		
Radio or television stations			20	Formula-B	20		4-50		
Religious institutions	10000	70	20 See Sec. 61-11-195	Formula-B See Sec. 61-11-195	20 See Sec. 61-11-195	See Sec. 61-11-195	2-50	Sec. 61-13-104	
Research laboratories			20	Formula-B	20		4-50		

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max. FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Section Reference	Sec. 61-13-142		Sec. 61-16-172	Sec. 61-16-172	Sec. 61-13-151	Sec. 61-13-152	Sec. 61-13-156 Sec. 61-13-157		
Rooming houses	7000	70	20 See Sec. 61-11-195	Formula B See Sec. 61-11-195	20 See Sec. 61-11-195	See Sec. 61-11-195	(0.07 RSR)	4-60	
Schools	10000	70	20 See Sec. 61-11-195	Formula B See Sec. 61-11-195	20 See Sec. 61-11-195	See Sec. 61-11-195		2-00	Sec. 61-13-131
Town houses (attached group)	7000	70	20 See Sec. 61-11-195	Formula A See Sec. 61-11-195	20 See Sec. 61-11-195	See Sec. 61-11-195		4-50	Sec. 61-13-106
All mixed use			See Sec. 61-11-195	See Sec. 61-11-195	See Sec. 61-11-195	60, not to exceed 5 stories; See Sec. 61-11-195			
All other uses, other than mixed use			See Sec. 61-11-195	See Sec. 61-11-195	See Sec. 61-11-195	45		2-25	Sec. 61-13-131

Subdivision I. Intensity and Dimensional Standards for Specific Uses

Sec. 61-13-106. Town houses.

Town houses shall be subject to the following provisions:

In the R2 District, a maximum of eight (8) town houses shall be permitted in any group of attached town houses;

In the R3 District, a maximum of ten (10) town houses shall be permitted in any group of attached town houses;

In the R2, R3, and R4 Districts, the following minimum dimensional standards shall apply to individual town houses: two thousand (2,000) square feet of lot area and twenty (20) feet width;

In the R5, R6, B1, B2, B4, and ~~SD1~~ B5 Districts, the following minimum dimensional standards shall apply to individual town houses: one thousand eight hundred (1,800) square feet of lot area and eighteen (18) feet width;

In all zoning districts, setbacks requirements shall be applied only on those sides of a dwelling unit which have exposed walls;

Town house developments exceeding twelve (12) units are subject to site plan review as provided for in Sec. 61-3-113(1)(c) of this Code.

(Ord. No. 11-05, §1, 5-28-05)

**ARTICLE XIV. GENERAL DEVELOPMENT STANDARDS
DIVISION 1. OFF-STREET PARKING, LOADING AND ACCESS**

Subdivision A. In General

Sec. 61-14-7. Off-street parking exemptions and allowances.

The following exemptions and allowances to the off-street parking requirements shall apply:

(1) Uses in the B5 and PC districts and in any other district in the Central Business District area shall be exempt from the off-street parking requirements of ARTICLE XIV, DIVISION 1, Subdivision B and Subdivision C of this Chapter;

(2) For retail, service, and commercial uses on zoning lots abutting a Traditional Main Street or on land zoned SD1 or SD2, the maximum distance that off-street parking shall be provided from the principal use specified in Article XIV, Division 1, Subdivision B, may be increased to one thousand three hundred and twenty (1,320) feet where the applicant can show to the satisfaction of the Planning and Development Department that a "district approach" to parking is being used in the Traditional Main Street Overlay Area or other area nearby. To show a district approach to parking, the applicant shall provide the following:

(a) A signage plan to show how the business will direct customers and employees to the off-site parking lot including parking signage and wayfinding;

(b) A plan for who will manage and maintain the off-site parking facility, including safety and security measures;

(c) Where the parking area or parking structure is owned by someone other than the applicant, a shared parking agreement shall be required according to Sec. 61-14-106 and Sec. 61-14-109 of this Code.

(3) No additional off-street parking, beyond that already provided, shall be required for structures erected prior to April 9, 1998, other than religious institutions, erected prior to April 9, 1998 that have do not exceed three thousand (3,000) or fewer square feet of gross floor area; and

(4) ~~When~~ Where a use located in a structure erected prior to April 9, 1998 expands into an existing adjacent structure erected prior to April 9, 1998 and the total gross floor area of the combined structures ~~is not more than~~ does not exceed four thousand (4,000) square feet, no additional off-street parking shall be required.

(Ord. No. 11-05, §1, 5-28-05; Ord. No. 34-05, §1, 12-06-05; Ord. No. 13-11, §1, 8-23-11; Ord. No. 23-13, §1, 8-28-13)

Subdivision B. Off-Street Parking Schedule "A"

Use Category	Specified Land Use	Off-Street Parking Spaces Required, minimum. (References are to square feet or gross floor area unless otherwise indicated.)	Maximum Distance (feet)
<p>Sec. 61-14-22. Residential uses. Residential uses shall provide off-street parking as follows: (Ord. No. 11-05, §1, 5-28-05; Ord. No. 21-12, §1, 11-2-12)</p>			
<p>Sec. 61-14-24. Household Living (Ord. No. 11-05, §1, 5-28-05; Ord. No. 21-12, §1, 11-2-12)</p>	Loft	1.25 per dwelling unit	100
	Multiple-family dwelling	1.25 per dwelling unit; 0.75 per dwelling unit for multiple-family dwelling for the elderly as defined in Sec. 61-16-134; see also Sec. 61-14-63. <u>On land zoned SD1 or SD2: 1.0 per dwelling unit or 0.75 per dwelling unit if located within 0.25 miles of a bus rapid transit, street car/trolley or light rail line.</u>	100; except where developed under the "School building adaptive reuses" provision as defined in Sec. 61-16-171 of this Code: same lot; <u>and except on land zoned SD1 or SD2: 1,320 where a "district approach" to parking as provided in Sec. 61-14-(2)(a), (b), and (c) has been recognized by the Planning and Development Department.</u>
	Mobile home park	2 per dwelling unit	same lot
	Single Room Occupancy Housing (Nonprofit)	1 per 2 employees + 1 per 10 residents	100
	Single-family detached dwelling	2 per dwelling unit	same lot
	Town house	1.5 per dwelling unit	100
	Two-family dwelling	1.5 per dwelling unit	same lot
<p>Sec. 61-14-38. Retail, service,, and commercial uses. Retail, Service and Commercial uses shall provide off-street parking as follows: (Ord. No. 11-05, §1, 5-28-05; Ord. No. 21-12, §1, 11-2-12)</p>			
<p>Sec. 61-14-39. (Repeated) Retail, service, and commercial uses located on land zoned SD1 or SD2 (Ord. No. 11-05, §1, 5-28-05; Ord. No. 01-10, §1, 04-01-10)</p>		<p><u>Where the use is located within 0.25 miles of a bus rapid transit, street car/trolley or light rail line: 0.75 of the minimum required off-street spaces specified in Sec. 61-14-40 through Sec. 61-14-50.</u></p>	<p>As specified in Sec. 61-14-40 through Sec. 61-14-50 or Sec. 61-14-7(2) where applicable.</p>

Subdivision F. Waivers and Alternative Parking Plans

Sec. 61-14-103. Waiver of off-street parking requirements for uses or buildings minimally deficient.

(a) *In general*

(+) Where the Buildings, Safety Engineering and Environmental Department determines that 1) a building or use requires no variance or other action under the jurisdiction of the Board of Zoning Appeals and 2) the building or use can provide at least eighty percent (80%) of the required off-street parking spaces, then, upon request of the petitioner and in conjunction with the Municipal Parking Department and the Department of Public Works, Traffic Engineering Division, the department may grant a waiver of the off-street parking requirements, not exceeding ten (10) parking spaces. Such waiver shall not be granted unless, in the judgment of the Buildings, Safety Engineering and Environmental Department, with the sign-off of the Municipal Parking Department and the Department of Public Works, Traffic Engineering Division, the waiver of the parking requirement for the building or use involved is not injurious to the adjacent or surrounding areas by creating or increasing traffic congestion or by disrupting traffic circulation. However, in those instances where a building or use is subject to Site Plan Review, the Planning and Development Department has sole authority to consider such waiver.

(b) *Traditional Main Street Overlay Areas.*

(1) *Applicability.* In addition to the parking waiver granted for buildings ~~under~~ not exceeding three thousand (3,000) square feet per Sec. 61-14-7(2) Sec. 61-14-7(3) of this Code, in a Traditional Main Street overlay area, as provided in Sec. 61-11-312, the Planning and Development Department may grant a waiver of the off-street parking requirements for the first three thousand (3,000) square feet of pedestrian-oriented retail, service, or commercial uses. The Planning and Development Department shall have authority to consider such waiver ensuring that the waiver will not be injurious to the adjacent or surrounding areas by creating or increasing traffic congestion or by disrupting traffic circulation.

(2) *Eligibility.* In order to qualify for the waiver, the following criteria shall be met:

(A) The pedestrian-oriented use shall fall into one of the following use categories:

- (i) Sec. 61-12-43, Food and beverage service;
- (ii) Sec. 61-12-50, Retail sales and service; sales-oriented; and

(iii) Sec. 61-12-51, Retail sales and service; service-oriented except motor vehicle sales, motorcycle sales, and any use with drive-up or drive-through facilities.

(B) New buildings must comply with all of the requirements in the Traditional Main Street Overlay standards.

(C) New uses in existing buildings shall be eligible for this waiver only if, at a minimum, the building complies with the following standards from Division 3, Subdivision C of this article:

(i) The front façade of the building is located on the lot line facing the Traditional Main Street, in accordance with the standards in Sec. 61-14-282 of this Code;

(ii) The street level façade of the building has a minimum of sixty percent (60%) transparency according to Sec. 61-14-286 of this Code;

(iii) The building has an active entryway located on the façade facing the Traditional Main Street, according to Sec. 61-14-289 of this Code.

(D) In the case where one building or development contains multiple retail, service, or commercial uses, the total number of spaces that may be waived for a building or development using this waiver shall not exceed forty five (45) spaces.

(c) *SD1/SD2 Areas*

In addition to the parking waiver granted for buildings under three thousand (3,000) square feet per Sec. 61-14-7(3) of this Code, on properties zoned SD1 or SD2, the Planning and Development Department may grant a waiver of the off-street parking requirements: for the first three thousand (3,000) square feet of pedestrian-oriented retail, service, or commercial uses. The Planning and Development Department shall have authority to consider such waiver, ensuring that the waiver will not be injurious to the adjacent or surrounding areas by creating or increasing traffic congestion or by disrupting traffic circulation. In the case where one building or development contains multiple retail, service, or commercial uses, the total number of spaces that may be waived for a building or development using this waiver shall not exceed forty five (45) spaces.

(Ord. No. 11-05, §1, 5-28-05; Ord. No. 20-05, §1, 5-29-05; Ord. No. 44-06, §1, 12-21-06; Ord. No. 23-13, §1, 8-28-13)

Sec. 61-14-113. Credit for public parking.

Where City of Detroit public parking lots directly abut or are within one hundred (100) feet of a site that is proposed for occupancy, such City of Detroit public parking areas may be credited to the amount of off-street parking required by this article, provided, that no other land use has claimed credit for the same City of Detroit public parking lot.

For properties zoned SD1 or SD2, City of Detroit public parking lots with in one thousand three hundred and twenty (1,320) feet of the site proposed for occupancy may be used toward the required amount of off-street parking. A shared parking agreement shall be duly recorded with the City of Detroit Municipal Parking Department.
(Ord. No. 11-05, §1, 5-28-05)

Subdivision I. Off-Street Parking Area Design
Sec. 61-14-149. Traditional Main Street overlay areas, SD1, and SD2.
 In designated Traditional Main Street overlay areas and on land zoned SD1 and SD2, no parking may be located between the front façade of a primary structure and the street.
 (Ord. No. 11-05, §1, 5-28-05; Ord. No. 20-05, §1, 5-29-05)

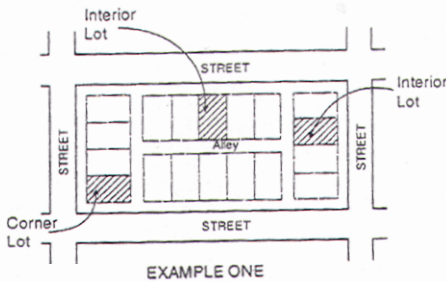
ARTICLE XVI. DEFINITIONS AND RULES OF CONSTRUCTION

DIVISION 2. WORDS AND TERMS DEFINED	
Subdivision K. Letter “K” Through “L”	
Sec. 61-16-124. Words and terms (Ln-Lz). (Ord. No. 11-05, §1, 5-28-05)	
Lodging House, Public	A commercial establishment or place where five (5) or more members of the public, whether travelers or not, are charged for or pay for sleeping quarters in the form of cots or beds in the same room.
Loft	A dwelling unit in a building originally constructed for other than primarily residential use containing one or more rooms or enclosed floor space arranged for living, eating, sleeping and/or home occupations; such units shall include bathroom and kitchen facilities as required by applicable codes.
Lot	Same as “Zoning lot” (See “Lot, Zoning”)
Lot Area	The area contained within the boundary lines of a lot, excluding any street, easement for street purposes, or street right-of-way.
Lot, Corner	A lot of which at least two sides abut (for their full length) upon a street, provided that the two (2) sides intersect at an angle of not more than one hundred thirty-five (135) degrees. Where a lot is on a curve, if tangents through the extreme points of the street line of such lot make an interior angle of not more than one hundred thirty-five (135) degrees, it is a corner-lot. In the case of a corner-lot with a curved street line, the corner shall be considered to be that point on the street line nearest to the point of intersection of the tangent herein described. (See Figure 61-16-124.)
Lot, Interior	A lot other than a corner-lot, with only one frontage on a street. (See Figure 61-16-124.)
Lot Line	A line bounding a lot that divides one lot from another lot or from a street or any other public or private space.
Lot Line, Boundary	A lot line that separates a property in one zoning district from a property in a different zoning district.
Lot Line, Front	The line dividing a lot from a street. On a corner-lot, the shorter street line shall be considered the front lot line; provided, that for a lot comprised of more than one lot of record, the front lot line shall be the same as indicated on the plat for the individual parcels comprising the lot. In unusual circumstances the Planning and Development Department shall designate which shall be the front lot line. Where a zoning lot is bounded on two opposite sides by public streets, the zoning lot line fronting on the street having the wider right-of-way shall be front zoning lot line.
Lot Line, Rear	That lot line that is parallel to and most distant from the front lot line of the lot; in the case of a triangular, or an irregular lot, a line twenty (20) feet in length, entirely within the lot, parallel to and at the maximum possible distance from, the street lot line shall be considered to be the rear lot line. In the case of corner lots, the rear lot line shall be opposite the lot line along which the lot takes access to a street.

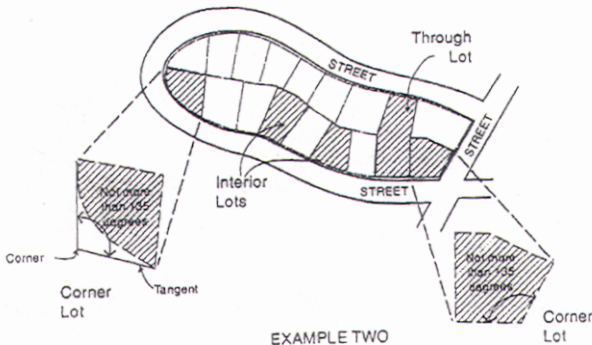
Lot Line, Side	A lot line other than the front lot line or rear lot line.
Lot of Record	A lot that is part of a subdivision, the plat of which has been recorded in the office of the County of Wayne Register of Deeds; or a parcel of land, the deed of which is recorded in the office of the County of Wayne Register of Deeds.
Lot, Through	A lot other than a corner-lot with frontage on more than one street. (See Figure 61-16-124.)
Lot Width	Lot width refers to the horizontal distance between side lot lines. Lot width shall be measured at right angles to the lot depth at points twenty (20) feet from the front lot line and twenty (20) feet from the rear lot line
Lot, Zoning	A single tract of land located within a single block that at the time of filing for a building permit is designated by its owner or developer as a tract to be used, developed, or built upon as a unit under single or unified ownership or control. Such lot shall have frontage on a street, or permanent means of access to a street, other than an alley, and may consist of: [1] a single lot of record; [2] a portion of a lot of record; [3] a combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record; [4] a parcel of land described by metes and bounds.

Figure 61-16-124

Lot Types



EXAMPLE ONE



EXAMPLE TWO

Low/medium-impact Manufacturing or Processing	<p>Examples include:</p> <ul style="list-style-type: none"> • art needlework (factory) • assembly of small parts • awnings, cloth, custom manufacture or assembly • bleaching powder compounding — blending of materials only and not involving chemical manufacturing • bookbinding • braces, orthopedic manufacture • broom manufacture • canvas goods manufacture • cigar or cigarette manufacture • cinema production of development
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	<ul style="list-style-type: none"> • clock or watch manufacture • coffee roasting • display designer’s or builder’s shops • dog or cat food cannery or manufacture excluding rendering or the use of fish products • door, sash, or trim manufacture • draperies manufacture • electric equipment assembly • flag or banner manufacture • furs: manufacture, cutting, or assembly • glass blowing • glass laminating • heating or ventilating apparatus assembly (not including fabrication or sheet metal ductwork) • industrial laundry • ink or paint products compounding, cold mix only • knit goods manufacture • leather goods manufacture or fabrication • mattress manufacturing • paper or cardboard box forming or assembly, excluding corrugating • pattern shop • plastic products forming or molding • vending machine assembly • wire rope assembly
Low-impact Manufacturing or Processing	<p>Examples include:</p> <ul style="list-style-type: none"> • bakeries • bottling of alcoholic products • creameries • food products manufacturing or processing, but excluding slaughtering or rendering • <u>manufacturing of musical instruments, toys, novelties, metal or rubber stamps, or other small molded rubber products</u> • soda water or soft drink manufacturing or bottling establishments
Subdivision L. Letter “M”	
Sec. 61-16-132. Words and terms (Mh-Mm). (Ord. No. 11-05, §1, 5-28-05; Ord. No. 13-11, §1, 8-23-11)	
Michigan Planning Enabling Act (Ord. No. 13-11, §1, 8-23-11)	The Michigan Planning Enabling Act, Public Act 33 of 2008, as amended, MCL 125.3801 <i>et seq.</i>
Michigan Zoning Enabling Act (Ord. No. 13-11, §1, 8-23-11)	The Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, MCL 125.3101 <i>et seq.</i>
Microbrewery	A facility licensed as such by the Michigan Liquor Control Commission that annually produces a total less than twenty thousand (20,000) barrels of beer and that may include therein the licensed brewery premises.
Microwave-receiving Antenna	An antenna, usually parabolic or quasi-parabolic in shape, the purpose of which is to receive signals transmitted from terrestrial transmitters
Mixed-use building	<u>A mixed-use building includes at least one use from at least two of the following general land use headings in the same building: Residential Uses as specified in Article XII, Division 1, Subdivision B; Public, Civic and Institutional Uses as specified in Article XII, Division 1, Subdivision C; Retail, Service and Commercial uses as specified in Article XII, Division 1, Subdivision D; Manufacturing and Industrial Uses as specified in Article XII, Division 1, Subdivision E.</u> A building shall also be deemed to be mixed-use where it includes both: (a) An “Office, business or professional” and (b) Any other retail use(s) specified in Sec. 61-12-43, Sec. 61-112-47, Sec. 61-12-50 or Sec. 61-12-51.

Section 2. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 3. This ordinance is declared necessary for the preservation of the public peace, health, safety, and welfare of the people of the City of Detroit.

Section 4. This ordinance shall become effective on the eighth (8th) day after publication in accordance with MCL 125.3401(6) and Section 4-118, paragraph 3 of the 2012 Detroit City Charter.

Approved as to Form:

MELVIN BUTCH HOLLOWELL

Corporation Counsel

RESOLUTION SETTING HEARING

By Council Member Leland:

Resolved, That a public hearing will be held by this body in the Committee Room, 13th Floor of the Coleman A. Young Municipal Center, his ordinance changes the title of the SD1 District from "Special Development District — Residential/Commercial" to "Special Development District — Small-Scale, Mixed-Use." The description of the district is amended to reflect the desired mixed-use character (61-11-161). The permissibility of certain land uses is changed and several commercial and industrial uses are permitted but limited in square footage and mandated to include a retail component:

- 17 uses previously prohibited are newly permitted on a by-right basis:

- Animal-grooming shop (61-11-166, 61-11-51)

- Automated teller machine without drive-up or drive-through facilities (61-11-166, 61-12-51)

- Brewpub or microbrewery or small distillery (small) (61-11-166, 61-12-43, 61-12-158)

- Nail salon (61-11-166, 61-12-12)

- Pet shop (61-11-166, 61-12-50)

- Printing or engraving shops (small) (61-11-166, 61-12-51, 61-12-242)

- Recreation, indoor commercial and health club (61-11-166, 61-12-47)

- School or studio of dance, gymnastics, music, art or cooking (61-11-166, 61-12-51)

- Veterinary clinic for small animal (61-11-166)

- Confection manufacturing (small) (61-11-167, 61-12-62, 61-12-254)

- Food catering establishment (small) (61-11-167, 61-12-62, 61-12-280)

- General: Low/Medium-impact manufacturing or processing facilities (small) — limited to 11 activities) (61-11-167, 61-12-62, 61-12-283)

- General: Low-impact manufacturing or processing facilities (small) (61-11-167, 61-12-62, 61-12-281); this low-impact grouping is expanded from 5 activities to additionally include the manufacture of musical instruments, toys, novelties, metal or rubber stamps, or other small molded rubber products (61-16-124)

- Jewelry manufacture (small) (61-11-167, 61-12-62, 61-12-260)

- Lithographing and sign shops (small) (61-11-167, 61-12-67, 61-12-262)

- Trade services, general (small) — limited to 6 activities (61-11-167, 61-12-61, 61-12-274)

- Wearing apparel manufacture (small) (61-11-167, 61-12-62, 61-12-282)

- 13 uses previously permitted on a conditional basis are newly permitted on a by-right basis:

- Residential use combined in structures with permitted commercial use (61-11-164, 61-11-170, 61-12-11)

- Loft (61-11-164, 61-11-170, 61-12-12)

- Fire or police station, post office and similar public building (61-11-165, 61-11-171, 61-12-22)

- Art gallery (61-11-166, 61-11-172, 61-12-50)

- Bake shop, retail (61-11-166, 61-11-172, 61-12-50)

- Barber or beauty shop (61-11-166, 61-11-172, 61-12-51)

- Dry cleaning, laundry, or Laundromat (61-11-166, 61-11-172, 61-12-51)

- Establishment for the sale of beer or intoxicating liquor for consumption on the premises (small) (61-11-166); larger bars remain conditional (11-172, 61-12-43, 61-12-161)

- Restaurant, carry-out or fast-food, without drive-up or drive through facilities (61-11-166, 61-11-172, 61-12-43)

- Restaurant, standard without drive-up or drive-through facilities (61-11-166, 61-11-172, 61-12-43)

- Shoe repair shop (61-11-166, 61-11-172, 61-12-51)

- Stores of a generally recognized retail nature whose primary business is the sale of new merchandise (61-11-166, 61-12-50)

- Urban garden (small) (61-11-168, 61-11-174, 61-12-79)

- 1 use previously permitted on a by-right basis is newly prohibited:

- Water works, reservoir, pumping station, or filtration plant (61-11-165, 61-12-31)

- 11 uses previously prohibited are newly permitted on a conditional basis:

- Assisted living (61-11-170, 61-12-11)

- Single-room-occupancy housing, non-profit (61-11-170, 61-12-12)

- Brewpub or microbrewery or small distillery (larger) (61-11-172, 61-12-43, 61-12-158(5))

- Kennel, commercial (61-11-172, 61-12-51)

- Pool or billiard hall (61-11-172, 61-12-47)

- Secondhand stores and secondhand jewelry stores (61-11-172, 61-12-50)

- Theater (small) (61-11-172, 61-12-47, 61-12-238)

- Youth hostel/hostel (61-11-172, 61-12-46)

- General: High/Medium-impact manu-

facturing or processing facilities (small) — limited to furniture manufacturing) (61-11-173, 61-12-62, 61-12-284)

Machine shop (small) (61-11-173, 61-12-61, 61-12-285)

Trade services, general (small) — limited to cabinet making (61-11-173, 61-12-61, 61-12-274)

- 7 uses previously permitted on a by-right basis are newly permitted on a conditional basis:

Convalescent, nursing, or rest home (61-11-164, 61-11-170, 61-12-11)

Fraternity or sorority house (61-11-164, 61-11-170, 61-12-41)

Electric transformer station (61-11-165, 61-11-171, 61-12-30)

Gas regulator station (61-11-165, 61-11-171, 61-12-30)

Telephone exchange building (61-11-165, 61-11-171, 61-12-30)

Parking structures (61-11-166, 61-11-172, 61-12-45, 61-12-220)

Radio or television station (61-11-166, 61-11-172, 61-12-44)

- 10 uses previously permitted on a conditional basis are newly prohibited:

Two-family dwelling (61-11-170, 61-12-12)

Hospital or hospice (61-61-11-171, 61-12-24)

Substance abuse service facility (61-11-171, 61-12-22)

Motel (61-11-172, 61-12-46)

Retail sales and personal service in business and professional offices (61-11-172, 61-12-49)

Retail sales and personal service in multiple residential structures (61-11-172, 61-12-49)

Research or testing laboratory (61-11-173, 61-12-62)

Greenhouse (61-11-174, 61-12-79)

Hoophouse (61-11-174, 61-12-79)

Urban farm (61-11-174, 61-12-79)

This ordinance changes the title of the SD2 District from "Special Development District — Commercial/Residential" to "Special Development District, Mixed-Use." The description of the SD2 District is also amended to reflect the desired mixed-use character (61-11-181); the permissibility of certain land uses is changed:

- 16 uses previously prohibited are newly permitted on a by-right basis:

Animal-grooming shop (61-11-186, 61-12-51)

Art gallery (61-11-186, 61-12-50)

Nail salon (61-11-186, 61-12-51)

Pet shop (61-11-186, 61-12-50)

Printing or engraving shops (small) with mandated retail (61-11-186, 61-12-51, 61-12-242)

Theater (small) (61-11-186, 61-12-47, 61-12-238)

Veterinary clinic for small animals (61-11-186, 61-12-51)

Confection manufacturing (61-11-187, 61-12-62, 61-12-254)

Food catering establishment (small) (61-11-187, 61-12-62, 61-12-280)

General: Low/Medium-impact manufacturing or processing facilities (small) — limited to 11 activities) (61-11-107, 61-12-62, 61-12-283)

General: Low-impact manufacturing or processing facilities (small); this low-impact grouping is redefined and expanded from 5 activities to additionally include the manufacture of musical instruments, toys, novelties, metal or rubber stamps, or other small molded rubber products (61-11-187; 61-12-62, 61-12-281, 61-16-124)

Jewelry manufacture (small) (61-11-187, 61-12-62, 61-12-260)

Lithographing and sign shops (small) (61-11-187, 61-12-62, 61-12-262)

Trade services, general (small) — limited to 6 activities (61-11-187, 61-12-61, 61-12-274)

Wearing apparel manufacture (small) (61-11-187, 61-12-62, 61-12-282)

- 2 uses previously permitted on a conditional basis are newly permitted by right

Multiple-family dwelling (with mandated 1st floor commercial) (61-11-184, 61-12-12)

Residential use combined with permitted commercial uses (61-11-184, 61-11-190, 61-12-12)

- 2 uses previously permitted on a by-right basis are newly prohibited

Bank with drive-up or drive-through facilities (61-11-186, 61-12-51)

Research or testing laboratory (61-11-187, 61-12-62)

- 12 uses previously prohibited are newly permitted on a conditional basis:

Customer service center (61-11-192, 61-12-51)

Kennel, commercial (61-11-192, 61-12-51)

Motel (61-11-192, 61-12-46)

Parking lots, remote-accessory (61-11-192, 61-12-45)

Printing or engraving shops (larger, with mandated retail) (61-11-192, 61-112-51)

Secondhand stores and secondhand jewelry stores (61-11-192, 61-12-50)

Tattoo and/or piercing parlor (61-11-192, 61-12-51)

Youth hostel/hostel (61-11-192, 61-12-46)

General: High/Medium-impact manufacturing or processing facilities (small) — limited to furniture manufacturing) (61-11-193, 61-12-62, 61-12-284)

Machine shop (small) (61-11-193, 61-12-61, 61-12-285)

Trade services, general (small) — limited to cabinet making (61-11-193, 61-12-61, 61-12-274)

Urban garden (small) (61-11-194)

- 7 uses previously permitted on a conditional basis:

Electric transformer station (61-11-185, 61-11-191)

Gas regulator station (61-11-185, 61-11-192)

Telephone exchange building (61-11-185, 61-11-192)

Water works, reservoir, pumping station, or filtration plant (61-11-185, 61-11-191, 61-12-51)

Cabaret (61-11-186, 61-11-192, 61-12-47)

Parking lots or parking areas, commercial (61-11-186, 61-11-192, 61-12-45)

Parking structures (61-11-186, 61-11-192, 61-12-45)

• 2 uses previously permitted on a conditional basis are newly prohibited:

Concert café (61-11-192)

Heliports (61-11-94, 61-12-71)

Site plan review in SD1 and SD2 is no longer required for all development, only for larger projects, new construction and conditional uses (61-3-113, 61-3-121, 61-11-162, 61-11-182)

Brewpubs, microbreweries, and small distilleries located in the SD2 District would no longer be considered a Regulated Use (61-3-253(1), 61-12-43)

The provisions for building height and for front, side, and rear setbacks of most uses in the SD1 and SD2 Districts are changed to allow for greater density of development. (61-11-175, 61-11-195, 61-13-69, 61-13-70, 61-13-106)

Off-street parking in the SD1 and SD2 Districts is prohibited between the front façade of a building and the street. (61-11-175, 61-11-195, 61-14-149)

The limitations on retail uses permitted in SD2 business and professional offices are deleted. (61-12-230).

Certain exemptions and allowances in the off-street parking and loading provisions are made for certain uses in the SD1 and SD2 Districts. (61-14-7, 61-14-24, 61-14-39, 61-14-103, 61-14-113)

The term, mixed-use development, is defined. (61-16-132).

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Detroit Brownfield Redevelopment Authority

May 14, 2014

Honorable City Council:

Re: Comprehensive Logistics Brownfield Redevelopment Plan.

The Detroit Brownfield Redevelopment Authority has been informed that there is a scheduling conflict for the June 5, 2014 public hearing request date for the Comprehensive Logistics Brownfield Redevelopment plan. As such, attached please find revised resolutions reflecting the following requests:

Authority's Request

The Authority is respectfully requesting the following actions from the City

Council:

a.) May 15, 2014

Consideration of City Council's Planning and Economic Development Standing Committee to set a public hearing concerning the Comprehensive Logistics Brownfield Redevelopment Plan for June 12, 2014 in the Council Chambers, 13th Floor of the Coleman A. Young Municipal Center, located at 2 Woodward Avenue, Detroit, Michigan.

b.) May 20, 2014

City Council adoption of the Resolution (Exhibit D), setting the Comprehensive Logistics Brownfield Redevelopment Plan public hearing for June 12, 2014.

c.) June 12, 2014, 10:30 A.M.

Discussion with taxing jurisdictions regarding the fiscal impact of the Plan.

d.) June 12, 2014, 10:40 A.M.

Public Hearing at City Council's Planning and Economic Development Standing Committee concerning the Comprehensive Logistics Brownfield Redevelopment Plan.

e.) June 17, 2014

City Council adoption of the Resolution approving the Comprehensive Logistics Brownfield Redevelopment Plan (Exhibit E).

Respectfully submitted

ART PAPANOS

Authorizing Agent

**EXHIBIT D
RESOLUTION CALLING A PUBLIC HEARING REGARDING APPROVAL OF THE BROWNFIELD PLAN OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY FOR COMPREHENSIVE LOGISTICS REDEVELOPMENT**

By Council Member Leland:

WHEREAS, The City of Detroit, County of Wayne, Michigan (the "City") is authorized by the provisions of Act 381, Public Acts of Michigan, 1996 ("Act 381"), to create a brownfield redevelopment authority; and

WHEREAS, Pursuant to Act 381, the City Council of the City duly established the City of Detroit Brownfield Redevelopment Authority (the "Authority"); and

WHEREAS, In accordance with the provisions of Act 381, the Authority has prepared a Brownfield Plan for the Comprehensive Logistics Redevelopment (the "Brownfield Plan") and submitted the Brownfield Plan to the Community Advisory Committee for review and comment; and

WHEREAS, After receipt of the recommendation of the Community Advisory Committee to approve the Brownfield Plan, the Authority has approved the Brownfield Plan and forwarded it to City Council with a request for its approval; and

WHEREAS, Prior to approval of the Brownfield Plan, the City Council is required to hold a public hearing in con-

nection with consideration of the Brownfield Plan pursuant to Act 381.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby acknowledges receipt of the Brownfield Plan from the Authority.

2. A public hearing is hereby called on Thursday, the 12th day of June, 2014 at 10:40 A.M., prevailing Eastern Time, in the Council Chambers, 13th Floor of the Coleman A. Young Municipal Center in the City to consider adoption by the City Council of a resolution approving the Brownfield Plan.

3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

4. The City Clerk is requested to submit three (3) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

**EXHIBIT E
RESOLUTION APPROVING
BROWNFIELD PLAN OF THE
CITY OF DETROIT BROWNFIELD
REDEVELOPMENT AUTHORITY FOR
THE COMPREHENSIVE LOGISTICS
REDEVELOPMENT PROJECT**

City of Detroit
County of Wayne, Michigan
By Council Member Leland:

WHEREAS, Pursuant to 381 PA 1996, as amended ("Act 381"), the City of Detroit Brownfield Redevelopment Authority ("Authority") has been established by resolution of the City Council of the City of Detroit (the "City") for the purpose of promoting the revitalization of eligible properties in the City; and

WHEREAS, Under Act 381 the Authority is authorized to develop and propose for adoption by City Council a brownfield plan for one (1) or more parcels of eligible property; and

WHEREAS, Pursuant to the resolution establishing the Authority and the bylaws of the Authority, the Authority has submitted a proposed brownfield plan for the Comprehensive Logistics Redevelopment Project (the "Plan"); and

WHEREAS, The Authority submitted the Plan to the Community Advisory Committee for consideration on April 9, 2014, per the provisions of the resolution establishing the Authority, and a public hearing was conducted by the Authority on April 16, 2014 to solicit comments on the proposed Plan; and

WHEREAS, The Community Advisory Committee recommended approval of the Plan on April 9, 2014; and

WHEREAS, The Authority approved the Plan on April 23, 2014 and forwarded in to the City Council with a request for its approval of the Plan; and

WHEREAS, The required notice of the public hearing on the Plan was given in accordance with Section 13 of Act 381; and

WHEREAS, The City Council held a public hearing on the proposed Plan on June 12, 2014.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. Definitions. Where used in this Resolution the terms set forth below shall have the following meaning unless the context clearly requires otherwise:

"Eligible Activities" or "eligible activity" shall have the meaning described in Act 381.

"Eligible Property" means the property designated in the Plan as the Eligible Property, as described in Act 381.

"Plan" means the Plan prepared by the Authority, as transmitted to the City Council by the Authority for approval, copies of which Plan are on file in the office of the City Clerk.

"Taxing Jurisdiction" shall mean each unit of government levying an ad valorem property tax on the Eligible Property.

2. Public Purpose. The City Council hereby determines that the Plan constitutes a public purpose.

3. Best Interest of the Public. The City Council hereby determines that it is in the best interests of the public to promote the revitalization of environmentally distressed areas in the City to proceed with the Plan.

4. Review Considerations. As required by Act 381, the City Council has in reviewing the Plan taken into account the following considerations:

(a) The property designated in the Plan meets the definition of Eligible Property, as described in Act 381;

(b) The Plan meets the requirements set forth in Section 13 of Act 381.

(c) The proposed method of financing the costs of eligible activities is feasible and the Authority has the ability to arrange the financing.

(d) The costs of eligible activities proposed are reasonable and necessary to carry out the purposes of Act 381.

(e) The amount of captured taxable value estimated to result from adoption of the Plan is reasonable.

5. Approval and Adoption of Plan. The Plan as submitted by the Authority is hereby approved and adopted. A copy of the Plan and all amendments thereto shall be maintained on file in the City Clerk's office.

6. Preparation of Base Year Assessment Roll for the Eligible Property.

(a) Within 60 days of the adoption of this Resolution, the City Assessor shall

prepare the initial Base Year Assessment Roll for the Eligible Property in the Plan. The initial Base Year Assessment Roll shall list each Taxing Jurisdiction levying taxes on the Eligible Property on the effective date of this Resolution and the amount of tax revenue derived by each Taxing Jurisdiction from ad valorem taxes on the Eligible Property, excluding millage specifically levied for the payment of principal and interest of obligations approved by the electors or obligations pledging the unlimited taxing power of the local governmental unit.

(b) The City Assessor shall transmit copies of the initial Base Year Assessment Roll to the City Treasurer, County Treasurer, Authority and each Taxing Jurisdiction which will have Tax Increment Revenues captured by the Authority, together with a notice that the Base Year Assessment Roll has been prepared in accordance with this Resolution and the Plan approved by this Resolution.

7. Preparation of Annual Base Year Assessment Roll. Each year within 15 days following the final equalization of the Eligible Property, the City Assessor shall prepare an updated Base Year Assessment Roll. The updated Base Year Assessment Roll shall show the information required in the initial Base Year Assessment Roll and, in addition, the Tax Increment Revenues for each Eligible Property for that year. Copies of the annual Base Year Assessment Roll shall be transmitted by the Assessor to the same persons as the initial Base Year Assessment Roll, together with a notice that it has been prepared in accordance with the Plan.

8. Establishment of Project Fund; Approval of Depository. The Authority shall establish a separate fund for the Eligible Property subject to this Plan, which shall be kept in a depository bank account or accounts in a bank or banks approved by the Treasurer of the City. All moneys received by the Authority pursuant to the Plan shall be deposited in the Project Fund for the Eligible Property. All moneys in the Project Fund and earnings thereon shall be used only in accordance with the Plan and Act 381.

9. Use of Moneys in the Project Fund. The moneys credited to the Project Fund and on hand therein from time to time shall be used annually to first make those payments authorized by and in accordance with the Plan and any development agreement governing such payments and then to the Local Site Remediation Revolving Fund, as authorized by Act 381:

10. Return of Surplus Funds to Taxing Jurisdictions. The Authority shall return all surplus funds not deposited in the Local Site Remediation Revolving Fund proportionately to the Taxing Jurisdictions.

11. Payment of Tax Increment

Revenues to Authority. The municipal and the county treasurers shall, as ad valorem and specific local taxes are collected on the Eligible Property, pay the Tax Increment Revenues to the Authority for deposit in the Project Fund. The payments shall be made not more than 30 days after the Tax Increment Revenues are collected.

12. Disclaimer. By adoption of this resolution and approval of the Plan, the City assumes no obligation or liability to the owner, developer, lessee or lessor of the Eligible Property for any loss or damage that may result to such persons from the adoption of this resolution and Plan. The City makes no guarantees or representations as to the ability of the Authority to capture tax increment revenues from the State and local school district taxes for the Plan.

13. Repealer. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

14. The City Clerk is requested to submit four (4) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a regular meeting held on Thursday, May 15, 2014, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

JANICE WINFREY,
City Clerk
City of Detroit
County of Wayne, Michigan

**City of Detroit
Legislative Policy Division**

May 9, 2014

Honorable City Council:

Re: Resolution to Revoke Obsolete Property Act (OPRA) (PA 146 of 2000) Certificate #3-03-0027 for 74 Garfield.

The Detroit Economic Growth Corporation (DEGC) on behalf of the developer, is recommending that the Detroit City Council revoke the OPRA tax abatement issued at 74 Garfield to Garfield Development, LLC, for OPRA certificate #3-03-0027. The building was demolished as a result of a fire.

However, due to the property's OPRA status, The taxes on the building that existed on the building prior to the issuance of the abatement are frozen throughout the term of the abatement. Consequently, the owner of the property is currently being taxed for a building that no longer exists. therefore, if the Detroit City Council revokes the abatement by resolution, based on the OPRA statute, the property will no longer maintain its OPRA status and the Assessor may adjust the tax bill accordingly. The OPRA status for 74 Garfield is not due to sunset until December 30, 2015.

Attached , please find the Detroit City Council resolution for your review and approval, which revokes OPRA certificate #3-03-0027 for 74 Garfield. In addition, we've attached the letters requesting the revocation of the OPRA certificate from DEGC and the certificate holder, Garfield Development, LLC.

Please contact us if we can be of any further assistance.

Sincerely,
DAVID WHITAKER
Director

Legislative Policy Division Staff
By Council Member Leland:

Whereas, The mission of the Detroit City Council is to promote the economic, cultural and physical welfare of Detroit's citizens through Charter-mandated legislative functions; and

Whereas, The Detroit City Council has a charter mandated responsibility to provide for the laying and collecting of rents, tolls, excises and taxes, and

Whereas, In order to promote economic redevelopment of properties which have generally experienced extreme neglect in the city, the City of Detroit authorizes the use of tax abatements, via the Obsolete Property Rehabilitation Act (OPRA), under Michigan Public Act 146 of 2000, as a development tool, and

Whereas, The Detroit City Council has determined, upon the recommendation of the Detroit Economic Growth Corporation (DEGC) on behalf of the developer, to revoke the OPRA tax abatement issued to Garfield Development, LLC, for OPRA certificate #3-03-0027. The basis for the recommendation for revocation is due to the fact that 74 Garfield, the building covered under this abatement, was demolished as a result of a fire, and

Whereas, Section 1252792 of the OPRA Act states, "The legislative body of the qualified local governmental unit may, by resolution, revoke the obsolete property rehabilitation exemption certificate of a facility if it finds that the completion of rehabilitation of the facility has not occurred within the time authorized by the legislative . . . or that the holder of the obsolete property exemption certificate has not presented in good faith with the operation of the rehabilitated facility in a

manner consistent with the purposes of this act . . .", and

Whereas, Given the fact that the taxes are frozen on the building that no longer exists due to the OPRA rehabilitation exemption certificate, which imposes an undue burden on the taxpayer, the City Council will grant the request of the DEGC and the developer and revoke the OPRA certificate, and

Whereas, In addition, the Detroit City Council respectfully requests that the Assessor make the appropriate adjustment to the tax bill for the property at 74 Garfield, pending this action.

Now, Therefore, Be It

Resolved, That the Detroit City Council hereby revokes OPRA Certificate #3-03-0027, for the property located at 74 Garfield. In addition, the Clerk shall forward copies of this resolution to the Assessor of the City of Detroit and to the Michigan State Tax Commission.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Planning & Development Department
May 13, 2014

Honorable City Council:

Re: Resolution Approving an Obsolete Property Rehabilitation District, in the area of 2110 Trumbull, Detroit, Michigan, in accordance with Public Act 146 of 2000 on behalf of UFO Unlimited, LLC.

On Thursday, May 15, 2014, a public hearing in connection with establishing an Obsolete Property Rehabilitation District was held before your Honorable Body.

Attached please find a resolution and legal description, which will establish an Obsolete Property Rehabilitation District at 2110 Trumbull, Detroit, Michigan, in accordance with Public Act 146 of 2000 ("the Act"). Such establishment will materially assist in the development of the site in accordance with the plans of the proprietor of this property.

Inasmuch as no impediments to the establishment of the district were presented at the public hearing, we request that you approve the resolution at your next regular or adjourned formal session.

Respectfully submitted,
BRIAN ELLISON
Deputy Director

By Council Member Leland:

Whereas, Pursuant to Public Act No. 146 of Public Acts of 2000 ("Act 146"), this City Council has the authority to establish "Obsolete Property Rehabilitation Districts" within the boundaries of the City of Detroit; and

Whereas, UFO Unlimited, LLC, has requested that this City Council establish an Obsolete Property Rehabilitation

District in the area of 2110 Trumbull, Detroit, Michigan, the area being more particularly described in Exhibit A attached hereto; and

Whereas, The aforesaid property is obsolete property in an area characterized by obsolete commercial property or commercial housing property; and

Whereas, Act 146 requires that, prior to establishing an Obsolete Property Rehabilitation District, the City Council shall provide an opportunity for a hearing on the establishment of the District, at which a representative of any jurisdiction levying *ad valorem* taxes, or any owner of real property within the proposed District, or any other resident or taxpayer of the City of Detroit may appear and be heard on the matter; and

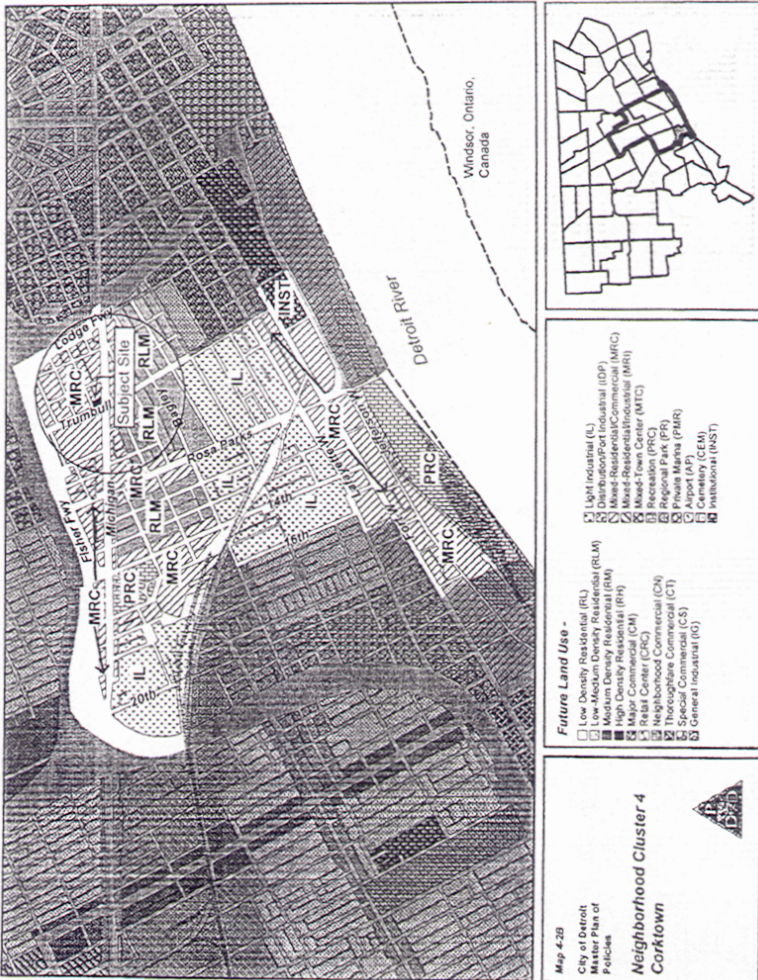
Whereas, A public hearing was conducted before City Council on May 15, 2014, for the purpose of considering the establishment of the proposed Obsolete Property Rehabilitation District described in Exhibit A attached hereto; and

Whereas, No impediments to the establishment of the proposed District were presented at the public hearing; Now Therefore Be It

Resolved, That Obsolete Property Rehabilitation District, more particularly described in Exhibit A attached hereto, is hereby approved and established by this City Council in accordance with Act 146.

LEGAL DESCRIPTION

E Trumbull S 32 Ft of N 92 Ft of Out Lot 85 Woodbridge Farm L1 P146-7 Plats, Wayne County Register of Deeds.



Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Planning & Development Department

May 13, 2014

Honorable City Council:

Re: Resolution Approving an Obsolete Property Rehabilitation District, in the area of 250 & 230-234 Larned Street, Detroit, Michigan, in accordance with Public Act 146 of 2000 on behalf of Larned West Associates, LLC.

On Thursday, May 15, 2014, a public hearing in connection with establishing an Obsolete Property Rehabilitation District was held before your Honorable Body.

Attached please find a resolution and legal description, which will establish an Obsolete Property Rehabilitation District at 250 & 230-234 Larned Street, Detroit, Michigan, in accordance with Public Act 146 of 2000 ("the Act"). Such establishment will materially assist in the development of the site in accordance with the plans of the proprietor of this property.

Inasmuch as no impediments to the establishment of the district were presented at the public hearing, we request that you approve the resolution at your next regular or adjourned formal session.

Respectfully submitted,
BRIAN ELLISON

Deputy Director

By Council Member Leland:

Whereas, Pursuant to Public Act No. 146 of Public Acts of 2000 ("Act 146"), this City Council has the authority to establish "Obsolete Property Rehabilitation Districts" within the boundaries of the City of Detroit; and

Whereas, Larned West Associates, LLC, has requested that this City Council establish an Obsolete Property Rehabilitation District in the area of 250 & 230-234 Larned Street, Detroit, Michigan, the area being more particularly described in Exhibit A attached hereto; and

Whereas, The aforesaid property is obsolete property in an area characterized by obsolete commercial property or commercial housing property; and

Whereas, Act 146 requires that, prior to establishing an Obsolete Property Rehabilitation District, the City Council shall provide an opportunity for a hearing on the establishment of the District, at which a representative of any jurisdiction levying *ad valorem* taxes, or any owner of real property within the proposed District, or any other resident or taxpayer of the City of Detroit may appear and be heard on the matter; and

Whereas, A public hearing was conducted before City Council on May 15, 2014, for the purpose of considering the establishment of the proposed Obsolete Property Rehabilitation District described in Exhibit A attached hereto; and

Whereas, No impediments to the establishment of the proposed District were presented at the public hearing;

Now Therefore Be It

Resolved, That Obsolete Property Rehabilitation District, more particularly described in Exhibit A attached hereto, is hereby approved and established by this City Council in accordance with Act 146.

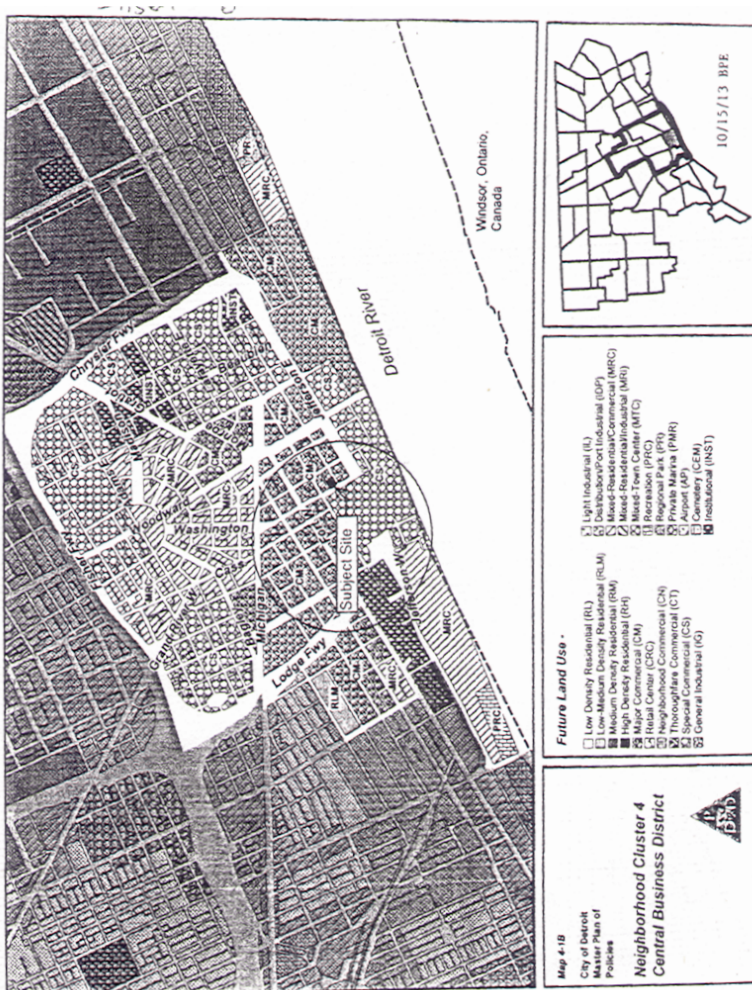
**EXHIBIT A
LEGAL DESCRIPTION**

Land located in the City of Detroit, Wayne County, Michigan more fully described as:

East 26 feet of Lot 11 and East 4 feet of North 37.85 feet of West 24 feet of Lot 11, Plat of Subdivision of the Military Reserve, City of Detroit, between Larned and Lafayette Streets according to the plat recorded in Liber 14 of Deeds, Page 316, Wayne County Records, also recorded in Liber 3 of City Records, Pages 428 and 429, Wayne County Records (described for tax purposes as Liber 5, Page 218, City Records, Wayne County Records.)

Commonly known as:

230-234 West Larned, Detroit, MI 48226
Tax Parcel No.: 02000137



Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Planning & Development Department
May 13, 2014

Honorable City Council:

Re: Resolution Approving an Obsolete Property Rehabilitation District, in the area of 2020 14th Street, Detroit, Michigan, in accordance with Public Act 146 of 2000 on behalf of Quality Pheasant, LLC.

On Thursday, May 15, 2014, a public hearing in connection with establishing an Obsolete Property Rehabilitation District was held before your Honorable Body.

Attached please find a resolution and legal description, which will establish an

Obsolete Property Rehabilitation District at 2020 14th Street, Detroit, Michigan, in accordance with Public Act 146 of 2000 ("the Act"). Such establishment will materially assist in the development of the site in accordance with the plans of the proprietor of this property.

Inasmuch as no impediments to the establishment of the district were presented at the public hearing, we request that you approve the resolution at your next regular or adjourned formal session.

Respectfully submitted,
BRIAN ELLISON
Deputy Director

By Council Member Leland:

Whereas, Pursuant to Public Act No. 146 of Public Acts of 2000 ("Act 146"), this City Council has the authority to establish "Obsolete Property Rehabilitation Districts" within the boundaries of the City of Detroit; and

Whereas, Quality Pheasant, LLC, has requested that this City Council establish an Obsolete Property Rehabilitation District in the area of 2020 14th Street, Detroit, Michigan, the area being more particularly described in Exhibit A attached hereto; and

Whereas, The aforesaid property is obsolete property in an area characterized by obsolete commercial property or commercial housing property; and

Whereas, Act 146 requires that, prior to establishing an Obsolete Property Rehabilitation District, the City Council shall provide an opportunity for a hearing on the establishment of the District, at which a representative of any jurisdiction levying *ad valorem* taxes, or any owner of real property within the proposed District, or any other resident or taxpayer of the City of Detroit may appear and be heard on the matter; and

Whereas, A public hearing was conducted before City Council on May 15, 2014, for the purpose of considering the establishment of the proposed Obsolete Property Rehabilitation District described in Exhibit A attached hereto; and

Whereas, No impediments to the establishment of the proposed District were presented at the public hearing;

Now Therefore Be It

Resolved, That Obsolete Property

Rehabilitation District, more particularly described in Exhibit A attached hereto, is hereby approved and established by this City Council in accordance with Act 146.

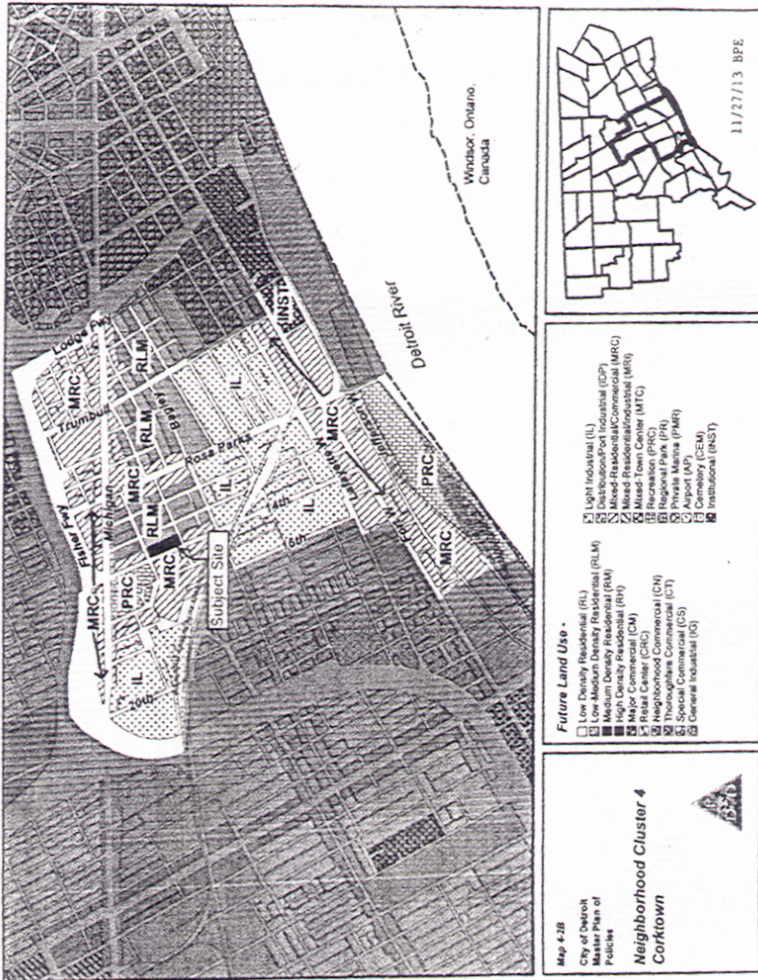
LEGAL DESCRIPTION

Lots 43 through 46 both inclusive, Lots 49, 50, 51, 52, 55, 58, 61, 62, the North 1/2 of Lot 63, the South 1/2 of Lot 63, Lots 64, 67, the North 1/2 of Lot 68, the South 1/2 of Lot 68, Lot 69 except the Westerly 58 feet, the West 58 feet of Lot 69 and Lot 70 of Subdivision of part of Peter Godfrey Farm, being part of Private Claim 726, south of Chicago Road, according to the plat thereof as recorded in Liber 1, Page 132 of Plat, Wayne County Records.

Parcel Identification Numbers:

- Ward 10, Item 4812
- Ward 10, Item 4813
- Ward 10, Item 4814
- Ward 10, Item 4817
- Ward 10, Item 4818
- Ward 10, Item 4819
- Ward 10, Item 4820
- Ward 10, Item 4821
- Ward 10, Item 48222.001
- Ward 10, Item 48222.002L
- Ward 10, Item 4864
- Ward 10, Item 204
- Ward 10, Item 205.001
- Ward 10, Item 205.002
- Ward 10, Item 205.003L

Commonly known as: 2020 14th Street



Adopted as follows:
 Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.
 Nays — None.

Planning & Development Department
 May 13, 2014

Honorable City Council:
 Re: Resolution Approving an Obsolete Property Rehabilitation District, in the area of 1701 Trumbull & 1512 Bagley Streets, Detroit, Michigan, in accordance with Public Act 146 of 2000 on behalf of Alphonse de Tonty, LLC.
 On Thursday, May 15, 2014, a public hearing in connection with establishing an Obsolete Property Rehabilitation District was held before your Honorable Body. Attached please find a resolution and

legal description, which will establish an Obsolete Property Rehabilitation District at 1701 Trumbull & 1512 Bagley Streets, Detroit, Michigan, in accordance with Public Act 146 of 2000 ("the Act"). Such establishment will materially assist in the development of the site in accordance with the plans of the proprietor of this property.

Inasmuch as no impediments to the establishment of the district were presented at the public hearing, we request that you approve the resolution at your next regular or adjourned formal session.

Respectfully submitted,
 BRIAN ELLISON
 Deputy Director

By Council Member Leland:
 Whereas, Pursuant to Public Act No. 146 of Public Acts of 2000 ("Act 146"), this City Council has the authority to establish

"Obsolete Property Rehabilitation Districts" within the boundaries of the City of Detroit; and

Whereas, Alphonse de Tonty, LLC, has requested that this City Council establish an Obsolete Property Rehabilitation District in the area of 1701 Trumbull & 1512 Bagley Streets, Detroit, Michigan, the area being more particularly described in Exhibit A attached hereto; and

Whereas, The aforesaid property is obsolete property in an area characterized by obsolete commercial property or commercial housing property; and

Whereas, Act 146 requires that, prior to establishing an Obsolete Property Rehabilitation District, the City Council shall provide an opportunity for a hearing on the establishment of the District, at which a representative of any jurisdiction levying *ad valorem* taxes, or any owner of real property within the proposed District, or any other resident or taxpayer of the City of Detroit may appear and be heard on the matter; and

Whereas, A public hearing was conducted before City Council on May 15, 2014, for the purpose of considering the establishment of the proposed Obsolete Property Rehabilitation District described in Exhibit A attached hereto; and

Whereas, No impediments to the establishment of the proposed District were presented at the public hearing;

Now Therefore Be It

Resolved, That Obsolete Property Rehabilitation District, more particularly described in Exhibit A attached hereto, is hereby approved and established by this City Council in accordance with Act 146.

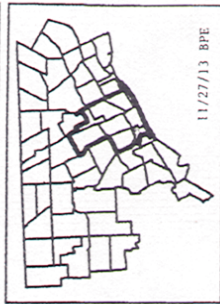
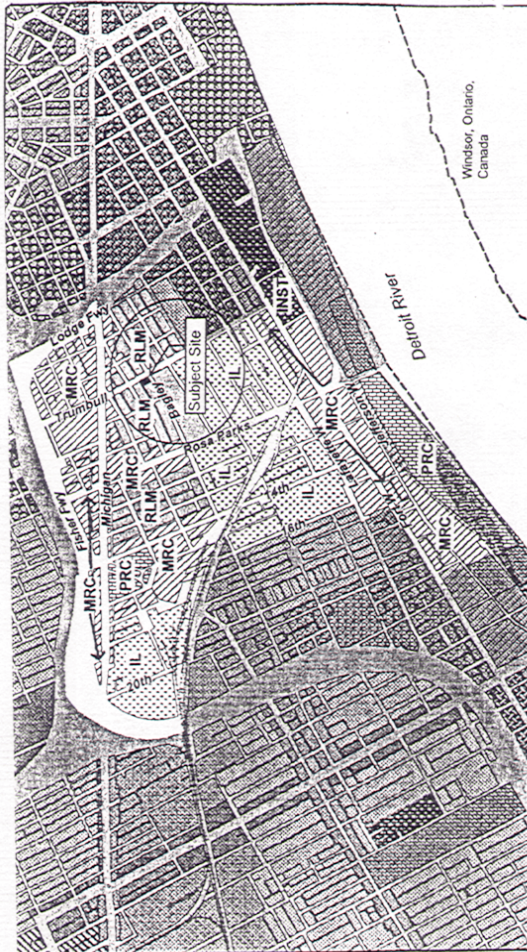
LEGAL DESCRIPTION

1701 Trumbull:

N BAGLEY 14 BLK 77 WOODBRIDGE FARM L1 P146-7 PLATS, W C R 8/2 50x130

1512 Bagley:

N BAGLEY E 25 FT 13 BLK 77 WOODBRIDGE FARM L1 P146-7 PLATS, W C R 8/2 25x130.



- Future Land Use -**
- ☐ Low Density Residential (RL)
 - ▤ Low-Medium Density Residential (RLM)
 - ▥ High Density Residential (RH)
 - ▧ Major Commercial (CM)
 - ▨ Retail Center (CRC)
 - ▩ Neighborhood Commercial (CN)
 - Special Commercial (CS)
 - General Industrial (IG)
 - ▬ Light Industrial (LI)
 - ▭ Downtown/Port Industrial (DPI)
 - ▮ Mixed-Residential/Commercial (MRC)
 - ▯ Mixed-Residential/Industrial (MRI)
 - ▰ Office/Professional (OFI)
 - ▱ Recreation (PRC)
 - ▲ Regional Park (PR)
 - △ Private Marina (PMR)
 - ▴ Airport (AP)
 - ▵ Cemetery (CEM)
 - ▾ Institutional (INST)

Map 428
City of Detroit
Master Plan of
Policies

**Neighborhood Cluster 4
Corktown**

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Planning & Development Department

May 8, 2014

Honorable City Council:

Re: Review and Approval of Spring 2014 HOME Awards.

The City of Detroit, through the Planning & Development Department ("P&DD"), has worked closely with the U.S. Department of Housing and Urban Development ("HUD"), in making required annual disbursements and commitments of City Detroit HOME funds for the 2013 fiscal year. The HOME program is authorized under Title II of the Cranston-Gonzalez National Affordable Housing Act and is designed exclusively to create affordable housing for low-income households. Eligible activities under the HOME program include:

- Providing home purchase or rehabilitation financing assistance to eligible homebuyers;
- Building or rehabilitating housing for rent or homeownership; and
- Other reasonable and necessary expenses related to the development of non-luxury housing.

HOME funds are awarded on a formula basis and are included in the annual entitlement award from HUD and are part of the Consolidated Plan.

On January 10, 2014, P&DD received sixteen (16) responses to a HOME NOFA advertised during October 2013. On January 13, 2014, two independent teams consisting of City Housing Staff and the Cloudburst Consulting organization, reviewed and scored applications for completeness, experience, and readiness to proceed. A number of the proposals, unable to satisfy minimum funding requirements, were eliminated or dropped-out during the review process leaving eight development proposals that received final scoring. The City had HOME funds available to fund up to six proposals based on requests received, with no one developer receiving funding for more than two proposals according to the published standard of the NOFA.

P&DD received additional oversight from HUD including review of the published HOME NOFA and monitoring the proposal review process to ensure final recommendations were strategic, processed timely, and that the City was positioned to meet its December 31, 2014 deadline for the commitment of HOME funds.

Consistent with the new process for approving HOME awards and development partners (adopted by City Council in

2012), the Department is requesting that your Honorable Body review and approve of awards for developers according to the attached list, subject to Emergency Manager's review and approval. The list contains five projects that have been approved with conditions for funding including leverage of other non-city funds, construction performance standards and schedule, and compliance with Davis Bacon, Environmental, and other HUD requirements. P&DD is still working on a list of required HOME Loan Modifications that will be submitted later this spring.

The five HOME project's awards will utilize \$10,816,884 in HOME funds, leveraging \$60,194,607 in project financing to produce over 397 units of affordable and market rate housing in neighborhoods in Detroit. We request approval of the attached resolution with a waiver of reconsideration so housing investments under the HOME program can continue. Should you have questions or require additional information, please do not hesitate to contact me.

Sincerely,
DARWIN L. HEARD
Manager II
Housing Services Division

By Council Member Leland:

Whereas, The City of Detroit receives an annual allocation of HOME funds from the U.S. Department of Housing and Urban Development ("HUD") through the Planning and Development Department for the purpose of creating affordable housing opportunities in Detroit neighborhoods; and

Whereas, The City Council authorized the Planning and Development Department to accept and utilize Housing and Urban Development (HUD) HOME funds according to HUD regulations during the City's annual Budgeting process, and

Whereas, The City Council also authorized the Budget Director to appropriate HUD HOME funds and establish appropriation numbers, and

Whereas, The Finance Director was also authorized to establish necessary accounts, honor vouchers and payrolls in accordance with Planning and Development Department requests and HUD regulations.

Now Therefore Be It

Resolved, That the City Council approves HOME Loans and/or grants for the attached list of Developers and/or borrowers, in the amounts indicated on the attached list, provided that loan amounts may vary by not more or less than 10%, subject to Emergency Manager's review and approval, and

Resolved, That the Group Executive for Jobs and Economic Growth, or his designee, is authorized to process, prepare and execute all loan and grant docu-

ments required to close, secure, and use HOME funds according to HUD regulations for the approved list of developers and borrowers; subject to Emergency Manager's review and approval, and be it finally

Resolved, That the Group Executive for Jobs and Economic Growth, or his

designee, is authorized to process, prepare, and execute all loan and grant documents required to modify, subordinate, and/or discharge HOME funds according to HUD regulation for the approved list of developers and borrowers subject to Emergency Manager's review and approval.

Name of Developer	Project	HOME Units	Total Development Cost	HOME Requests	Approved Awards	Comments
McCormack Baron Salazar, Inc.	Strathmore Apartments	Rehab of 129 HOME Units	\$27,380,834.00	\$ 2,500,000.00	\$ 2,500,000.00	Conditional Award Approved
MHT Housing	Jennings Senior Living Apartments	Rehab of 46 HOME Units	\$10,004,692.00	\$ 1,810,000.00	\$ 1,810,000.00	Conditional Award Approved
Shelbourne Development	River Terrace Apartments	Rehab of 38 HOME Units of 178	\$10,179,400	\$ 2,500,000.00	\$ 2,500,000.00	Conditional Award Approved
Central Detroit Christian, CDC	Casimira Apartments	Rehab of 44 HOME Units	\$ 8,579,808.00	\$ 2,006,884.00	\$ 2,006,884.00	Conditional Award Approved
Veteran's Village, LLC	Veteran Village of Detroit	Rehab of 44 HOME Units	\$ 4,049,873.00	\$ 2,000,000.00	\$ 2,000,000.00	Conditional Award Approved
TOTAL		301 HOME Units of 397 Total Units	\$60,194,607.00	\$10,816,884.00	\$10,816,884.00	

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Planning & Development Department
May 16, 2014

Honorable City Council:
Re: Surplus Property Sale. Development:
11559 Woodward.

We are in receipt of an offer from Woodward & Web Property, LLC, a Michigan Limited Liability Company, to purchase the above-captioned property for the amount of \$20,000. This vacant land contains approximately 5,009 square feet and is zoned B-4 (General Business District).

The Offeror proposes to develop a paved surface parking lot on the property as an expansion of their adjacent auto repair business. The parking lot will strictly be used for daytime parking only to accommodate their customers and employees. This use is permitted as a matter of right in a B-4 zone.

We, therefore, request that your Honorable Body approve the land sale resolution with a Waiver of Reconsideration and authorize the Group Executive for Jobs & Economy, or his authorized designee, to issue a quit-claim deed to the property and such other documents as may be necessary to effectuate the sale, with Woodward & Web Property, LLC, a Michigan Limited Liability Company, subject to final approval by the Detroit Emergency Financial Manager, or his authorized designee.

Respectfully submitted,
JAMES MARUSICH
MANAGER

Real Estate Development Activities
Planning & Development Department
By Council Member Leland:

Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the Group Executive for Jobs & Economy, or his authorized designee, subject to the final approval by the Detroit Emergency Manager, or his authorized designee, be and is hereby authorized to issue a quit claim deed to 11559 Woodward, the property more particularly described in the attached Exhibit A, and such other documents as may be necessary to effectuate the sale, with Woodward & Web Property, LLC, a Michigan Limited Liability Company, for the amount of \$20,000, with a Waiver of Reconsideration.

Exhibit A

Land in the City of Detroit, County of Wayne and State of Michigan being the South 50 feet of the East 100 feet of Lot 1; "McLaughlin Bros. Subdivision" of Lot 8 and the N'ly 33 feet of Lot 7 of the Subdivision of 1/4 Section 57, 10,000 Acre Tract, Detroit, Wayne Co., Michigan. Rec'd L. 17, P. 73, Plats, W.C.R.

PER ASSESSORS

DESCRIPTION CORRECT
ENGINEER OF SURVEYS
By: BASIL SARIM, P.S.
City Engineer

A/K/A 11559 Woodward
Ward 02 Item 001676.
and be it further

Resolved, That in accordance with Section 19(1) of Public Act 436 of 2012, the sale by the Emergency Manager for the City of Detroit of land in the City of Detroit, Wayne County, Michigan described in Exhibit A and commonly known as 11559 Woodward, is hereby, APPROVED.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Planning & Development Department
April 28, 2014

Honorable City Council:
Re: Surplus Property Sale. Adjacent Lot Sale to Existing Commercial/Industrial Business. Development: Parcel 614; generally bounded by Strong, Sherwood, Harper and Concord.

We are in receipt of an offer from Strong Steel Products, LLC, a Michigan Limited Liability Company, to purchase the above-captioned property for the amount of \$16,500. This property consists of thirty-three (33) parcels of vacant land, containing approximately 100,500 square feet and is zoned both R-2 (Two-Family Residential District) and R-3 (Low-Density Residential District).

The Offeror proposes to remove all debris and create a greenspace buffer for their nearby scrap metal processing and recycling facilities located at 6464 Strong. This use is permitted as a matter of right in R-2 and R-3 zones.

We, therefore, request that your Honorable Body approve the land sale resolution with a Waiver of Reconsideration and authorize the Group Executive for Jobs & Economy, or his authorized designee, to issue a quit-claim deed to the property and such other documents as may be necessary to effectuate the sale, with Strong Steel Products, LLC, a Michigan Limited Liability Company, subject to final approval by the Detroit Emergency Financial Manager, or his authorized designee.

Respectfully submitted,
JAMES MARUSICH
MANAGER

Real Estate Development Activities
Planning & Development Department
By Council Member Leland:

Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the Group Executive for Jobs & Economy, or his authorized designee, subject to the final approval by the Detroit Emergency Manager, or his authorized designee, be and is hereby authorized to issue a quit claim deed to Parcel 614, the property more particularly described in

the attached Exhibit A, and such other documents as may be necessary to effectuate the sale, with Strong Steel Products, LLC, a Michigan Limited Liability Company, for the amount of \$16,500, with a Waiver of Reconsideration.

Exhibit A

Land in the City of Detroit, County of Wayne and State of Michigan being Lots 13, 14, 15 16, 42, 44, 45 46, 47, 48, 49, 50, 53, 58, 59, 60, 61, 62, 63, 64, 65 66, 67, 68, 69, the South 29.5 feet of Lot 51; "Lorenzo L. Pulford's Subdivision" of Lot 25 of the Subdivision of the North 1/2 of Fractional Section 28 and the Northeast Fraction of Section 29, T. 1 S., R. 12, E., Hamtramck, Wayne County, Michigan. Rec's L. 8., P. 80, Plats, W.C.R., also, Lots 31, 33, 34, 35, 58, 59, 60, a triangular part of Lot 61 being the West 26.17 feet on the North Line Northerly 26.76 feet on the Westerly Line and 37.4 feet along Concord Avenue; "Galloway & Butterfield's Sub. of part of Fractional Section 28, T. 1 S., R. 12 E., Hamtramck, Wayne County, Michigan. Rec's L. 13, P. 19, Plats, W.C.R.

PER ASSESSORS

**DESCRIPTION CORRECT
ENGINEER OF SURVEYS**

By: BASIL SARIM, P.S.
City Engineer

A/K/A 6471, 6473, 6477, 6481, 6483, 6485, 6489, 6493, 6499, 6505, 6515, 6519, 6525, 6531, 6537, 6543 Concord; 6462, 6468, 6474, 6508, 6510, 6516, 6522, 6528, 6534, 6540, 6546, 6552, 6564 Sherwood; 6700, 6708, 6714 & 6720 Strong
Ward 15 Items 843, 844, 845, 846,001, 11543.002L, 11544, 11545, 11546, 11547, 11548, 11549, 11550, 11551, 11552, 11553, 11554, 11555, 11556, 11557, 11558, 11821, 11822,, 11823, 11825-6, 11828, 11829, 11830, 11831, 11832, 11833, 11834, 11835 & 11837.
and be it further

Resolved, That in accordance with Section 19(1) of Public Act 436 of 2012, the sale by the Emergency Manager for the City of Detroit of land in the City of Detroit, Wayne County, Michigan described in Exhibit A and commonly known as Parcel 614, is hereby, APPROVED.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Planning & Development Department

May 16, 2014

Honorable City Council:

Re: Surplus Property Sale. Development: 6757, 6763 & 6769 E. Davison.

We are in receipt of an offer from Rafal Rogalski, to purchase the above-captioned property for the amount of \$4,300.

This property consists of a 4,312 square foot vacant commercial structure and vacant land containing approximately 4,268 square feet and zoned M-2 (Restricted Industrial District).

The Offeror proposes to demolish the existing building at their own expense and establish a surface parking lot for their existing automotive business at 6750 E. Davison. The parking lot will include an approximately five (5) foot tall screening wall along the perimeter. The parking lot will be strictly used for daytime parking only to accommodate employees and customers. The purchaser agrees to maintain a neat and proper appearance of property and follow all applicable codes. This use was granted by the Building, Safety Engineering and Environmental Department (BSEED) on December 10, 2013.

We, therefore, request that your Honorable Body approve the land sale resolution with a Waiver of Reconsideration and authorize the Mayor of the City of Detroit, or his authorized designee, to execute a Development Agreement to purchase and develop this property and such other documents as may be necessary to effectuate the sale, with Rafal Rogalski, subject to final approval by the Detroit Emergency Financial Manager, or his authorized designee.

Respectfully submitted,

JAMES MARUSICH

MANAGER

Real Estate Development Division
Planning & Development Department
By Council Member Leland:

Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the Mayor of the City of Detroit, or his authorized designee, subject to the final approval by the Detroit Emergency Manager, or his authorized designee, be and is hereby authorized to execute a Development Agreement to purchase and develop 6757, 6763 & 6769 E. Davison, the property more particularly described in the attached Exhibit A, together with a deed to the property and such other documents as may be necessary to effectuate the sale, with Rafal Rogalski, for the amount of \$4,300, with a Waiver of Reconsideration.

Exhibit A

Land in the City of Detroit, County of Wayne and State of Michigan being Lots 93, 94, 95 & 96; "Bishop's North Detroit Sub'n" of Lots 15 to 20, incl., and West 95 feet of Lots 14 & 21 of P. W. Norris and W. A. Ennis Addition to Village of Norris, Hamtramck Township, Wayne County, Michigan. Rec'd L. 36, P. 8, Plats, W.C.R.

PER ASSESSORS

**DESCRIPTION CORRECT
ENGINEER OF SURVEYS**

By: BASIL SARIM, P.S.
City Engineer

A/K/A 6757, 6763 & 6769 E. Davison
Ward 15 Items 3818-9, 3820 & 3821.
and be it further

Resolved, That in accordance with
Section 19(1) of Public Act 436 of 2012,
the sale by the Emergency Manager for
the City of Detroit of land in the City of
Detroit, Wayne County, Michigan described
in Exhibit A and commonly known as
6757, 6763 & 6769 E. Davison, is hereby,
APPROVED.

Adopted as follows:

Yeas — Council Members Benson,
Castaneda-Lopez, Cushingberry, Jr.,
Jenkins, Leland, Sheffield, Spivey, Tate,
and President Jones — 9.

Nays — None.

Planning & Development Department
May 9, 2014

Honorable City Council:

Re: Request for Public Hearing. Brush
Park Rehabilitation Project. Surplus
Property Sale: 221 Erskine & 3412
John R.

The Planning and Development
Department is in receipt of an offer from
Almass Downtown Real Estate, LLC, a
Michigan Limited Liability Company, to
purchase 221 Erskine & 3412 John R for
the amount of \$25,500. This property con-
sists of a vacant, open and dilapidated
structure and adjacent additional land,
containing approximately 8,514 square
feet and zoned PD (Planned
Development District).

3412 John R comprises one (1) unit of
Patterson Terrace Apartments. The
remaining three (3) units, 203, 209 and
215 Erskine, are owned by Almass
Downtown Real Estate. The Offeror pro-
poses to renovate Patterson Terrace, pro-
vide adjacent paved surface parking and
restore the existing private courtyard.

This use is in compliance with the
guidelines of the Brush Park Rehabilitation
Project Development Plan. The Brush
Park Citizen's District Council was
informed of this proposal on May 6, 2014
and is in support.

Per Public Act 344, a public hearing is
required before a local legislative body for
sales of property in Urban Renewal
areas.

We, therefore, request that your Hon-
orable Body adopt the attached resolution
authorizing the advertising of, and the
holding of a public hearing concerning
this offer on the 15th Day of May 2014 at
10:10 a.m.

Respectfully submitted,
JAMES MARUSICH
MANAGER

Real Estate Development Division
Planning & Development Department
By Council Member Leland:

Whereas, The proposal is in compli-
ance with the Brush Park Modified
Development Plan No. 2 adopted July 10,
2002; and

Whereas, The Brush Park Citizen's
District Council recommended approval of
this proposal on May 6, 2014; and

Whereas, On the 15th Day of May 2014
at 10:10 a.m., in the City Council
Committee Room, 13th Floor, Coleman A.
Young Municipal Center, Detroit,
Michigan, a public hearing was held, at
which time all interested persons and
organizations were given the opportunity
to be heard; and

Whereas, There were no objections to
the sale of the property, 221 Erskine &
3412 John R, more particularly described
in the attached Exhibit A;

Exhibit A

Land in the City of Detroit, County of
Wayne and State of Michigan being Lot
11, Block 11; Brush's Subdivision of part
of Park Lots 17, 18, 19, 20 and 21 and
part of Brush Farm adjoining, Detroit,
Wayne County Michigan. Rec'd L. 8, P. 12.
Plats. W/C.R., also, Lot 4; Erskine Terrace
Sub. of part of Park Lots 17 and 18, City
of Detroit, Wayne County, Michigan. Rec'd
L. 73, P. 87, Plats, W.C.R.

PER ASSESSORS

DESCRIPTION CORRECT
ENGINEER OF SURVEYS
By: BASIL SARIM, P.S.

City Engineer

A/K/A 221 Erskine & 3412 John R
Ward 01 Items 807 & 4056.001.
and be it further

Resolved, That in accordance with the
Offer to Purchase and the foregoing com-
munication, the Group Executive for Jobs
and Economy, or his authorized designee,
subject to final approval by the Detroit
Emergency Manager, or his authorized
designee, be and is hereby authorized to
issue a quit claim deed to 221 Erskine &
3412 John R, and such other documents
as may be necessary to effectuate the
sale, with Almass Downtown Real Estate,
LLC, a Michigan Limited Liability
Company, for the amount of \$25,500, with
a Waiver of Reconsideration.

Resolved, That in accordance with
Section 19(1) of Public Act 436 of 2012,
the sale by the Emergency Manager for
the City of Detroit of land in the City of
Detroit, Wayne County, Michigan described
in Exhibit A and commonly known as 221
Erskine & 3412 John R, is hereby,
APPROVED.

Adopted as follows:

Yeas — Council Members Benson,
Castaneda-Lopez, Cushingberry, Jr.,
Jenkins, Leland, Sheffield, Spivey, Tate,
and President Jones — 9.

Nays — None.

Planning & Development Department
May 15, 2014

Honorable City Council:

Re: McDougall-Hunt Rehabilitation Project.
Development: 3810 & 3820 Mt. Elliott.
On May 15, 2014, a public hearing in

connection with the proposed transfer of the captioned property in the McDougall-Hunt Rehabilitation Project was held before your Honorable Body. All interested persons and organizations were given an opportunity to be heard.

The proposed redeveloper has submitted satisfactory evidence that they possess the necessary financial resources required to develop land in accordance with the Development Plan for the project.

We, therefore, request that your Honorable Body authorize and confirm the sale with a waiver of reconsideration and authorize the Group Executive for Jobs and Economy, or his authorized designee, to execute a Development Agreement to purchase and develop this property and such other documents as may be necessary to effectuate the sale, in the McDougall-Hunt Rehabilitation Project, with Andrew Jukes, Kenneth Jukes and Christine Jukes, for the amount of Eighty-Five Thousand and 00/100 Dollars (\$85,000.00), subject to final approval by the Detroit Emergency Financial Manager, or his authorized designee.

Respectfully submitted,
JAMES MARUSICH
MANAGER

Real Estate Development Division
Planning & Development Department
By Council Member Leland:

Resolved, That the Group Executive for Jobs and Economy, or his authorized designee, subject to final approval by the Detroit Emergency Financial Manager or his authorized designee, be and is hereby authorized to execute a Development Agreement to purchase and develop 3810 & 3820 Mt. Elliott and such other documents as may be necessary to effectuate the sale, in the McDougall-Hunt Rehabilitation Project, more particularly described in the attached Exhibit A, with Andrew Jukes, Kenneth Jukes and Christine Jukes, for the consideration of \$85,000.00, in accordance with the foregoing communication and the Development Plan for this Project, with a Waiver of Reconsideration.

Exhibit A

Land in the City of Detroit, County of Wayne and State of Michigan being Lots 6, 7 and 8; "Pulford & Schwartz Sub." of Lots 1, 2, 3, 4 & 5 Whipples Subdivision of Lots 26 and 27 Meldrum Farm P.C. 18, Liber 9, Page 53, Plats, W.C.R. 15/133 90 x 160.

PER ASSESSORS

DESCRIPTION CORRECT
ENGINEER OF SURVEYS
By: BASIL SARIM, P.S.
City Engineer

A/K/A 3810 & 3820 Mt. Elliott
Ward 15 Items 14026 & 14027.

Be it further

Resolved, That this Development Agreement be considered confirmed when executed by the Group Executive for Jobs and Economy, or his authorized designee, and approved by the Corporation Counsel as to form.

And be it further

Resolved, That in accordance with Section 19(1) of Public Act 436 of 2012, the sale by the Emergency Manager for the City of Detroit of land in the City of Detroit, Wayne County, Michigan described in Exhibit A and commonly known as 3810 & 3820 Mt. Elliott, is hereby, APPROVED.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

**PUBLIC HEALTH AND SAFETY
STANDING COMMITTEE**

**Finance Department
Purchasing Division**

April 24, 2014

Honorable City Council:

Re: Contracts and Purchase Orders
Scheduled to be Considered at the
Formal Session of February 11, 2014.

Please be advised that the Contract submitted on Thursday, February 6, 2014 for the City Council Agenda of February 11, 2014 has been amended as follows:

1. The contractor's REQ Number was submitted incorrectly to Purchasing by the Department. Please see the corrections below:

Should read as:

Page 2

2881292 — 100% City Funding — To Provide DPW Street Repair Equipment (Super Gyrotory Paver) — RFQ. #45937 — REQ #293736 — Company: Pine Instrument — Location: 101 Industrial Drive, Grove City, PA 16127 — Quantity (1) — Unit Price Range: \$43,518.00/Each — Sole Bid — Contract Amount Not to Exceed: \$43,518.00. **Public Works.**

Respectfully submitted,
BOYSIE JACKSON
Purchasing Director
Finance Dept./Purchasing Div.

By Council Member Benson:

Resolved, That CPO #2881292 referred to in the foregoing communication dated April 29, 2014, be hereby and is approved.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Buildings, Safety Engineering & Environmental Department

April 24, 2014

Honorable City Council:

Re: Address: 16152 Patton. Name: Lawrence J. Edmons. Date ordered removed: June 28, 2011 (J.C.C. pages 1459-1468).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection on April 11, 2014 revealed the building is secured and appears to be sound and repairable.

The owner has paid all taxes and is current.

The proposed use of the property is owner's use and occupancy.

This is the first deferral request for this property.

Therefore, it is recommended that the demolition order be deferred for a period of three months subject to the following conditions:

1. A permit for rehabilitation work shall be obtained within 30 days.

2. The building shall be maintained securely barricaded until rehabilitation is complete. Rehabilitation is to be complete within six months, at which time the owner will obtain one of the following from this department:

- Certificate of Acceptance related to building permits
- Certificate of Approval as a result of a Housing Inspection
- Certificate of Inspection, required for all residential rental properties.

3. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).

4. The yards shall be maintained clear of weeds, junk and debris at all times.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,
DAVID BELL
Building Official

By Council Member Benson:

Resolved, That a resolution adopted June 28, 2011 (J.C.C. pages 1459-1468) for the removal of a dangerous structure

at various locations be and the same is hereby amended for the purpose of deferring the removal order for dangerous structure, only at 16152 Patton for a period of three (3) months, in accordance with the one (1) foregoing communication.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Buildings, Safety Engineering & Environmental Department

April 24, 2014

Honorable City Council:

Re: Address: 5550 Maplewood. Name: Stephen McAlpine. Date ordered removed: November 4, 2009 (J.C.C. pages 2525-2530).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection on April 14, 2014 revealed the building is secured and appears to be sound and repairable.

The owner has paid all taxes and is current.

The proposed use of the property is owner's use and occupancy.

This is the first deferral request for this property.

Therefore, it is recommended that the demolition order be deferred for a period of three months subject to the following conditions:

1. A permit for rehabilitation work shall be obtained within 30 days.

2. The building shall be maintained securely barricaded until rehabilitation is complete. Rehabilitation is to be complete within six months, at which time the owner will obtain one of the following from this department:

- Certificate of Acceptance related to building permits
- Certificate of Approval as a result of a Housing Inspection
- Certificate of Inspection, required for all residential rental properties.

3. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).

4. The yards shall be maintained clear of weeds, junk and debris at all times.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without

further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four months must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,
DAVID BELL
Building Official

By Council Member Benson:

Resolved, That a resolution adopted on November 4, 2009 (J.C.C. pages 2525-2530), for the removal of a dangerous structure at various locations, be and the same is hereby amended for the purpose of deferring the removal orders for dangerous structure, only, at 5550 Maplewood, for a period of three (3) months, in accordance with the one (1) foregoing communication .

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Buildings, Safety Engineering & Environmental Department

April 23, 2014

Honorable City Council:

Re: Address: 16260 Marlowe. Name: Third Degree LLC. Date ordered removed: January 25, 2011 (J.C.C. pages 111-116).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection on April 9, 2014 revealed the building is secured and appears to be sound and repairable.

The owner has paid all taxes and is current.

The proposed use of the property is owner's use and occupancy.

This is the first deferral request for this property.

Therefore, it is recommended that the demolition order be deferred for a period of three months subject to the following conditions:

1. A permit for rehabilitation work shall be obtained within 30 days.
2. The building shall be maintained securely barricaded until rehabilitation is complete. Rehabilitation is to be complete within six months, at which time the owner will obtain one of the following from this department:
 - Certificate of Acceptance related to building permits
 - Certificate of Approval as a result of a Housing Inspection
 - Certificate of Inspection, required for all residential rental properties.
3. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).

4. The yards shall be maintained clear of weeds, junk and debris at all times.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four months must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,
DAVID BELL
Building Official

By Council Member Benson:

Resolved, That a resolution adopted January 25, 2011 (J.C.C. pages 111-116) for the removal of a dangerous structure at various locations be and the same is hereby amended for the purpose of deferring the removal order for dangerous structure, only at 16260 Marlowe for a period of three (3) months, in accordance with the one (1) foregoing communication.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Buildings, Safety Engineering & Environmental Department

April 24, 2014

Honorable City Council:

Re: Address: 376 W. Grand Blvd. Name: Bank of America. Date ordered removed: February 18, 2014 (J.C.C. pages -).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection on April 9, 2014 revealed the building is secured and appears to be sound and repairable.

The owner has paid all taxes and is current.

The proposed use of the property is owner's use and occupancy.

This is the first deferral request for this property.

Therefore, it is recommended that the demolition order be deferred for a period of three months subject to the following conditions:

1. A permit for rehabilitation work shall be obtained within 30 days.
2. The building shall be maintained securely barricaded until rehabilitation is

complete. Rehabilitation is to be complete within six months, at which time the owner will obtain one of the following from this department:

- Certificate of Acceptance related to building permits
- Certificate of Approval as a result of a Housing Inspection
- Certificate of Inspection, required for all residential rental properties.

3. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).

4. The yards shall be maintained clear of weeds, junk and debris at all times.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,

DAVID BELL
Building Official

By Council Member Benson:

Resolved, That a resolution adopted on February 18, 2014 (J.C.C. pages -), for the removal of a dangerous structures at various locations, be and the same is hereby amended for the purpose of deferring the removal orders for dangerous structure, only, at 376 W. Grand Blvd. for a period of three (3) months, in accordance with the one (1) foregoing communication .

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Buildings, Safety Engineering & Environmental Department

April 24, 2014

Honorable City Council:

Re: Address: 13926 Rockdale. Name: Stevie Lee Maniece. Date ordered removed: October 4, 2011 (J.C.C. pages 2240-2241).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection on April 14, 2014

revealed the building is secured and appears to be sound and repairable.

The owner has paid all taxes and is current.

The proposed use of the property is owner's use and occupancy.

This is the first deferral request for this property.

Therefore, it is recommended that the demolition order be deferred for a period of three months subject to the following conditions:

1. A permit for rehabilitation work shall be obtained within 30 days.

2. The building shall be maintained securely barricaded until rehabilitation is complete. Rehabilitation is to be complete within six months, at which time the owner will obtain one of the following from this department:

- Certificate of Acceptance related to building permits
- Certificate of Approval as a result of a Housing Inspection
- Certificate of Inspection, required for all residential rental properties.

3. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).

4. The yards shall be maintained clear of weeds, junk and debris at all times.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,

DAVID BELL
Building Official

By Council Member Benson:

Resolved, That a resolution adopted October 4, 2011 (J.C.C. pages 2240-2241) for the removal of a dangerous structure at various locations be and the same is hereby amended for the purpose of deferring the removal order for dangerous structure, only at 13926 Rockdale for a period of three (3) months, in accordance with the one (1) foregoing communication.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Buildings, Safety Engineering & Environmental Department

April 23, 2014

Honorable City Council:

Re: Address: 4400 Three Mile Drive.
Name: Artesian Equities LLC. Date ordered removed: May 28, 2013 (J.C.C. pages 970-971).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection on March 13, 2014 revealed the building is secured and appears to be sound and repairable.

The owner has paid all taxes and is current.

The proposed use of the property is owner's use and occupancy.

This is the second deferral request for this property.

Therefore, it is recommended that the demolition order be deferred for a period of three months subject to the following conditions:

1. A permit for rehabilitation work shall be obtained within 30 days.

2. The building shall be maintained securely barricaded until rehabilitation is complete. Rehabilitation is to be complete within six months, at which time the owner will obtain one of the following from this department:

- Certificate of Acceptance related to building permits
- Certificate of Approval as a result of a Housing Inspection
- Certificate of Inspection, required for all residential rental properties.

3. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).

4. The yards shall be maintained clear of weeds, junk and debris at all times.

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

At the end of the deferral period, the owner must contact this department to arrange an inspection to evidence that conditions of the deferral have been maintained and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not maintained, we may proceed with demolition without further hearings. And, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

A request for deferral exceeding four must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,
DAVID BELL
Building Official

By Council Member Benson:

Resolved, That a resolution adopted on May 28, 2013 (J.C.C. pages 970-971), for the removal of a dangerous structures at various locations, be and the same is

hereby amended for the purpose of deferring the removal orders for dangerous structure, only, at 4400 Three Mile Drive, for a period of three (3) months, in accordance with the one (1) foregoing communication .

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Buildings, Safety Engineering & Environmental Department

April 23, 2014

Honorable City Council:

Re: 2344 Woodmere St. Date ordered removed: March 18, 2014 (J.C.C. page).

In response to the request for a deferral of the demolition order on the property noted above, we submit the following information:

A special inspection conducted on April 7, 2014 revealed that the property did not meet the requirements of the application to defer. The property continues to be open to trespass and not maintained.

Therefore, we respectfully recommend that the request for a deferral be denied. We will proceed to have the building demolished as originally ordered with the cost of demolition assessed against the property.

Respectfully submitted,
DAVID BELL
Building Official

By Council Member Benson:

Resolved, That the request for rescission of the demolition order of March 18, 2014 (J.C.C. pages 782-791) on property at 2344 Woodmere St. be and the same is hereby denied and the Buildings, Safety Engineering and Environmental Department be and is hereby authorized and directed to have the building removed as originally ordered in accordance with the one (1) foregoing communication.

Adopted as follows:

Yeas — Council Members Brown, Cockrel, Jr., Jenkins, Jones, Kenyatta, Spivey, Tate, Watson, and President Pugh — 9.

Nays — None.

Permit

Honorable City Council:

To your Committee of the Whole was referred petition of MACK ALIVE (#184) request to host "24th Annual Mack Alive Parade and Rally". After consultation with the Mayor's Office and Police Department and careful consideration of the request, your Committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,
SCOTT BENSON
Chairperson

By Council Member Brown:

Resolved, That subject to the approval of the Business License Center, DPW-City Engineering Division, Buildings, Safety Engineering and Environmental, Transportation and Fire Departments, permission be and it is hereby granted to Mack Alive (#184), for "24th Annual Mack Alive Parade and Rally", August 23, 2014 from 10:00 a.m. to 4:00 p.m. with temporary street closures in area of Mack Street, St. Jean and E. Grand Blvd., and further

Provided, That the Buildings and Safety Engineering Department is hereby authorized and directed to waive the zoning restrictions on said property during the period of the event, and further

Provided, That petitioner use curb land and sidewalk, and further

Provided, That said activity is conducted under the rules and regulations of the concerned departments and the supervision of the Police Department, and in compliance with applicable ordinances, and further

Provided, That the required permits be secured should any tents or temporary installations such as Liquefied Petroleum Gas Systems be used, and further

Provided, That petitioner has an inspection of electrical work prior to opening the facility to the public, and further

Provided, That if tents are to be used, the petitioner shall comply with all sections of Fire Marshal Division Memorandum #3.2 regarding "Use of Tents for Public Assembly," and further

Provided, That petitioner complies with the provisions of Ordinance 503-H regarding festival permits and carnival licenses, and further

Provided, That such permission is granted with the distinct understanding that petitioner assumes full responsibility for any and all claims, damages and expenses that may arise by reason of the granting of said petition, and further

Provided, That the site be returned to its original condition, and further

Provided, That this resolution is revocable at the will, whim or caprice of the City Council.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

NEW BUSINESS

Taken from the Table

Council Member Benson moved to take from the table a Proposed ordinance to amend Chapter 55 of the 1984 Detroit City Code, *Traffic and Motor Vehicles*, by changing the name of the Chapter to *Traffic and Vehicles*; by repealing Article I, *In General*, which consists of Sections

55-1-1 and 55-1-17 and adding a new Article I, titled *Generally*, which shall consist of Division 1, *Administration*, containing Sections 55-1-1 through 55-1-17, Division 2, *Violations and Penalties*, containing Sections 55-1-31 through 55-1-33, Division 3, *Parking Violation Notices at Bureau and Parking Citations at Court*, containing Sections 55-1-41 through 55-1-49, Division 4, *Parking Scofflaw Program for Failure to Answer Parking Violations Notices and Citations*, containing Sections 55-1-61 through 55-1-73, and Division 5, *Citations at Court for Violations Under Chapter Not Involving Parking*, containing Sections 55-1-81 through 55-1-83; by repealing Article II, *Administration and Enforcement*, which consists of Division 1, *Generally*, containing Sections 55-2-1 through 55-2-9, Division 2, *Residential Parking Permit Areas*, containing Sections 55-2-10 through 55-2-15, Division 3, *Parking Violation Notices and Citations*, containing Sections 55-2-21 through 55-2-28, Division 4, *Civil Infractions and Misdemeanors*, containing Sections 55-2-30 through 55-2-33, Division 5, *Parking Violations Bureau*, containing Sections 55-2-41 and 55-2-42, Division 6, *Parking Scofflaw Program*, containing Section 55-2-44, and Division 7, *Administrative Hearings Tribunal*, containing Section 55-2-51, and adding a new Article II, *Enforcement*, which shall consist of Division 1, *Voluntary Bicycle Registration*, containing Sections 55-2-1 through 55-2-8, Division 2, *Residential Parking Permits*, containing Sections 55-2-21 through 55-2-26, Division 3, *Snow Emergency Routes*, containing Sections 55-2-41 through 55-2-47, Division 4, *Impoundment of Vehicles*, containing Sections 47-2-61 through 55-2-71, and Division 5, *Police Authorized Towing*, containing Sections 55-2-81 through 55-2-89; by repealing Article III, *Licensing, Registration and Insurance*, which consists of Sections 55-3-1 through 55-3-10 and adding a new Article III, *Michigan Vehicle Code and Michigan Uniform Traffic Code*, which shall consist of Sections 55-3-1 through 55-3-3; by repealing Article VI, *Operation of Vehicles*, which consists of Division 1, *Generally*, containing Sections 55-4-1 through 55-4-30, Division 2, *Speed Regulations*, containing Sections 55-4-39 through 55-4-46, Division 3, *Turning Movements*, containing Sections 55-4-58 through 55-4-64, and Division 4, *Operating a Vehicle While Intoxicated by Alcohol, a Controlled Substance or a Combination Thereof*, containing Sections 55-4-70 through 55-4-82 and adding a new Article IV, *Local Regulations*, which shall consist of Division I, *Generally*, containing Section 55-4-1, Division 2, *Operation of Bicycles*, containing Sections 55-4-11 through 55-

4-13, Division 3, *Stopping, Standing and Parking*, containing Sections 55-4-31 through 55-4-45, Division 4, *Parking Meters*, containing Sections 55-4-61 through 55-4-68, Division 5, *Size, Weight and Load of Vehicles*, Subdivision A, *Generally*, containing Sections 55-4-81 through 55-4-82, and Subdivision B, *Weights, Loads and Wheel Pressures*, containing Sections 55-4-91 through 55-4-93, and Division 6, *Miscellaneous Regulations*, containing Sections 55-4-101 through 55-4-115; by repealing Article V, *Traffic Control Devices*, which consists of Sections 55-5-1 through 55-5-11; by repealing Article VI, *Stopping, Standing and Parking*, which consists of Division 1, *Generally*, containing Sections 55-6-1 through 55-6-32, Division 2, *Parking Meters*, containing Sections 55-6-44 through 55-6-54, Division 3, *Parking of Inoperable Vehicles*, containing Sections 55-6-66 through 55-6-72, Division 4, *Abandoned Vehicles*, containing Sections 55-6-84 through 55-6-90, Division 5, *Idling Prohibition for Commercial Vehicles Exceeding Gross Vehicle Weight Rating of 8,500 Pounds*, containing Sections 55-6-91 through 55-6-94; by repealing Article VII, *Equipment on Vehicles*, which consists of Division 1, *Generally*, containing Sections 55-7-1 through 55-7-16, Division 2, *Lights*, containing Sections 55-7-28 through 55-7-44, and Division 3, *Noise Regulations*, containing Sections 55-7-56 through 55-7-61; by repealing Article VIII, *Size, Weight and Load of Vehicles*, which consists of Division 1, *In General*, containing Sections 55-8-1 through 55-8-9, Division 2, *Width, Height and Length*, containing Sections 55-8-11 through 55-8-18, and Division 3, *Weight, Loads and Wheel Pressure*, containing Sections 55-8-21 through 55-8-29; by repealing Article IX, *Motorcycles, Motor-driven Cycles and Bicycles*, which consists of Division 1, *Generally*, containing Sections 55-9-1 through 55-9-16, Division 2, *Motorcycle Clubs*, containing Sections 55-9-28 through 55-9-30, and Division 3, *Voluntary Bicycle Registration*, containing Sections 55-9-41 through 55-9-49; by repealing Article X, *School Buses*, which consists of Sections 55-10-1 through 55-10-3; by repealing Article XI, *Ice Cream Trucks*, which consists of Sections 55-11-1 through 55-11-9; by repealing Article XII, *Pedestrians' Rights and Duties*, which consists of Division 1, *Generally*, containing Sections 55-12-1 through 55-12-4, Division 2, *White Canes for Blind Persons*, containing Sections 55-12-25 through 55-12-28; by repealing Article XIII, *Accidents*, which consists of Sections 55-13-1 through 55-13-7; by repealing Article XIV, *Impoundment of Vehicles*, which consists of Sections 55-14-1 through 55-14-11; by repealing Article XV, *Police Authorized Towing*,

which consists of Sections 55-15-1 through 55-15-8; by repealing Article XVI, *Snow Emergency Routes*, which consists of Sections 55-16-1 through 55-16-8; to repeal the current Chapter 55 in its entirety; to adopt and incorporate by reference the Michigan Vehicle Code, being MCL 257.1 through MCL 257.923, in accordance with Section 3(k) of the Michigan Home Rule City Act; to adopt and incorporate by reference the Michigan Uniform Traffic Code for Cities, Townships and Villages, being R 28.1001 *et seq.*, of the Michigan Administrative Code, in accordance with Section 1 of the Michigan Uniform Traffic Code being MCL 257.951; and to reenact those provisions in current Chapter 55, which, under the police powers of the City, are tailored to the needs of the City of Detroit.

The Ordinance was then placed on the order of third reading.

THIRD READING OF ORDINANCE.

The title to the Ordinance was read a third time.

The Ordinance was then read.

The question being "Shall this Ordinance Now Pass"?

The Ordinance was passed, a majority of the Council Members present voting therefore as follows:

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, J., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Detroit Fire Department

May 5, 2014

Honorable City Council:

Re: Acceptance of Donation of Equipment: Leary Firefighters Foundation, Brenna Sanchez (BURN film) and Tom Putman (BURN film) \$109,598.11.

The Leary Firefighters Foundation, Brenna Sanchez (BURN film) and Tom Putman (BURN film) wishes to bestow upon the Detroit Fire Department \$109,598.11, in donated equipment. The Detroit Fire Department is seeking your approval to accept this donation.

The equipment will be used to provide the Detroit Fire Department with firefighting and safety equipment needed to help Fire Fighters protect the residents in the City of Detroit.

Therefore, your approval to accept the agreement and equipment in accordance with the attached resolution is respectfully requested.

Sincerely,

EDSEL JENKINS

Executive Fire Commissioner

Approved:

PAMELA SCALES

Director - Budget Department

JOHN NAGLICK

Finance Director/Acting Treasurer

By Council Member Benson:

Resolved, That the Detroit Fire Department be and is hereby authorized to accept donated equipment in the amount of \$109,598.11 from the Leary Firefighters Foundation, Brenna Sanchez (BURN film) and Tom Putman (BURN film) to provide the Detroit Fire Department with firefighting and safety equipment needed to help Fire Fighters protect the residents in the City of Detroit; be it further

Resolved, That the Finance Director be and is hereby authorized, in accordance with this resolution and standard City procedure, to process all documents initiated by the Fire Department to include taggable items in the Equipment Inventory System as City property; and be it further

Resolved, That a communication of appreciation be forwarded to the Leary Firefighters Foundation, Brenna Sanchez (BURN film) and Tom Putman (BURN film), Incorporated by the Detroit Fire Department.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

CONSENT AGENDA

NONE.

MEMBER REPORTS:

Council Member Raquel Castaneda-Lopez: Reminder of the Mayor's Meeting May 19, 2014 in District 6 at 7 p.m., Greater Apostolic Faith Temple, 4735 W. Fort Street. Reported on the Motor City Makeover, believed District 6 had the greatest number of volunteers to turn out in the city. On Wednesday, *We Are D-6 Coalition*, a coalition of non-profits working in District 6, will have their next meeting Wednesday, May 21, 2014 from 5-7 p.m. at Bridging Communities, 6900 McGraw. District 6 is competing against District 1 in the tire sweep which will take place at the end of June, June 24-26, give her office a call if anyone would like to sign up at 313-224-2450.

Council Member Scott Benson: During the Susan G. Komen Challenge the 13th floor will challenge the 11th floor for the most participants for this year's breast cancer walk/run. The 13th floor is called Team Soul Survivors; hopefully everyone will ask people to sign up. The event is on June 7, and he would like to invite Legislative Policy Division to join also.

Council Member Saunteel Jenkins: She had an opportunity to participate in a tree planting at Hantz Woodland; 15,000 trees were planted. She is

proud of the fact that she supported the Hantz Woodland project. The Change is transformative. Houses have been torn down and the houses that remain are in good shape and they are helping the residents keep up their properties. The residents are happy with what Hantz is doing and kudos for hantz for not only keeping their word but going above and beyond.

Council President Pro-Tem George Cushingberry, Jr.:

Thanked his staff and all the participants of his district's first successful health fair; specifically the nurses from Henry Ford Health System who were there all day working. Dozens of people were able to see a nurse. The most important thing that everyone must do is make sure that people get signed up for the Medicaid program which is the other side of the affordable health care program. He thanked Huma and the other government agencies that were there, as well as Mayor Duggan for making sure that the departments were there. October 16 is the expanded date for the second health fair at the Northwest Activity Center, located on the corner of Curtis and Meyers. Mayor Duggan and President Pro Tem Cushingberry, Jr. will be sponsoring a scholarship fund for the best design for a solar light. They will be giving away a top award and there will be classes for further study. For further information call his office at 313-224-4535.

Council Member James Tate:

Addressed the residents of District 1, also known as D-1, reminding them of their satellite hours over at the Motor City Java and Tea House every 1st and 3rd Wednesday of the month but due to budget deliberation this week the meetings were cancelled. As a member of the Grandmont/Rosedale Community, he indicated that they do a lot of commercial, economic and neighborhood development; a program that is taking place there is called *Loyal to your Soil Creative Arts Program*, the deadline to register is May 30, 2014 for youth ages 13-17 interested in participating in workshops. Anyone interested can contact his office or Jessica Bickmann at 313-387-4732, ext. 119. She is with the Grandmont/Rosedale Development Corporation.

Council Member Andre Spivey:

Announced the first District 4 meeting, Wednesday, May 21, 2014 at 6 p.m., St. Mary Catholic Church on Kercheval and St. Jean.

Council Member Mary Sheffield:

Her district office is open at Butzel Recreation Center, Mondays and

Wednesdays from 11 a.m. - 5 p.m. She wanted to thank greater St. Peter; on Sunday, May 18, 2014 she was invited to minister for Men and Women's Day. Last week, she spoke at Plymouth educational for career day; she spoke to four classes; the children were very involved.

Council Member Gabe Leland: He indicated that he had a very successful Motor City Makeover event. There was donated equipment from JP Construction and others. Thanked Council President Pro Tem Cushingberry, Jr. for his staff's participation. There were approximately 600 yards of waste hauled away from Russell Woods. On June 5, he will hold a community Safety Forum at the Garden View Estates from 5:30 p.m. - 7 p.m.; great opportunity for members of the community to come out and address safety questions directly to their neighborhood MPO Officers. Also, in attendance there will be *100 Speak Up*, as well as a safety presentation from DPD. For more information call his office at 313-224-2151. He will host an upcoming coffee hour at the Edison Library, June 25, 2014 from 5 p.m. - 7 p.m. The Mayor will come to District 7, May 22, 2014 at 7 p.m. - 8:30 p.m., Kadash Missionary Baptist Church, 20361 Plymouth.

Council President Brenda Jones: Reminded everyone of the City Council Community Evening Meeting in District 3 at Greater Concord Missionary Baptist Church, located at 4500 E. Davison from 7 p.m. - 8:30 p.m. She mentioned the public hearing on the budget at 5 p.m. and thanked the Law Department, LPD and Council Member Castaneda-Lopez for their work on the Community Benefits Agreement ordinance and announced the ribbon cutting ceremony on the 21st of May to celebrate the new Veteran's Park at Piquette Square.

ADOPTION WITHOUT COMMITTEE REFERENCE

NONE.

COMMUNICATIONS FROM THE CLERK

Memorandum Office of the City Manager

May 7, 2014

To: Honorable City Council
From: Kevyn Orr, Emergency Manager
Re: Services Contracts Submitted for Approval on April 29, 2014.

I am authorizing approval of the following:
GSD - Professional Service Contract 2892209 — 100% City Funding — To Provide Preventive Maintenance Services

to Fire Apparatus Equipment — Contractor: R&R Fire Truck Repair — Location: 751 Doheny, Northville, MI 48167 — Contract Period: One Time Purchase — Contract Amount: \$240,000.00.

RECREATION —

Professional Service Contract 2887938 — 100% City Funding — To Provide Operational, Programming and Maintenance Services — Contractor: Northwest Community Programs, Inc. — Location: 18100 Meyers, Detroit, MI 48235 — Contract Period: July 1, 2013 through June 30, 2016 — Contract Amount: \$600,000.00.

COMMUNICATIONS FROM THE CLERK

May 19, 2014

This is to report for the record that, in accordance with the City Charter, the portion of the proceedings of May 6, 2014, on which reconsideration was waived, was presented to His Honor, the Mayor, for approval on May 7, 2014, and same was approved on May 14, 2014.

Also, That the balance of the proceedings of May 6, 2014 was presented to His Honor, the Mayor, on May 12, 2014 and same was approved on May 19, 2014.

*Samir Salami, Inc., (Petitioner) vs. City of Detroit (Respondent); MTT Docket No. 14-001210; Parcel No. 01009808.

*8 Mile Evergreen, LLC vs. City of Detroit (Respondent); MTT Docket No. 14-001213; Parcel No. 22019029.003.

*Semma, Inc., (Petitioner) vs. City of Detroit (Respondent); MTT Docket No. 14-000456; Parcel No. 22017305-16.

*John R Gas Mart, Inc., (Petitioner) vs. City of Detroit (Respondent); MTT Docket No. 14-001333; Parcel No. 09024530-4.

*Alt Group, LLC, (Petitioner) vs. City of Detroit (Respondent); MTT Docket No. 14-001338; Parcel No. 22049675-83.

Also, That my office was served with the following papers issued out of Wayne Circuit Court and United States District Court, and same were referred to the Law Department.

Placed on file.

From The Clerk

May 20, 2014

Honorable City Council:
This is to inform your Honorable Body that I am in receipt of the following petitions since the last regular session and recommend their reference as follows:

Respectfully submitted,
JANICE M. WINFREY
City Clerk

CITY PLANNING COMMISSION/ PLANNING AND DEVELOPMENT DEPARTMENT/BOARD OF ZONING APPEALS

253—Henry Ford Health System, request rezoning of the attached properties, from current zoning district classifi-

cation B4, R1, R2 and R5; to proposed zoning district classification B5.

- 254—Brian & Stacy Mulloy, request rezoning of 1701 Trumbull Street, Detroit, MI 48226, from current zoning district classification R3; to proposed zoning district classification SD2.

DPW-CITY ENGINEERING DIVISION

- 247—New Jerusalem Church of God in Christ, request to temporary close the North-South public alley, 18 feet wide, bounded by Lawton, Linwood, W. Grand Blvd., and Lothrop. (Reference petition #1237.)
- 249—Glad Tidings Church of God in Christ, request to vacate alley located behind building at 625 E. Seven Mile, Detroit, MI 48203.
- 252—Twelfth Street Missionary Baptist Church, request permission to convert Idaho Avenue between Midland Avenue and Pear Avenue to an easement. (Related to Petition #0702.)

**DPW-CITY ENGINEERING DIVISION/
PLANNING AND DEVELOPMENT
DEPARTMENT**

- 246—Bethany Baptist Church, request to permanently close of alley located at 15122 W. Chicago between Coyle and Sussex. (Reference petition #3458.)
- 250—Sam’s Appliance Shop, request to close alley located at 17615-17637 Grand River.

**FINANCE DEPT.-ASSESSMENTS DIV./
PLANNING AND DEVELOPMENT/
LAW DEPARTMENTS/
LEGISLATIVE POLICY DIVISION**

- 251—TOAD Management LLC, request to establish Obsolete Property Rehabilitation District, 445 W. Forest Avenue.

**MAYOR’S OFFICE/
DPW - CITY ENGINEERING DIVISION/
POLICE/RECREATION DEPARTMENTS**

- 248—Crary’s St. Mary’s request to hold “C.S.C.C. Unity in the Community Parade Fun Day” at Kelly Park on August 2, 2014 from 9:00 a.m. to 5:00 p.m.

**MAYOR’S OFFICE/
POLICE DEPARTMENT/
DPW - TRAFFIC ENGINEERING**

- 255—Mother of Divine Mercy Parish, request to hold “Corpus Christi Religious Procession” on June 22, 2014 from 10:00 a.m. to 12:00 p.m. beginning on the north side sidewalk, east Canfield from Sweetest Heart of Mary Church to St. Josaphat Church.

**MAYOR’S OFFICE/POLICE/
DPW - TRAFFIC ENGINEERING/
TRANSPORTATION DEPARTMENTS**

- 242—Mose Field School, request permission to hold “Lemon Aid Day School Event”, at Moses Field School located at 1100 Sheridan, June 6, 2014 from 11:00 a.m. to 1:30 p.m.; with temporary street closure on Sheridan, Agnes and Lafayette. Set up 9:00 a.m., tear down 1:30 p.m.
- 244—Jefferson Village, request permission to hold Harding Street Block Party, July 12, 2014 from 12:00 p.m. to 12:00 a.m.; with temporary street closure on Harding Street, E. Jefferson and Lisette Street; Set up 9:00 a.m. to 11:00 a.m., tear down 1:00 a.m.

**PLANNING AND DEVELOPMENT
DEPARTMENT**

- 243—STANDUP NOW, requesting that Wildemere Street between W. Grand Blvd. and Joy Road be changed to Whitlow’s Blvd., by June 10, 2014.

**TESTIMONIAL RESOLUTIONS
AND SPECIAL PRIVILEGE**

**TESTIMONIAL RESOLUTION
FOR**

DR. CAROL E. DIXON

“Celebrating 40 Years in Ministry”

By COUNCIL PRESIDENT JONES:
WHEREAS, Dr. Carol E. Dixon is an Author, Life Coach, Inspirational Speaker, and a woman of Vision and Voice. She is committed to helping people from all walks of life experience the unconditional and unending hope found only in a personal relationship with Jesus Christ. Speaking “a new quality of living produced by a new character in God”; and
WHEREAS, Dr. Dixon, has a degree background in Communications Education from Wayne State University, with certifications by the Institute for Motivational Living and in early Childhood Development. Over the past 40 years, Dr. Dixon has been recognized for her multi-talents and multi-faces, past and present by United States Presidents, Members of Congress, Michigan Governors, Michigan State Legislators, Ohio Governors, Georgia Governors, Georgia State Legislators, Detroit Mayors, Detroit City Council Members, Wayne County Commissioners, Civic Leaders and Charitable Organizations. In Atlanta, Georgia, The City Council members voted unanimously that March 31 is “Dr. Carol E. Dixon Day.” The House of Representatives from the State of Tennessee issued a Proclamation in her honor as well. Dr. Dixon was just honored

in Georgia by the State Legislature as "Phenomenal Trailblazer", being honored with an "Outstanding Georgia Citizen" Award and given a Proclamation by the Georgia State Legislature; and

WHEREAS, Dr. Dixon's ministry extends into yet another realm in God-through the medium of the written Word in her books, "New Breed", "God; Sent His Angels", "Unchain Your Mind" and her latest published book, "60 Seconds" Inspirational Minutes. Today, as a much-in-demand speaker and proclaimer of the gospel, she continues to travel extensively to fulfill her mandated mission to transform lives, heal hearts and win souls. NOW THEREFORE BE IT

RESOLVED, That the Detroit City Council, Office of Council President Brenda Jones, hereby join with family and friends in celebrating Dr. Carol E. Dixon, 40 years in Ministry. May the Lord continue to bless you.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

And the Council then adjourned.

BRENDA JONES
President

JANICE M. WINFREY,
City Clerk

(All resolutions and/or ordinances except Resolutions of Testimonial or In Memoriam, are generally in the name of the Council Member who was chairperson of the day of the City Council Meeting on which the resolution was introduced.)

CITY COUNCIL

(REGULAR SESSION)

(All action of the City Council appearing herein is subject to reconsideration and/or approval of the Mayor.)

Detroit, Tuesday, May 27, 2014

Pursuant to adjournment, the City Council met at 10:00 A.M., and was called to order by the President Brenda Jones.

Present — Council Members Benson, Castaneda-Lopez, Jenkins, Leland, Sheffield, Spivey, and President Jones — 7.

Council Member Cushingberry, Jr. entered and took his seat — 8.

Invocation Given By:

**Reverend Dr. Lawrence C. Glass, Jr.
El Bethel Baptist Church**

Council Member Tate entered and took his seat during presentation for Rev. Dr. Glass as presented by Council President Jones — 9.

There being a quorum present, the City Council was declared to be in session.

The Journal of the Session of May 20, 2014 was approved.

UNFINISHED BUSINESS

NONE.

PRESIDENT'S REPORT ON STANDING COMMITTEE REFERRALS AND OTHER MATTERS

NONE.

RESOLUTION

By ALL COUNCIL MEMBERS:

THE FOLLOWING ITEMS ARE BEING REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE:

FINANCE DEPARTMENT/PURCHASING DIVISION

Submitting the following Finance Department/Purchasing Division Contract:

1. Submitting reso. autho. **Contract No. 2851317** — 100% City Funding — To Provide Printing of Newsletters and Ballots — Contractor: Accuform Printing and Graphics — Location: 7231 Southfield Road, Detroit MI 48228 — Contract Period: September 9, 2014 through August 31, 2015 — Contract Amount: \$120,000.00. **Elections.**

This is a Renewal Contract for Extension of Time Only and Funds.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

RESOLUTION

By ALL COUNCIL MEMBERS:

THE FOLLOWING ITEMS ARE BEING REFERRED TO THE NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE:

POLICE DEPARTMENT

1. Submitting report relative to Petition of Metropolitan Detroit Veterans Coalition (#211), request to hold the "9th Annual Detroit Veterans Day Parade" on November 8, 2014 from 10:00 a.m. to 1 p.m with temporary street closure on Woodward from Charlotte to Grand Circus Park. **(The Police Department RECOMMENDS APPROVAL of this petition. Awaiting reports from Mayor's Office, DPW - City Engineering Division, Fire, Transportation, Municipal Parking and Buildings, Safety Engineering and Environmental Departments.)**

2. Submitting report relative to Petition of The Parade Company (#200), request to host the "Ford Fireworks" at Hart Plaza on June 23, 2014 from 10:06 p.m. to 10:30 p.m. Set up begins on June 13 at 12:00 p.m. with tear down on June 28 at 5:00 p.m. **(The Police Department RECOMMENDS APPROVAL of this petition. Awaiting reports from Mayor's Office, DPW - City Engineering Division, Business License Center, Fire, Transportation and Recreation Departments.)**

3. Submitting report relative to Petition of Chevrolet Detroit Belle Isle Grand Prix (#198), request to host the "Detroit Belle Isle Grand Prix, Inc., Transporter Parade and Fan Fest" on May 28, 2014 from 4:30 p.m. to 7:30 p.m. in area of Campus Martius and Cadillac Square with temporary street closure. **(The Police Department RECOMMENDS APPROVAL of this petition. Awaiting reports from Mayor's Office, DPW - City Engineering Division, Business License Center, Transportation, Municipal Parking, Buildings, Safety Engineering and Environmental and Fire Departments.)**

Moved to new business for vote, per Council President Pro Tem George Cushingberry, Jr.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

RESOLUTIONS

By ALL COUNCIL MEMBERS:

THE FOLLOWING ITEM(S) ARE BEING REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE:

FINANCE DEPARTMENT/PURCHASING DIVISION

Submitting the following Finance Department/Purchasing Division Contracts:

1. Please be advised that the Contract submitted on Thursday, May 8, 2014 for the City Council Agenda of May 13, 2014 has been amended to below:

Submitted as:

Contract No. 2867322 — 50% City Funding, 50% Federal Funding — To Provide Historic Property Reviews and Site Improvements to the Detroit Historic District Commission — Contractor: The Mannik & Smith Group, Inc. — Location: 65 Cadillac Square, Suite 3311, Detroit, MI 48226 — Contract Period: July 1, 2012 through December 31, 2015 — Increase Amount: \$218,526.00 — Contract Amount: \$437,052.00. **Planning and Development.**

This is Amendment #1 to request additional funds to the existing contract — Original Contract: \$218,526.00).

Should read as:

Contract No. 2867322 — 50% City Funding, 50% Federal Funding — To Provide Historic Property Reviews and Site Improvements to the Detroit Historic District Commission — Contractor: The Mannik & Smith Group, Inc. — Location: 65 Cadillac Square, Suite 3311, Detroit, MI 48226 — Contract Period: July 1, 2012 through December 31, 2014 — Increase Amount: \$218,526.00 — Contract Amount: \$437,052.00. **Planning and Development.**

This is Amendment #1 to request additional funds to the existing contract — Original Contract: \$218,526.00).

2. Please be advised that the Contract submitted on Thursday, September 20, 2012 for the City Council Agenda of September 25, 2012 has been amended to below:

Submitted as:

Contract No. 2867325 — 100% Federal Funding (CDBG) — To Provide Professional Services/Historic Reviews — The Mannik & Smith Group, Inc., 1800 Wood Circle, Maumee, OH 43537 — Contract Period: July 1, 2012 through June 30, 2013 — Contract Amount Not to exceed: \$218,526.00. **Planning & Development.**

Should read as:

Contract No. 2867322 — 100% Federal Funding (CDBG) — To Provide Professional Services/Historic Reviews — The Mannik & Smith Group, Inc., 1800 Wood Circle, Maumee, OH 43537 — Contract Period: July 1, 2012 through June 30, 2013 — Contract amount not to exceed: \$218,526.00. **Planning & Development.**

CITY PLANNING COMMISSION

3. Submitting report for Request from Curtis P. Ingram Jr. on behalf of Acadia Healthcare America to approve a major modification to the Planned Development (PD) District shown on Map No. 37 of Chapter 61, Article XVII of the 1984 Detroit City Code, Zoning, for 14950 and

15000 Gratiot, the northeast corner of Gratiot and State Fair East Avenues for the removal of the existing parking garage and the construction of a replacement surface parking lot. (RECOMMEND APPROVAL)

DOWNTOWN DEVELOPMENT AUTHORITY

4. Submitting report relative to Detroit Downtown Development Area #1 FY Ending 2013; pursuant to Act No. 197 of the Public Act of 1975, Section 15(3), as amended.

LOCAL DEVELOPMENT FINANCE AUTHORITY

5. Submitting report relative to Local Development Finance Authority FY Ending 2013; pursuant to Act No. 291 of the Public Act of 1986, Section 13(c), as amended.

PLANNING AND DEVELOPMENT DEPARTMENT

6. Submitting reso. autho. **Request for Public Hearing** to Establish a Commercial Rehabilitation District on behalf of 1201 Griswold, LLC, in accordance with Public Act 210 of 2005. (Related to Petition #2993). **(The Planning and Development Department has reviewed the request and find that it satisfies the criteria set forth by P.A. 210 of 2005 and that it would be consistent with development and economic goals of the Master Plan.)**

7. Submitting reso. autho. to amend the Detroit Master Plan of Policies in the Brush Park Urban Renewal Area to allow the Master Plan to remain consistent with the proposed Brush Park Fourth Modified Development Plan. **(The Planning and Development Department requests this proposed Amendment to the Master Plan of Policies to maintain consistency with the proposed Brush Park Fourth Modified Development Plan. This proposal will also help to facilitate new mixed-use development within Brush Park, allowing the neighborhood to become an attraction for potential new residents and visitors.)**

POLICE DEPARTMENT

8. Submitting report relative to petition of Checker Bar Inc. (#170), request permission for an outdoor seating permit located at 124-128 Cadillac Square, Detroit, MI 48226 from April 1, 2014 through November 1, 2014. **(The Police Department RECOMMENDS APPROVAL of this petition. Awaiting reports from DPW-City Engineering Division, Institution of Population Health, and Planning & Development Department.) Moved to New Business for vote, per Council President Pro Tem George Cushingberry, Jr.**

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

RESOLUTION

By ALL COUNCIL MEMBERS:

THE FOLLOWING ITEM(S) ARE BEING REFERRED TO THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE:

FINANCE DEPARTMENT/PURCHASING DIVISION

Submitting the following Finance Department/Purchasing Division Contracts:

1. Submitting reso. autho. **Contract No. 2893238** — 100% Other (Street) Funding — Notification of Emergency Procurement as provided by Ordinance No. 15-00 — Description of procurement: Rental of a Generator — Basis for the emergency: GSD Southfield Yard Experienced a Power Failure on April 29, 2014 which prevented the repair of City Vehicles — Basis for selection of contractor: DTE Energy has Generators that are of Sufficient Capacity to provide the Power needed — Contractor: DTE Energy, Location: 1 Energy Plaza, 807 WCB, Detroit, MI 48226 — Contract period: April 29, 2014 through April 30, 2014 — Contract amount: \$9,423.67.

Public Lighting.**LAW DEPARTMENT**

2. Submitting Proposed Emergency Ordinance to amend Chapter 33, *Minors*, Article III, *Regulation Minors in Public Places and Adult Responsibility for Violations*, Division 2, *Curfew*, of the 1984 Detroit City Code by adding Sections 33-3-14 and 33-3-15 to provide for a superseding curfew for all minors on June 23, 2014, the scheduled date for the Detroit Annual Fireworks Display, or on any rescheduled date for this event, from 6:00 p.m. through 11:59 p.m., and on June 24, 2014, or on any following day where the event is rescheduled, 12:00 midnight through 6:00 a.m., with limited exceptions for any minor: 1) accompanied by his her parent or legal guardian: 2) traveling to and from his or her place of employment: 3) traveling to and from an education or training program or an organized sponsored recreational activity during the specified period. (Due to the rapidly approaching date for the annual City of Detroit fireworks display, we request that in order to allow for timely publication, the proposed emergency ordinance be introduced and passed at the next Formal Session to be held by your Honorable Body.)

BUILDINGS SAFETY ENGINEERING AND ENVIRONMENTAL DEPARTMENT

3. Submitting report relative to DEFERRAL OF DEMOLITION ORDER on property located at 5893 Westwood. (A special inspection on May 14, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period

of three months subject to conditions of the order.)

4. Submitting report relative to DEFERRAL OF DEMOLITION ORDER on property located at 18943 Bentler. (A special inspection on May 14, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of three months subject to conditions of the order.)

5. Submitting report relative to DEFERRAL OF DEMOLITION ORDER on property located at 17150 W. McNichols. (A special inspection on April 14, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of three months subject to conditions of the order.)

6. Submitting report relative to DEFERRAL OF DEMOLITION ORDER on property located at 8329 Kentucky. (A special inspection on May 8, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of three months subject to conditions of the order.)

7. Submitting report relative to DEFERRAL OF DEMOLITION ORDER on property located at 857 W. Philadelphia. (A special inspection on April 15, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of three months subject to conditions of the order.)

8. Submitting report relative to DEFERRAL OF DEMOLITION ORDER on property located at 13015 Puritan. (A special inspection on May 8, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of three months subject to conditions of the order.)

9. Submitting report relative to DEFERRAL OF DEMOLITION ORDER on property located at 7901-13 Michigan. (A special inspection on May 7, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of three months subject to conditions of the order.)

10. Submitting report relative to DEFERRAL OF DEMOLITION ORDER on property located at 4768 Casper. (A special inspection on May 7, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the

demolition order be deferred for a period of three months subject to conditions of the order.)

11. Submitting report relative to DEFERRAL OF DEMOLITION ORDER on property located at 19177 John R. (A special inspection on May 6, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of three months subject to conditions of the order.)

12. Submitting report relative to DEFERRAL OF DEMOLITION ORDER on property located at 18209 Murray Hill. (A special inspection on May 5, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of three months subject to conditions of the order.)

13. Submitting report relative to DEFERRAL OF DEMOLITION ORDER on property located at 14944 Mendota. (A special inspection on May 8, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of three months subject to conditions of the order.)

14. Submitting report relative to DEFERRAL OF DEMOLITION ORDER on property located at 15841 Indiana. (A special inspection on May 8, 2014 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of three months subject to conditions of the order.)

15. Submitting report relative to DEFERRAL OF DEMOLITION ORDER on property located at 860 W. Philadelphia. (A special inspection on April 15, 2014 revealed the property did not meet the requirements of the application to defer; therefore it is recommended that this request for deferral be DENIED and that DEMOLITION PROCEED as originally ordered with the costs of demolition assessed against the property.)

16. Submitting report relative to DEFERRAL OF DEMOLITION ORDER on property located at 698-700 Blaine. (A special inspection on April 30, 2014 revealed the property did not meet the requirements of the application to defer; therefore it is recommended that this request for deferral be DENIED and that DEMOLITION PROCEED as originally ordered with the costs of demolition assessed against the property.)

POLICE DEPARTMENT

17. Submitting report relative to Petition of Old St. Mary's Church (#194),

request to hold "Corpus Christi Religious Procession" on June 19, 2014 from 1:00 p.m. and 2:15 p.m. (The Police Department RECOMMENDS APPROVAL of this petition. Awaiting reports from Mayor's Office and DPW — City Engineering Division.)

18. Submitting report relative to Petition of Grandmont #1 Improvement Association (#225), request to hold "Grandmont #1 Parade" on June 14, 2014 from 12:00 p.m. to 4:00 p.m. with temporary street closure on Schoolcraft between Penrod and Grandville. (The Police Department RECOMMENDS APPROVAL of this petition. Awaiting reports from Mayor's Office and DPW — City Engineering Division, Transportation and Fire Departments.)

PUBLIC WORKS DEPARTMENT/CITY ENGINEERING DIVISION

19. Submitting reso. autho. Petition of Temple Plaza Hotel Inc. (#3024), request to renovate/update the façade located at 432 E. Lafayette. The new design of the old original columns encroach the city property by 3 inches. (The DPW — City Engineering Division and the Planning & Development Departments RECOMMENDS APPROVAL of this petition.)

MISCELLANEOUS

20. Submitting report relative to Petition of Inland Waters Pollution Control Inc. (#263), request to appear before Council regarding the appeal of the Detroit Water and Sewerage Department's denial of the bid protest associated with contracts DWS-886 and DWS-887. (Awaiting reports from Water & Sewerage and Law Departments.)

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

OTHER VOTING MATTERS

NONE.

COMMUNICATIONS FROM MAYOR AND OTHER GOVERNMENTAL OFFICIALS AND AGENCIES

NONE.

PUBLIC COMMENT

MS. CARLA VARNER, D-DOT: Complaint of bus service (D-DOT bus schedule) being unreliable.

MR. MIKE CUNNINGHAM Complaint that bus cameras are not working. Also asked to be kept in every ones prayers.

MS. CINDY DARRAH: Complaint of power outages for 2 days at a nursing

home. Ms. Darrah felt DTE Energy was responsible for the power being out too long. Reminded people to vote "no" on the bankruptcy ballots. Stated, do not put your money in a trust fund with a bank; they charge excessive fees.

STANDING COMMITTEE REPORTS

INTERNAL OPERATIONS STANDING COMMITTEE

RESOLUTION RECOMMENDING AN APPOINTEE TO THE BROWNFIELD REDEVELOPMENT AUTHORITY

By COUNCIL MEMBER SPIVEY:

RESOLVED, That the Detroit City Council hereby recommends Donele Wilkins for Appointment to the Brownfield Redevelopment Authority.

RESOLVED, That a copy of this resolution be transmitted to the Mayor's Office.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 1) per motions before adjournment.

General Services Department

May 12, 2014

Honorable City Council:

Re: Authorization to accept and expend a \$750,000.00 Grant from the Federal Government/CMAQ and the Michigan Department of Transportation (MDOT) for the installation of APU's into Fire Dept. Ambulances.

The General Services Department is seeking authorization from your Honorable Body to accept and expend a \$750,000.00 Grant from the Federal Government/CMAQ and MDOT funds to make improvements to Detroit Fire Department Vehicles with the installation of APU units.

This grant will allow for the purchase/installation of APU's that will provide the following improvements:

- *Saves fuel
- *Lower air emissions
- *Allows longer preventative maintenance scheduling
- *Increases the life of the initiation/start-up components in the vehicles

The General Services Department requests authorization to set up Appropriation No. 13813 for this purpose.

We respectfully request your approval to accept, appropriate and expend these funds by adopting the following resolution with a Waiver of Reconsideration.

Respectfully submitted,
BRAD DICK
Director
General Services Department

Approved:

PAMELA SCALES
Budget Director
JOHN NAGLICK
Finance Director

By Council Member Spivey:

Resolved, That the 2013-2014 Budget be amended for the General Services Department, who is hereby authorized to accept, appropriate and establish Appropriation No. 13813, APU's for Fire Ambulances/MDOT Contract No. 2014-0098, in the amount of \$750,000.00,

And Be It Further Resolved, That the Finance Director be and is hereby authorized to increase the necessary accounts and honor vouchers and payrolls when presented in accordance with foregoing communications, standard City procedures and regulations of the Michigan Department of Transportation (MDOT).

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 2) per motions before adjournment.

General Services Department

May 12, 2014

Honorable City Council:

Re: Authorization to accept and expend \$900,000.00 from a \$750,000 CMAQ Grant from the Southeastern Michigan Council of Governments (SEMCOG) and the Michigan Department of Transportation (MDOT) and \$150,000 match from City fund for the procurement of 20 F250 Trucks from project No. 2011396.

The General Services Department is seeking authorization from your Honorable Body to accept and expend a \$900,000 from SEMCOG/MDOT Grant funds and City matching funds to make improvements to the City Fleet by the procurement of 20 F250 Trucks. The full project amount is \$900,000 (\$750,000 CMAQ plus \$150,000 local match). We anticipate the local match will be accomplished using Quality of Life funds and we are submitting a Business Case to support this.

This grant will allow for procurement of new equipment that will provide the following improvements:

- *Saves fuel
- *Lower air emissions
- *Allows the city to replace older diesel vehicles with those that are less polluting.
- *Prevents the need to constantly seek parts & make repairs on vehicles that are very old.

The General Services Department has requested authorization to set up Appropriation No. 13825 for this purpose.

We respectfully request your approval

to accept, appropriate and expend these funds by adopting the following resolution with a Waiver of Reconsideration.

Respectfully submitted,
 BRAD DICK
 Director
 General Services Department

Approved:

PAMELA SCALES
 Budget Director
 JOHN NAGLICK
 Finance Director

By Council Member Spivey:

Resolved, That the 2013-2014 Budget be amended for the General Services Department, who is hereby authorized to accept, appropriate and establish Appropriation No. 13825, SEMCOG/MDOT Contract No. 2011396, in the amount of \$900,000,

And Be It Further Resolved, That the Finance Director be and is hereby authorized to increase the necessary accounts and honor vouchers and payrolls when presented in accordance with foregoing communications, standard City procedures and regulations of the Southeastern Michigan Council of Government (SEMCOG)/Michigan Department of Transportation (MDOT).

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 3) per motions before adjournment.

**PLANNING AND ECONOMIC
 DEVELOPMENT STANDING
 COMMITTEE**

City Planning Commission

May 13, 2014

Honorable City Council:

Re: Request of Norstar Development USA, L.P. and the Detroit Housing Commission to modify the plans for the existing PD (Planned Development District) zoning classification presently shown on land comprising the central portion of the former Herman Gardens Housing Complex now known as Gardenview Estates, which is generally bounded by Joy Road, Tireman Street, Asbury Park Avenue, and the Southfield Freeway. The request would modify the existing PD created by ordinance #15-10 of 2010 and amend Article XVII, District Map No. 40 of Chapter 61 of the 1984 Detroit City Code, Zoning to permit the development of multi-family housing as well as single-family detached housing which is the only housing presently allowed. (RECOMMENDING APPROVAL).

NATURE OF REQUEST

The City Planning Commission has received and processed the request of Norstar Development USA, L.P. (developer) and the Detroit Housing Commission to modify the provisions of an existing PD (Planned Development) zoning district to facilitate a change in the redevelopment scheme for Gardenview Estates, the former Herman Gardens Housing Complex. The current approved plans of the PD zoning district only allow for the development of single-family detached housing for the central southern two thirds of the site. The requested amendment would facilitate multi-family development on two of the parcels within that portion of the site.

The request is to modify the existing PD for the proposed Phase IV project on the two blocks (parcels S and T) bounded by Garden View Circle, Grandmont Avenue, Constance and Memorial. The modification would allow for the construction of 13 multi-unit buildings containing 47 one- two and three bedroom units (see accompanying plans). The Phase IV parcels totals 4.9 acres in size. The entire Gardenview Estates development site is bounded by Joy Road, Asbury Park Avenue, Tireman Avenue and the Southfield Freeway and totals 139 acres in size.

BACKGROUND

The Housing Commission is awaiting authorization from HUD to engage a consultant to revisit and update the market analysis and redevelopment concepts for the former public housing site as well as determine if there are any environmental concerns. In the interim, the success of the rental portion of the project and consumer interest in the recently completed senior project, which in addition to two midrise apartment buildings includes the one story town homes or patio homes, has led to the decision to pursue an expansion of the latter in an area currently designated for single family detached housing.

The north east corner of the site was rezoned to PD to allow for the construction of market rate and subsidized retail unit in the form of townhomes. Subsequently, Ordinance #15-10 of 2010 rezoned the remaining 99 acres to a PD (Planned Development) zoning district which called for general commercial use for the corner of Southfield Freeway and the Joy Road as well as general residential use immediately south of Joy Road and an adjacent retention pond along the western edge of the site. The property central to the project site was designated specifically for construction of 231 single-family detached homes (from a selection of home styles) to be set on 45" and 60" lots in what was referred to as the home

ownership portion of the redevelopment. The economic recession and corresponding changes to the housing market now call for some reconsideration of this portion of the plan for this development project.

ZONING AND LAND USE

The zoning classification and land uses surrounding the proposed development are as follows:

- North: PD multi-family senior housing, B4 vacant commercial, Post Office
- South: R5 Jemison Elementary School of Choice and the newly constructed Boys & Girls Club, R1 residential south of Tireman
- East: PD designated parcels; vacant land; and R1 residential
- West: PD designated parcels; for new single-family residential development on site, retention pond, free-way and residential beyond

MASTER PLAN

The subject property is located within the Brooks Subsector of the Northwest Sector of the Detroit Master Plan of Policies. The "Generalized Existing and Proposed Land Use" map shows "Low-Medium Density residential" for the subject area in the Master Plan. The Planning and Development Department (P&DD) has found the project proposal to be consistent with the Master Plan.

PUBLIC HEARING RESULTS

On November 21st the CPC public hearing on this matter yielded no public testimony, but quite a bit of dialogue with the petitioner, and the Housing Commission representative. The majority of the concerns expressed by Commissioners were directed as the design of the patio homes which comprise the revised development proposal.

ANALYSIS

Overall, the site plan for Phases IV S and T fulfill the zoning ordinance requirements for parking, front, side and rear yard setbacks. Parking is provided for the proposed patio housing units in excess of requirements. In addition, the site plans provides for more than ample recreational space, landscaping and screening for the housing development. Given that this proposed phase is consistent with what has preceded it, the Commission had no major concerns with the site plan itself.

However, as it concerns the building elevations, CPC did express concern with the blank unbroken appearance of the gable roof line particularly as it relates to the longer-multi-unit buildings. These concerns were shared by the Housing Commission as well. In response the developer made revisions to the design of the townhomes to address the Commission's concerns. The revised design is now incorporated with the proposal.

The patios homes as they are termed offer living quarters with attached garage and patio on a single level in an attached unit configuration. These homes have proven quite popular with senior and empty nesters seeking independence, ease of access and a setting similar that of a single family or garden apartment or townhome community.

CONCLUSIONS AND RECOMMENDATIONS

The City Planning Commission finds this project proposal to be consistent with the current development of the site and not injurious to future development particularly with the improved design. The Commission also finds the proposal to be consistent with the requirements of the zoning ordinance. Being satisfied in this regard the Commission took action at its February 6, 2014 meeting to recommend approval of the request PD zoning district modification with the following conditions:

1. That the size of parking stalls and the layout of parking areas is consistent with Section 61-14-151 of the Zoning Ordinance.
2. That the developer submit final site plans and elevations, landscaping, lighting and signage plans to the staff of the City Planning Commission for review and approval prior to applying for applicable required permits.

Respectfully submitted,

LESLEY C. CARR

Chairperson

DAVID D. WHITAKER

Director, LPD

By Council Member Leland:

AN ORDINANCE to amend Chapter 61 of the 1984 Detroit City Code, 'Zoning,' commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No. 40 and Ordinance No. 15-10 to modify the approved plans for an existing PD (Planned Development District) zoning classification established by Ordinance No. 15-10 on property generally bounded by Joy Road, Tireman Street, Asbury Park Avenue, and the Southfield Freeway. IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Article XVII, Chapter 61 of the 1984 Detroit City Code, Zoning, is amended by amending District Map No. 40 and Ordinance No. 15-10 as follows:

A. District Map No. 40 is amended to modify the approved plan for the PD (Planned Development District) zoning classification currently shown on:

PART OF UNIT 11 OF GARDENVIEW ESTATES CONDOMINIUM, ACCORDING TO THE MASTER DEED AS RECORDED IN LIBER 48632, PAGE

932, WAYNE COUNTY RECORDS AND FIRST AMENDMENT TO THE MASTER DEED RECORDED IN LIBER 49017, PAGE 803, AND SECOND AMENDMENT TO THE MASTER DEED RECORDED IN LIBER 49885, PAGE 178, AND DESIGNATED AS WAYNE COUNTY SUBDIVISION PLAN NO 989, TOGETHER WITH THE RIGHTS IN GENERAL COMMON ELEMENTS AND LIMITED COMMON ELEMENTS AS SET FORTH IN THE ABOVE MASTER DEED, AND AS DESCRIBED IN ACT 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED, FURTHER DESCRIBED AS FOLLOWS:

PARCEL S:

A PART OF THE NORTHWEST 1/4 OF SECTION 1, T-2-S., R-10-E., CITY OF DETROIT, WAYNE COUNTY, MICHIGAN, BEING ALL OF LOT 428, ALL OF LOTS 440 THROUGH 449, PART OF LOT 398, PART OF LOT 399, PART OF LOTS 425 THROUGH 427, PART OF LOTS 429 THROUGH 433, PART OF LOTS 450 THROUGH 453, PART OF LOTS 482 THROUGH 491 OF JOHN N. FORD'S TIREMAN AVENUE SUBDIVISION NO. 1 AS RECORDED IN LIBER 58 PAGE 61 OF PLATS, WAYNE COUNTY RECORDS, AND ALL VACATED PUBLIC ALLEYS AND PART OF VACATED BEYER AVENUE AND CONSTANCE AVENUE LYING WITHIN THE BOUNDS OF THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 1; THENCE S89° 22'00"E, 1525.54 FEET ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 1 (TIREMAN AVENUE, 60 FEET HALF-WIDTH); THENCE N00° 00'00"E, 1330.85 FEET TO THE POINT OF BEGINNING; THENCE N00° 00'00"E, 317.23 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT, 39.27 FEET, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 45° 00'00" AND A LONG CHORD BEARING N22° 30'00"E, 38.27 FEET; THENCE N45° 00'00"E, 348.54 FEET; THENCE S45° 00'00"E, 210.00 FEET; THENCE S45°00'00"W, 174.20 FEET; THENCE ALONG A TANGENT CURVE TO THE LEFT, 86.39 FEET, SAID CURVE HAVING A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 45° 00'00" AND A LONG CHORD BEARING S22° 30'00"W, 84.19 FEET; THENCE S00° 00'00"E, 249.59 FEET; THENCE N90° 00'00"W, 254.19 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.272 ACRES.

PARCEL T:

A PART OF THE NORTHWEST 1/4 OF SECTION 1, T-2-S., R-10-E., CITY OF DETROIT, WAYNE COUNTY, MICHIGAN, BEING ALL OF LOTS 388 THROUGH 395, PART OF LOTS 396 THROUGH 398, AND PARTS OF LOTS 432

THROUGH 439 OF JOHN N. FORD'S TIREMAN AVENUE SUBDIVISION NO. 1 AS RECORDED IN LIBER 58 PAGE 61 OF PLATS, WAYNE COUNTY RECORDS, AND ALL VACATED PUBLIC ALLEYS AND PART OF VACATED GRANDMONT ROAD AND CONSTANCE AVENUE LYING WITHIN THE BOUNDS OF THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 1; THENCE S89° 22'00"E, 1779.75 FEET ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 1 (TIREMAN AVENUE, 60 FEET HALF-WIDTH); THENCE N00° 00'00"E, 1273.66 FEET; THENCE N90° 00'00"E, 267.16 FEET; THENCE N00° 00'00"E, 60.00 FEET TO THE POINT OF BEGINNING; THENCE N90° 00'00"W, 207.16 FEET; THENCE N00° 00'00"E, 249.59 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT, 39.27 FEET, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 45° 00'00" AND A LONG CHORD BEARING N22° 30'00"E, 38.27 FEET; THENCE N45° 00'00"E, 174.20 FEET; THENCE S45° 00'00"E, 27.65 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT, 133.52 FEET, SAID CURVE HAVING A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 45° 00'00" AND A LONG CHORD BEARING S22° 30'00"E, 130.11 FEET; THENCE S00° 00'00"E, 268.37 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.652 ACRES.

The Detroit City Council approves the site plan and elevations for the Gardenview Estates Phase IV development as depicted in the drawings prepared by Fusco Shaffer and Pappas Inc. and dated November 21, 2013 with the exception of the elevations which are dated January 8, 2014," with the conditions:

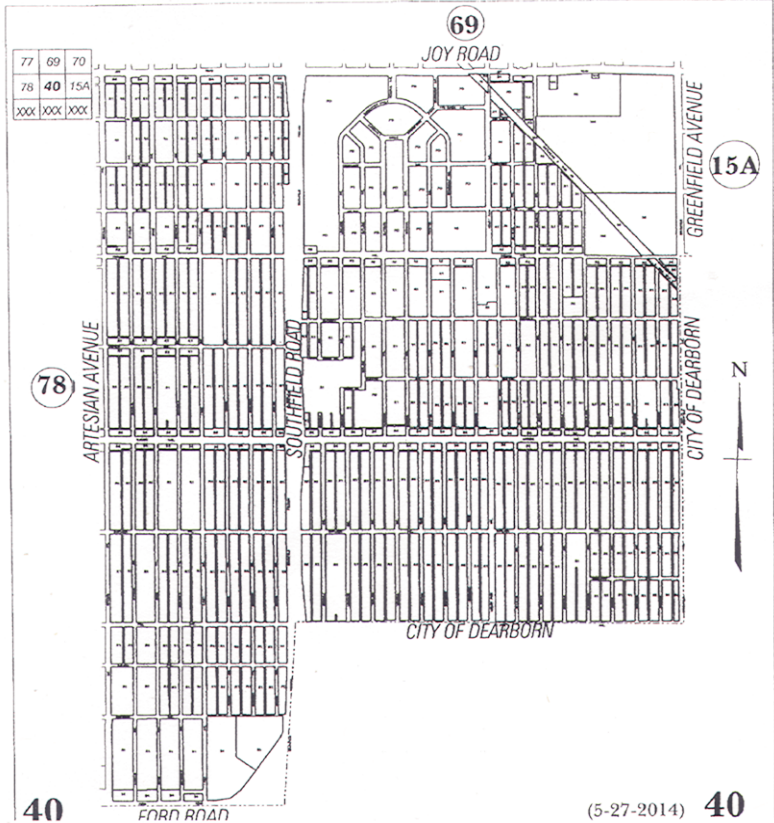
1. That the size of parking stalls and the layout of parking areas is consistent with Section 61-14-151 of the Zoning Ordinance.

2. That the developer submit final site plans and elevations, landscaping, lighting, and signage plans to the City Planning Commission for review and approval prior to applying for applicable required permits.

Section 2. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 3. This ordinance is declared necessary for the preservation of the public peace, health, safety and welfare of the people of the City of Detroit.

Section 4. This ordinance shall become effective on the eighth (8th) day after publication in accordance with MCL 125.3401(6) and Section 4-118, paragraph 3, of the 2012 Detroit City Charter.



Approved as to form only:
MELVIN BUTCH HOLLOWELL
 Corporation Counsel

Read twice by title, ordered, printed and laid on table.

RESOLUTION SETTING HEARING
 By Council Member Leland:

Resolved, That a public hearing will be held by this body in the Committee Room, 13th Floor of the Coleman A. Young Municipal Center on THURSDAY, JUNE 5, 2014 AT 11:10 A.M., for the purpose of considering the advisability of adopting the foregoing proposed ordinance to amend Chapter 61 of the 1984 Detroit City Code, 'Zoning,' commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No. 40 and Ordinance No. 15-10 to modify the approved plans for an existing PD (Planned Development District) zoning classification established by Ordinance No. 15-10 on property generally bounded by Joy Road, Tireman Street, Asbury Park Avenue, and the Southfield Freeway.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Planning & Development Department

April 9, 2014

Honorable City Council:

Re: Request for a Public Hearing to Establish an Obsolete Property Rehabilitation District, in the area of 2135 Michigan, Detroit, MI in accordance with Public Act 146 of 2000. Submitted by the 2135 Michigan Ave., LLC.

The 2135 Michigan LLC proposes to rehabilitate the property at 2135 Michigan, thus creating completely renovated building to accommodate 1800 square feet of commercial retail space. The 2135 Michigan, LLC is requesting that an Obsolete Property Rehabilitation District be established. The Planning & Development Department and the Finance Department have reviewed the application and find that it satisfies the criteria set forth by P.A. 146 of 2000 and would be consistent with development and economic goals of the Master Plan.

The Act requires that, prior to your Honorable Body's passage of a resolution establishing the District; a Public Hearing must first be conducted. We respectfully request that a Public Hearing be scheduled on the issue of approving the estab-

(5-27-2014) **40**

lishing of an Obsolete Property Rehabilitation District. Attached for your consideration, please find a resolution establishing a date and time for the public hearing.

Respectfully submitted,
BRIAN ELLISON
Deputy Director

By Council Member Leland:

Whereas, Pursuant to Act No. 146 of Public Acts of 2000 ("Act 146"), this City Council has the authority to establish "Obsolete Property Rehabilitation Districts" within the boundaries of the City of Detroit; and

Whereas, Comerica Inc., has requested that this City Council establish an Obsolete Property Rehabilitation District at the site of 2135 Michigan Ave., Detroit, Michigan, the area being more particularly described in Exhibit A attached hereto; and

Whereas, The aforesaid property is obsolete property in an area characterized by obsolete commercial property or commercial housing property; and

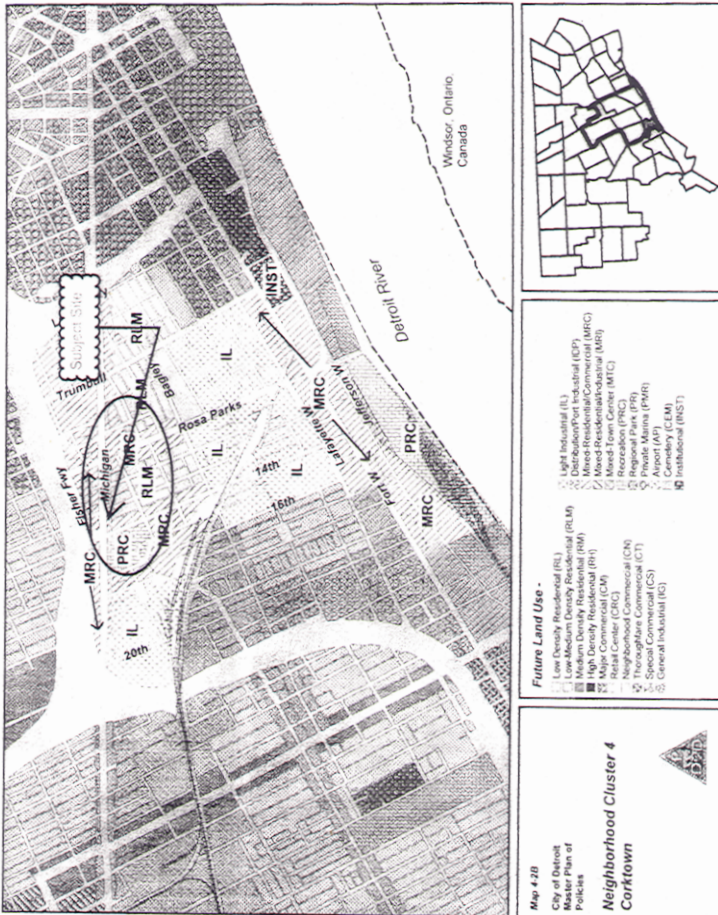
Whereas, Act 146 requires that, prior to establishing an Obsolete Property Rehabilitation District, the City Council shall provide an opportunity for a hearing on the establishment of the District, at which a representative of any jurisdiction levying *ad valorem taxes*, or any owner of real property within the proposed District, or any other resident or taxpayer of the City of Detroit may appear and be heard on the matter; and

Whereas, A public hearing was conducted before City Council on May 22, 2014, for the purpose of considering the establishment of the proposed Obsolete Property Rehabilitation District described in Exhibit A attached hereto; and

Whereas, No impediments to the establishment of the proposed District were presented at the public hearing.

Now Therefore Be It

Resolved, That Obsolete Property Rehabilitation District, more particularly described in Exhibit A attached hereto, is hereby approved and established by this City Council in accordance with Act 146.



Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

City of Detroit

Brownfield Redevelopment Authority

March 19, 2014

Honorable City Council:

Re: Amended and Restated 3800 Woodward Brownfield Redevelopment Plan.

The enclosed Brownfield Plan for the Amended and Restated 3800 Woodward Redevelopment Project (the "Plan") (Exhibit A), was submitted by the Detroit Brownfield Redevelopment Authority Board (the "DBRA") to the Community Advisory Committee (the "CAC"). The Plan was considered and reviewed by the CAC at its December 12, 2013 meeting, where a resolution recommending approval of the Plan by the Authority and City Council in the form presented by the DBRA was approved. A public hearing was held by the DBRA on January 8, 2014 to solicit public comments. The Committee's communication to the City Council and the Authority, dated December 12, 2013 (Exhibit B), recommending approval of the Plan including the minutes of the public hearing held by the Authority on January 8, 2014 are enclosed for the City Council's consideration.

March 12, 2014, the Authority adopted a resolution (Exhibit C) approving the Plan and authorizing the submission of a copy of its resolution and the Plan to the City Clerk, together with a request that the Detroit City Council call a public hearing concerning the Plan and to take all other actions to approve the Plan in accordance with Act 381.

The Plan is now presented to the City Council for approval. The Detroit City Council will, after publication of the notices, hold a public hearing on the Plan. After the public hearing, the City Council shall determine whether the Plan constitutes a public purpose and, if so, may approve or reject the Plan or approve it with modifications.

Project Introduction

Midtown Properties, LLC is the project developer (the "Developer"). The Plan entails a newly constructed building and the redevelopment of a two-story building for a total of 195,000 square feet of mixed use space. The Plan also includes construction of a 648 car parking deck. This state-of-the-art facility will include office and medical facilities as well as retail and restaurant space. Total investment is estimated to be \$73,000,000.

The Michigan Economic Development Corporation has expressed a willingness

to amend a Michigan Business Tax credit that was approved for the original 3800 Woodward Brownfield Redevelopment in June, 2011. It is currently anticipated that the credit will be \$10,000,000.00 on an eligible investment of \$50,755,702.00. The Developer is requesting Tax Increment Financing ("TIF") reimbursement of \$8,175,302.00.

Property Subject to the Plan

The property comprising the Amendment (the "Property") consists of one parcel located at 3800 and 3750 Woodward Avenue, generally bounded by East Alexandrine Street to the north, John R Road to the east, Mack Avenue to the south, and Woodward Avenue to the west in Detroit's Midtown District.

Basis of Eligibility

The Property is considered "eligible property" as defined by Act 381, Section 2 because (a) the Property was previously utilized or is currently utilized for a commercial use; (b) it is located within the City of Detroit, a qualified local governmental unit under Act 381; and (c) the Property is determined to be a facility in accordance to Part 201 of PA 451.

Eligible Activities and Projected Costs

The "eligible activities" that are intended to be carried out at the Property are considered "eligible activities" as defined by Sec 2 of Act 381, because they include environmental site assessments, site preparation and demolition, asbestos abatement, preparation of an Act 381 combined Brownfield Plan, infrastructure and interest costs. The eligible activities and budgeted costs are intended as part of the development of the Property and will be financed solely by the Developer. The Authority is not responsible for any costs of eligible activities and will incur no debt. It is currently anticipated that construction will begin in the spring of 2014 and eligible activities will be completed within two (2) years.

Tax Increment Financing (TIF) Capture

The Developer desires to be reimbursed for the costs of eligible activities. Tax increment revenue generated by the Property will be captured by the DBRA and used to reimburse the cost of the eligible activities completed on the Property after approval of this Amendment pursuant to the terms of a Reimbursement Agreement with the DBRA.

ESTIMATED COST OF ELIGIBLE ACTIVITIES

1. Environmental Investigation and BEA/Due Care	\$ 107,350.00
2. Act 381 Combined Brownfield Plan Preparation	\$ 20,000.00
3. Demolition	\$ 1,174,500.00
4. Site Work	\$ 636,600.00
5. Infrastructure	\$ 4,000,000.00

6. Contingency 15% (Excluding Task 2)	\$ 887,768.00
Subtotal	\$ 6,826,218.00
7. Interest	\$ 1,367,957.00
Total Reimbursement to Developer	\$ 8,196,175.00
8. Authority Administrative Costs	\$ 1,245,524.00
9. State Brownfield Redevelopment Fund	\$ 0.00
10. Local Site Remediation Revolving Fund	\$ 3,015,537.00
Total Estimated Costs	\$12,455,236.00

The costs listed are estimated costs and may increase or decrease depending on the nature and extent of environmental contamination and other unknown conditions encountered on the Property. While these are projections, the estimated costs of eligible activities may exceed the anticipated tax capture. The actual cost of those eligible activities encompassed by this Plan that will qualify for reimbursement from tax increment revenues of the DBRA from the Property shall be governed by the terms of the Reimbursement Agreement.

Authority's Request

The Authority is respectfully requesting the following actions from the City Council:

a.) March 25, 2014

Referral of the Amended and Restated 3800 Woodward Brownfield Redevelopment Plan to Detroit City Council Planning and Economic Development Standing Committee on March 27, 2014.

b.) March 27, 2014

Consideration of City Council's Planning and Economic Development Standing Committee to set a public hearing concerning the Amended and Restated 3800 Woodward Brownfield Redevelopment Plan for April 17, 2014 in the Council Chambers, 13th Floor of the Coleman A. Young Municipal Center, located at 2 Woodward Avenue, Detroit, Michigan.

c.) April 1, 2014

City Council adoption of the Resolution (Exhibit D), setting the Amended and Restated 3800 Brownfield Redevelopment Plan public hearing for April 17, 2014.

d.) April 17, 2014 10:10 A.M.

Discussion with taxing jurisdiction regarding the fiscal impact of the Plan

e.) April 17, 2014, 10:15 A.M.

Public Hearing at City Council's Planning and Economic Development Standing Committee concerning the Amended and Restated 3800 Woodward Brownfield Redevelopment Plan.

f.) April 22, 2014

City Council adoption of the Resolution

approving the Amended and Restated 3800 Woodward Brownfield Redevelopment Plan (Exhibit E).

Respectfully submitted
ART PAPAPANOS
Authorized Agent
EXHIBIT E

**RESOLUTION APPROVING THE
AMENDED AND RESTATED
BROWNFIELD PLAN OF THE CITY OF
DETROIT BROWNFIELD
REDEVELOPMENT AUTHORITY FOR
THE 3800 WOODWARD
REDEVELOPMENT PROJECT**

City of Detroit

County of Wayne, Michigan

By Council Member Leland:

WHEREAS, Pursuant to 381 PA 1996, as amended ("Act 381"), the City of Detroit Brownfield Redevelopment Authority ("Authority") has been established by resolution of the City Council of the City of Detroit (the "City") for the purpose of promoting the revitalization of eligible properties in the City; and

WHEREAS, Under Act 381 the Authority is authorized to develop and propose for adoption by City Council a brownfield plan for one (1) or more parcels of eligible property; and

WHEREAS, Pursuant to the resolution establishing the Authority and the bylaws of the Authority, the Authority has submitted a proposed amended and restated brownfield plan for the 3800 Woodward Redevelopment Project (the "Plan"); and

WHEREAS, An eligible taxpayer may qualify for a tax credit (or an assignment thereof) pursuant to Michigan Public Act 36 of 2007, as amended (the "Michigan Business Tax Act"), for eligible investments on eligible property identified under a brownfield plan; and

WHEREAS, The Plan may enable the owner to apply for an amended Michigan Business Tax Act credit (or an assignment thereof) for eligible investments on eligible property as defined by Act 381, as amended, after the adoption of this Plan; and

WHEREAS, The Authority submitted the Plan to the Community Advisory Committee for consideration on December 11, 2013, per the provisions of the resolution establishing the Authority, and a public hearing was conducted by the Authority on January 8, 2014 to solicit comments on the proposed Plan; and

WHEREAS, The Community Advisory Committee recommended approval of the Plan on December 12, 2013; and

WHEREAS, The Authority approved the Plan on March 12, 2014 and forwarded it to the City Council with a request for its approval of the Plan; and

WHEREAS, The required notice of the public hearing on the Plan was given in accordance with Section 13 of Act 381; and

WHEREAS, The City Council held a public hearing on the proposed Plan on April 17, 2014.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. Definitions. Where used in this Resolution the terms set forth below shall have the following meaning unless the context clearly requires otherwise:

“Eligible Activities” or “eligible activity” shall have the meaning described in Act 381.

“Eligible Property” means the property designated in the Plan as the Eligible Property, as described in Act 381.

“Plan” means the Plan prepared by the Authority, as transmitted to the City Council by the Authority for approval, copies of which Plan are on file in the office of the City Clerk.

“Taxing Jurisdiction” shall mean each unit of government levying an ad valorem property tax on the Eligible Property.

2. Public Purpose. The City Council hereby determines that the Plan constitutes a public purpose.

3. Best Interest of the Public. The City Council hereby determines that it is in the best interests of the public to promote the revitalization of environmentally distressed areas in the City to proceed with the Plan.

4. Review Considerations. As required by Act 381, the City Council has in reviewing the Plan taken into account the following considerations:

(a) The property designated in the Plan meets the definition of Eligible Property, as described in Act 381;

(b) The Plan meets the requirements set forth in section 13 of Act 381.

(c) The proposed method of financing the costs of eligible activities is feasible and the Authority has the ability to arrange the financing.

(d) The costs of eligible activities proposed are reasonable and necessary to carry out the purposes of Act 381.

(e) The amount of captured taxable value estimated to result from adoption of the Plan is reasonable.

5. Approval and Adoption of Plan. The Plan as submitted by the Authority is hereby approved and adopted. A copy of the Plan and all amendments thereto shall be maintained on file in the City Clerk’s office.

6. Preparation of Base Year Assessment Roll for the Eligible Property.

(a) Within 60 days of the adoption of this Resolution, the City Assessor shall prepare the initial Base Year Assessment Roll for the Eligible Property in the Plan. The initial Base Year Assessment Roll shall list each Taxing Jurisdiction levying taxes on the Eligible Property on the effective date of this Resolution and the amount of tax revenue derived by each Taxing Jurisdiction from ad valorem taxes on the Eligible Property, excluding millage

specifically levied for the payment of principal and interest of obligations approved by the electors or obligations pledging the unlimited taxing power of the local governmental unit.

(b) The City Assessor shall transmit copies of the initial Base Year Assessment Roll to the City Treasurer, County Treasurer, Authority and each Taxing Jurisdiction which will have Tax Increment Revenues captured by the Authority, together with a notice that the Base Year Assessment Roll has been prepared in accordance with this Resolution and the Plan approved by this Resolution.

7. Preparation of Annual Base Year Assessment Roll. Each year within 15 days following the final equalization of the Eligible Property, the City Assessor shall prepare an updated Base Year Assessment Roll. The updated Base Year Assessment Roll shall show the information required in the initial Base Year Assessment Roll and, in addition, the Tax Increment Revenues for each Eligible Property for that year. Copies of the annual Base Year Assessment Roll shall be transmitted by the Assessor to the same persons as the initial Base Year Assessment Roll, together with a notice that it has been prepared in accordance with the Plan.

8. Establishment of Project Fund; Approval of Depository. The Authority shall establish a separate fund for the Eligible Property subject to this Plan, which shall be kept in a depository bank account or accounts in a bank or banks approved by the Treasurer of the City. All moneys received by the Authority pursuant to the Plan shall be deposited in the Project Fund for the Eligible Property. All moneys in the Project Fund and earnings thereon shall be used only in accordance with the Plan and Act 381.

9. Use of Moneys in the Project Fund. The moneys credited to the Project Fund and on hand therein from time to time shall be used annually to first make those payments authorized by and in accordance with the Plan and any development agreement governing such payments and then to the Local Site Remediation Revolving Fund, as authorized by Act 381:

10. Return of Surplus Funds to Taxing Jurisdictions. The Authority shall return all surplus funds not deposited in the Local Site Remediation Revolving Fund proportionately to the Taxing Jurisdictions.

11. Payment of Tax Increment Revenues to Authority. The municipal and the county treasurers shall, as ad valorem and specific local taxes are collected on the Eligible Property, pay the Tax Increment Revenues to the Authority for deposit in the Project Fund. The payments shall be made not more than 30 days after the Tax Increment Revenues are collected.

12. Disclaimer. By adoption of this resolution and approval of the Plan, the City assumes no obligation or liability to the owner, developer, lessee or lessor of the Eligible Property for any loss or damage that may result to such persons from the adoption of this Resolution and Plan. The City makes no guarantees or representations as to the determinations of the appropriate state officials regarding the ability of the owner, developer or lessor to qualify for a Michigan Business Tax credit (or assignment thereof) pursuant to Act 36, Public Acts of Michigan, 2007, as amended, or as to the ability of the Authority to capture tax increment revenues from the State and local school district taxes for the Plan.

13. Repealer. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

14. The City Clerk is requested to submit four (4) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226.

AYES: Members _____

NAYS: Members _____

RESOLUTION DECLARED ADOPTED.

JANICE WINFREY,

City Clerk

City of Detroit

County of Wayne, Michigan

WAIVER OF RECONSIDERATION IS REQUESTED.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a regular meeting held on May 22, 2014, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

JANICE WINFREY,

City Clerk

City of Detroit

County of Wayne, Michigan

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Planning & Development Department

May 5, 2014

Honorable City Council:

Re: Property Transfer — 20426 Hanna, Detroit, MI 48203. Millar Development Corporation.

The City of Detroit acquired certain real property located at 20426 Hanna

(“Property”) in 1984 from the U.S. Department of Housing and Urban Development. The Property is a 40’ x 100’ parcel containing a single family home. The City of Detroit then apparently transferred the Property to Millar Development Corporation (“Developer”) sometime in the late 1980’s; however a deed to the Developer was never recorded with the Wayne County Register of Deeds evidencing the transfer.

In 1988, the City of Detroit granted two mortgages to the Developer in the amounts of \$47,550.00 and \$95,024.00 for the purpose of making improvements to six (6) properties in Detroit owned by the Developer, including 20426 Hanna. The Property was used by the Developer as partial collateral on the mortgage. Funding for the mortgages came through the U.S. Department of Housing and Urban Development Rental Rehabilitation Program, which was designed to increase supply of privately-owned market-rate rental housing available to lower income families. A condition of the mortgages required the Developer to sign a Rental Rehabilitation owner-Grantee Agreement wherein the Developer is acknowledged as the “Project Owner” of the Property. Both the mortgages have been satisfied and discharged.

Based on the foregoing it is presumed that the City of Detroit sold the Property to the Developer, however a deed to the Developer was never recorded with the Wayne County Register of Deeds. Planning & Development Department records shown that the property was transferred to Millar Development on January 26, 1988. Additionally, the Developer is listed as the owner of record with the City of Detroit’s Assessor’s office and is current on the payment of all real property taxes on the property. Since a deed was never recorded by the Developer, they are proposing that the City now submit a quit claim deed to them for the property for recording to officially effectuate the 1988 transfer.

Based on the foregoing information, we hereby request approval from your honorable Body to deed 20426 Hanna to Millar Development Corporation for \$1.00 subject to the final approval by the Detroit Emergency Financial Manager.

Respectfully submitted,

JAMES MARUSICH

Manager I

Real Estate Development Division

RESOLUTION

By Council Member Leland:

Resolved, That Detroit City Council approves the transfer of certain real property described on the tax roll as follows:

a/k/a 20426 Hanna
 Detroit, Michigan 48203
 Tax Parcel ID. #09020335

E HANNA N 20 FT 941 S 20 FT 942 EIGHT-OAKLAND SUB NO 1 L37 P23 PLATS, W C R 9/176 40 X 100.

to the Millar Development Company for the sum of \$1.00 and other valuable consideration; and be it further

Resolved, That the Mayor of the City of Detroit or his designee is hereby authorized to draft, execute and record a Quit Claim Deed and other documents that effectuate the above referenced transfer; and be it further

Resolved, That the transfer is subject to the final approval of the Detroit Emergency Financial Manager.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

Planning & Development Department

May 9, 2014

Honorable City Council:

Re: Resolution Approving a Personal Property Tax Exemption Certificate in the area of 500 Woodward Ave., Detroit, Mi., in accordance with Public Act 328 of 1998.

On May 22, 2014, a formal discussion in connection with the awarding of a Personal Property Tax Exemption Certificate for the above-captioned property was held before your Honorable Body. All interested persons and organizations were given an opportunity to be heard.

The ADP Dealer Services, Inc., has submitted satisfactory evidence that they possess the necessary financial resources required to complete this project in accordance with Public Act 328 of 1998.

Inasmuch as no impediments to the approval of this Personal Property Tax Exemption Certificate were presented during the discussion, we request that you approve the resolution at your next formal session.

Additionally, this resolution is forwarded with the request for a:

Waiver of Reconsideration.

Respectfully submitted,
BRIAN ELLISON

Deputy Director

By Council Member Leland:

Whereas, ADP Dealer Services (the "Applicant"), a qualified business as defined by Public Act 328 of 1998 (the "Act"), has filed an Application for Exemption of New Personal Property Tax under the Act in City of Detroit in the manner and form prescribed by the Michigan State Tax Commission; and

Whereas, This City of Detroit is an Eligible Distressed Area as defined by the Act; and

Whereas, This City Council on May 20,

1976, established by Resolution the Downtown Development District and;

Whereas, The Applicant is not delinquent in any taxes related to the facility; and

Whereas, The Application is for new personal property as that term is defined in the Act, which property is to be owned by the Applicant; and

Whereas, At the time the Certificate is issued, have the reasonable likelihood of increasing and/or retaining employment, increasing commercial activity, revitalizing an urban area, or increasing the number of residents in the community in which the facility is located; and

Whereas, On May 22, 2014, in the City Council Committee Room, 13th Floor, Coleman A. Young Municipal Center, Detroit, Michigan, a Discussion was held on aforesaid application, at which time the Applicant, the Assessor, and representatives of the affected taxing units had an opportunity to be heard; and

Whereas, Notice was given to the interested parties and, the Applicant, and by publication to the general public, informing them of the receipt of the Application, the date and location of the Discussion, and the opportunity to be heard;

Now Therefore Be It

Resolved, That it is hereby found and determined that the Applicant has complied with the requirements of the Act; and be it further

Resolved, That the application of ADP Dealer Services, Inc., for a new Personal Property Exemption Certificate, in the City of Detroit is hereby approved for a period of 5 years commencing December 31, 2014 and ending December 31, 2019 for the facility in accordance with the provisions of the Act; and be it finally

Resolved, That the City Clerk shall forward said Application to the Michigan State Tax Commission as provided by the Act.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Cushingberry, Jr., Jenkins, Leland, Sheffield, Spivey, Tate, and President Jones — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 4) per motions before adjournment.

**PUBLIC HEALTH AND SAFETY
STANDING COMMITTEE**

**Finance Department
Purchasing Division**

May 1, 2014

Honorable City Council:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

2836617 — 100% Other (Street) Funding — To Provide Aluminum Sign Blanks — Contractor: Hercules &