



March 6, 2019

Detroit City Council
1340 Coleman A. Young Municipal Center
Detroit, Michigan 48226

Re: Proposed Amendment of Chapter 55 of the 1984 Detroit City Code, *Traffic and Vehicles*, Article II, *Enforcement*, by amending Division 2, *Residential Parking Permits*.

Honorable City Council:

During the public hearings on the above-referenced ordinance held February 25th and March 4th, the Public Health and Safety Standing Committee motioned for additional amendments to be made prior to consideration at the upcoming formal session. Please note the following modification were made to the October 26, 2018, version:

Page 9, lines 6 through 15: To clarify “certified resident”:

2. The individual resident or group of residents shall provide relevant information regarding the proposed residential parking permit area on the petition such as time and/or day limits, proposed boundaries and circulate it within the residential district to ascertain resident support. Change to colon:
 - i. The petitions must contain signatures of certified residents of at least 60% of all residences in the residential area and meet the designation criteria in Sec. 55-2-24 for consideration as a residential parking permit area. Change period to semi colon and add “and”
 - ii. Apartment buildings and other multiple-family dwellings shall be considered as one residence for petitioning purposes and shall be limited to one signature, which shall be the signature of the property owner or the signature of a person who is legally authorized to sign on behalf of the property owner. Add “comma not renters” and change period to semi colon and add “and”
 - iii. The minimum boundary requirement shall be one block face. Change period to semi colon and add “and”

Page 10, line 16 through 18: Addition of “The City Clerk shall also notify the resident petition coordinator that the preliminary thresholds for consideration have been met and the City shall compile a formal recommendation.”



Page 12, lines 11 through 13: Add:

(e) For any petition filed during the first twelve months following the operative date of this division, the 10 and 30-day time frames in subparts (b) and (d) of this Section shall be suspended.

Page 15, lines 6 and 21: Change “at least one” at large council member to “both” members.

Page 16, line 2: Change 30 days to “60 days”.

Page 16, line 22: Add “or partial block face”.

Page 18, line 3: Change “at least one” at large council member to “both” members.

Page 18, line 21 and Page 19, lines 13 through 16: Modify the section title and add subpart (c).
Sec. 55-2-30. Application for permit; eligibility.

(c) Applicants and holders of annual permits shall meet eligibility requirements which include the submission of a complete application, payment of applicable fee(s), reside within the residential parking permit area, have no outstanding parking citations or fines, and no current revocation actions as set forth in Sec. 55-2-36 of this division.

Page 19, lines 18, 20 and 21: Modify as follows:

(a) Upon City Council's approval through adoption of a resolution or non-action that an area shall be designated by the City as a residential parking permit area, the City Clerk shall notify Department of Public Works and Municipal Parking Department. The Clerk shall also notify residents via first-class mail at each address in the area of the City Council's action and inform them of the City's procedure for the implementation of the residential parking permit area. The Municipal Parking Department shall send a description of the designated area to the City Clerk who shall publish the notice on the City of Detroit website and in a newspaper of general circulation in the City. The designated area shall have a unique zone number assigned by the Municipal Parking Department.

Page 20, line 11: Addition of:

Following City Council approval of a residential parking permit area, the Municipal Parking Department shall issue parking permits, including but not limited to annual residential parking permits and daily visitor permits, after July 1, 2019, as follows:

Page 21, lines 11 and 12: Addition of:

3. One additional residential parking permit is available to residences with an additional vehicle registered to that street address.

Page 21, line 18: Change “24” to “30” available guest passes.



Page 23, lines 9 through 11: Add language:

(a) Fees shall be charged for permits under this Division, including but not limited to an annual residential permit fee, daily visitor fee, and a reduced annual resident permit fee for senior citizens and individuals that receive or qualify for a partial or complete property tax exemption pursuant to Chapter 18, Article IX, Division 9, the City's Homeowners Property Tax Assistance Program.

Page 25, lines 2 and 3: Add "Residing within a designated residential parking permit area does not guarantee issuance of any permit associated with the residential parking permit area."

Page 26, amend Sec. 4 to reflect a 60 day delayed effective date.

Attached please find an updated version of the ordinance, dated March 6, 2019, which has also been approved as to form and filed with the Clerk's Office on today's date.

Respectfully submitted,

A handwritten signature in black ink that reads "Julianne Pastula". The signature is fluid and cursive, with the first name being particularly prominent.

Julianne V. Pastula
Senior Assistant Corporation Counsel
City of Detroit Law Department
(313) 237-2935

S U M M A R Y

AN ORDINANCE to amend Chapter 55 of the 1984 Detroit City Code, *Traffic and Vehicles*; Article II, *Enforcement*, Division 2, *Residential Parking Permits*, by repealing Sections 55-2-21 to 55-2-26; by adding Subdivision A, *Designation criteria, petition process*, by adding sections 55-2-21 to 55-2-25, to set forth the purpose and definitions, to establish the designation process, to set forth the designation criteria and community engagement protocols; by adding Subdivision B, *Establishment, modification and elimination of residential parking permit areas*, by adding sections 55-2-26 to 55-2-29, to require public hearing(s) and city council resolution, to provide for the addition or removal of block faces or partial block faces, to set forth the required levels of resident participation and the process for termination of a residential parking permit area; by adding Subdivision C, *Implementation, administration and enforcement of residential parking permit areas*, by adding sections 55-2-30 to 55-2-38, to set forth the minimum requirements for the application for a permit, provide for notification and signage in residential parking permit areas, to provide for the issuance of permits, to associate a permit to a vehicle's license plate, to establish fees and replacement of permits, to set forth the expiration and renewal of permits, to provide for the revocation of permits and set forth penalties, to establish that a residential parking permit is not a guarantee of a parking space, to establish the residential parking permit violations and penalties, and to require procedures be established for the administration of residential parking permit areas.

1 **BY COUNCIL MEMBER** _____:

2 AN ORDINANCE to amend Chapter 55 of the 1984 Detroit City Code, *Traffic and Vehicles*;
3 Article II, *Enforcement*, Division 2, *Residential Parking Permits*, by repealing sections 55-2-21 to 55-2-26;
4 by adding Subdivision A, *Designation criteria, petition process*; by adding sections 55-2-21 to 55-2-25, to
5 set forth the purpose and definitions, to establish the designation process, to set forth the designation
6 criteria and community engagement protocols; by adding Subdivision B, *Establishment, modification and*
7 *elimination of residential parking permit areas*, by adding sections 55-2-26 to 55-2-29, to require public
8 hearing(s) and city council resolution, to provide for the addition or removal of block faces or partial
9 block faces, to set forth the required levels of resident participation and the process for termination
10 of a residential parking permit area; by adding Subdivision C, *Implementation, administration and enforcement*
11 *of residential parking permit areas*, by adding sections 55-2-30 to 55-2-38, to set forth the minimum
12 requirements for the application for a permit, provide for notification and signage in residential
13 parking permit areas, to provide for the issuance of permits, to associate a permit to a vehicle's license
14 plate, to establish fees and replacement of permits, to set forth the expiration and renewal of permits,
15 to provide for the revocation of permits and set forth penalties, to establish that a residential parking
16 permit is not a guarantee of a parking space, to establish the residential parking permit violations and
17 penalties, and to require procedures be established for the administration of residential parking permit
18 areas.

19 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:**

20 **Section 1.** Chapter 55 of the 1984 Detroit City Code, *Traffic and Vehicles*; Article II, *Enforcement*,
21 Division 2, *Residential Parking Permits*, is amended by repealing Sections 55-2-21 to 55-2-26; by adding
22 Subdivision A, *Designation criteria, petition process*, by adding sections 55-2-21 to 55-2-25; by adding
23 Subdivision B, *Establishment, modification and elimination of residential parking permit areas*, by adding sections
24 55-2-26 to 55-2-29; by adding Subdivision C, *Implementation, administration and enforcement of residential*

1 *parking permit areas*, by adding sections 55-2-30 to 55-2-38, to read as follows:

2 **Article II. Enforcement**

3 **Division 2. Residential Parking Permits**

4 **Sec. 55-2-21. Procedures and requirements for designation of a residential parking permit**
5 **area.**

6 (a) ~~A person who, or group which, resides in a residence district unreasonably impacted by~~
7 ~~parking congestion that is caused by the district's proximity to a major offsite parking generator~~
8 ~~may request that the City designate the area a residential parking permit area.~~

9 (b) ~~Upon receipt of the request for designation, the Department of Public Works shall provide~~
10 ~~to the person or group petitions which identify the proposed residential parking permit area. The~~
11 ~~petitions shall state the applicable requirements and other relevant information concerning the~~
12 ~~proposed residential parking permit area. The petitions shall be circulated by the person or group,~~
13 ~~for the purpose of ascertaining whether the residents in the area support the proposed designation~~
14 ~~by the City of the area as a residential parking permit area.~~

15 (c) ~~Within 60 days of receipt of petition signatures from residents that represent 75 percent of~~
16 ~~dwelling units in the proposed parking permit area and 75 percent of the dwelling units on each~~
17 ~~block face within the proposed area, the Department of Public Works shall;~~

18 (1) ~~Determine whether the proposed residential parking permit area contains a minimum~~
19 ~~of six contiguous block faces, or three blocks facing each other or any contiguous~~
20 ~~combination thereof, or is an area that contains less than a minimum of six contiguous~~
21 ~~block faces or three blocks facing each other or any contiguous combination thereof,~~
22 ~~which has street parking congestion that is caused by the area's proximity to a major~~
23 ~~off-site parking generator;~~

1 ~~(2) Verify the authenticity of the resident petition signatures; and~~

2 ~~(3) Analyze the traffic and resident parking conditions in the proposed residential~~
3 ~~parking permit area.~~

4 ~~(d) A residence district, or part thereof, shall not be recommended for designation by the City~~
5 ~~as a residential parking permit area unless the Department of Public Works analysis, including a~~
6 ~~survey, where needed, reveals that the area is unreasonably impacted due to the area's proximity~~
7 ~~to a major off site parking generator and such designation is deemed necessary to alleviate a street~~
8 ~~parking shortage for the area's residents.~~

9 ~~(e) Where the analysis by the Department of Public Works substantiates the need for the~~
10 ~~designation of the area as a residential parking permit area, said department shall forward its~~
11 ~~findings to the Municipal Parking Department. Within 10 days, but not later than 30 days, after~~
12 ~~receipt of the Department of Public Works findings, the Municipal Parking Department shall~~
13 ~~schedule a community meeting and mail a notice regarding the meeting date to the addresses of all~~
14 ~~residents of the proposed residential parking permit area. At the community meeting, the results of~~
15 ~~the Department of Public Works analysis, the boundaries of the proposed residential parking~~
16 ~~permit area, the application procedures and permit fees to be charged, and the signage~~
17 ~~recommended to be posted shall be provided to the residents of the proposed residential parking~~
18 ~~permit area.~~

19 ~~(f) No later than 30 days after the community meeting is held and based upon its analysis, the~~
20 ~~Department of Public Works shall make its recommendation to the City Council, which shall~~
21 ~~include consideration of comments that were recorded at the community meeting.~~

22 ~~(g) The City Council may approve the designation of the impacted area as a residential parking~~
23 ~~permit area upon the submission of the Department of Public Works recommendation pursuant to~~

1 ~~Subsection (f) of this section, and a determination by City Council that 1) residential street parking~~
2 ~~is unreasonably impacted in the area due to the area's proximity to a major off-site parking~~
3 ~~generator; and 2) the designation of the area as a residential parking permit area will alleviate a~~
4 ~~street parking shortage for the area's residents.~~

5 ~~(h) Where the result of the Department of Public Works analysis does not support the~~
6 ~~recommendation for the need for designation of the proposed area as a residential parking permit~~
7 ~~area, the Department of Public Works shall notify the person or group, and the City Council, in~~
8 ~~writing of the results of its analysis and recommendation.~~

9 ~~(i) Where the Department of Public Works recommends that a proposed area not be designated~~
10 ~~as a residential parking permit area, the person or group, requesting such designation may file a~~
11 ~~petition with the City Clerk which requests that the City Council hold a public hearing concerning~~
12 ~~the Department of Public Works analysis and recommendation that the area not be designated as~~
13 ~~a residential parking permit area. The request for a hearing shall be filed with the City Clerk within~~
14 ~~30 days after the mailing of the written notification of the Department of Public Works analysis~~
15 ~~and recommendation to the person or group. Upon the receipt of such a request by the City Clerk,~~
16 ~~the City Council may schedule and hold a public hearing regarding the Department of Public~~
17 ~~Works' analysis and recommendation. The City Clerk shall provide notice of the public hearing to~~
18 ~~the City Planning Commission, the Department of Public Works, the Municipal Parking~~
19 ~~Department, the person who, or group which, requested the designation of the area as a residential~~
20 ~~parking permit area, and any other interested party. After any public hearing, the City Council may~~
21 ~~approve the designation of the impacted area as a residential parking permit area where the City~~
22 ~~Council determines that residential street parking is unreasonably impacted in the subject area due~~
23 ~~to the area's proximity to a major off-street parking generator, and that the designation of the area~~

1 as a residential parking permit area will alleviate a street parking shortage for the area's residents.

2 **Sec. 55-2-22. Residential parking permit area; implementation.**

3 (a) Upon City Council's approval through adoption of a resolution that an area shall be
4 designated by the City as a residential parking permit area, the City Clerk shall notify residents at
5 each address in the area of the City Council's action and inform them of the City's procedure for
6 the implementation of the residential parking permit area. The Municipal Parking Department shall
7 send a description of the designated area to the City Clerk who shall publish the notice in a
8 newspaper of general circulation in the City.

9 (b) Signage of the designated area shall be installed by the Department of Public Works within
10 30 days from the time that residents who represent 60 percent of the dwelling units in the
11 designated area complete an application pursuant to Municipal Parking Department procedures,
12 and purchase a residential parking permit.

13 (c) Permits shall be issued to residents of the residential parking permit area for a 12-month
14 period and shall be renewed annually.

15 **Sec. 55-2-23. Procedures and administration of residential parking permit area.**

16 (a) The Municipal Parking Department shall establish procedures for the implementation of
17 residential parking permits in an area that is approved by resolution of City Council as a residential
18 parking permit area.

19 (b) The Municipal Parking Department shall administer the Residential Parking Permit Area
20 Program in accordance with this division.

21 **Sec. 55-2-24. Residential parking permit area; required levels of resident participation.**

22 The participation of residents who represent 60 percent of dwelling units in the designated
23 area is required to maintain a posted residential parking permit area.

1 ~~(a) Failure to achieve required level of participation. After 30 days but no later than 120 days~~
2 ~~after approval by City Council of the residential parking permit area, any such area that does not~~
3 ~~reach its initial required level of participation shall have such designation revoked by the~~
4 ~~Municipal Parking Department. upon revocation of the designation, residents of the area who have~~
5 ~~paid for a permit shall be entitled to a full refund.~~

6 ~~(b) Failure to maintain required participation. In the event that the number of residents who~~
7 ~~participate in the residential parking permit program within a designated residential parking permit~~
8 ~~area falls below a level of 60 percent of the occupied dwelling units, the designation may be~~
9 ~~revoked by the Municipal Parking Department. Notice of such minimal level of participation shall~~
10 ~~be mailed to each address in the area. Residents will have 30 days to bring the area into compliance~~
11 ~~with the 60 percent requirement.~~

12 ~~(c) Termination of residential parking permit area. Upon receipt of a petition requesting~~
13 ~~termination of the designation of an area as a residential parking permit area that is signed by~~
14 ~~residents who represent 60 percent of the dwelling units in an existing residential parking permit~~
15 ~~area and after following the procedures in section 55-2-21(c), (d) and (e) of section 55-2-21 of this~~
16 ~~Code, the Department of Public Works shall notify the City Council that the designation of the~~
17 ~~residential parking permit area has been terminated.~~

18 **Sec. 55-2-25. – Residential parking permit not a guarantee of parking space.**

19 A residential parking permit will allow, but shall not guarantee or reserve to the holder thereof,
20 any on-street parking space within the designated residential parking permit area.

21 **Sec. 55-2-26. – Residential parking permit violation; penalty.**

22 (a) No person shall:

23 (1) ~~Park in a residential parking permit area beyond the posted time allowed without a~~

1 residential parking permit;

2 ~~(2) Fail to surrender a residential parking permit to the municipal Parking Department~~
3 ~~upon its demand where such permit is used in violation of sections 55-2-21 through~~
4 ~~55-2-25 of this Code; or~~

5 ~~(3) Falsify information to obtain such a permit.~~

6 ~~(b) A person who violates any provision of this division shall:~~

7 ~~(1) Be subject to a civil infraction; and~~

8 ~~(2) Be liable for the fine and towing charges for violation of the parking regulations of~~
9 ~~the city.~~

10 **Subdivision A. Designation criteria; petition process.**

11 **Sec. 55-2-21. Purpose.**

12 It is the purpose of this Division to establish a residential parking permit program to reduce
13 hazardous conditions resulting from the use of streets within residential districts for the parking of
14 vehicles by nonresidents; address motor vehicle congestion in areas and neighborhoods of the City
15 without driveways, or garages; to protect those residential districts from polluted air, excessive
16 noise, trash and refuse caused by the entry of the nonresident vehicles; to protect the residents of
17 the districts from excessive burdens in gaining access to their residences; to promote efficiency in
18 the maintenance of residential streets in a clean and safe condition; and to preserve the safety of
19 children and other pedestrians; and preserve the peace, good order, comfort, convenience and
20 welfare of the inhabitants of and visitors to the City.

21 **Sec. 55-2-22. Additional definitions.**

22 In addition to the definitions set forth in Secs. 55-1-1 through 55-1-7, the following words and
23 phrases, whenever used in this Division, shall have the meanings defined in this section unless the

1 context clearly requires otherwise.

2 *Block face* means all lots abutting both sides of a street between two intersecting streets.

3 *Certified resident* means a property owner having title to real property or a renter who has a
4 valid lease.

5 *Corner lot* means a lot that is located at the intersection of two or more streets within a
6 residential parking permit area.

7 *Motor vehicle* shall include an automobile, truck, motorcycle or other motor-driven form of
8 self-propelled transportation not in excess of 6,000 pounds gross weight.

9 *Partial block face* means a portion of a block face.

10 *Residential district* means a contiguous or nearly contiguous area containing public roadways
11 which are primarily abutted by residential property and non-business property such as parks,
12 religious institutions and schools.

13 *Residential parking permit area* means that area that has been defined by the Department of
14 Public Works through the establishment of clearly defined boundaries within which residents shall
15 be eligible to purchase residential parking permits.

16 *Traffic generator* means a property or properties which generates non-residential traffic. This
17 includes employment areas; colleges and universities; medical centers; commercial and
18 entertainment areas; and transit areas.

19 **Sec. 55-2-23. Designation process.**

20 (a)*Petition.* An individual resident or group of residents in a residential district that, in their
21 opinion, is unreasonably impacted by parking congestion caused by the district's proximity to a
22 traffic generator may submit a petition to the Office of the City Clerk requesting that the district
23 be designated a residential parking permit area.

- 1 1. The petition forms shall be made available on the City’s website and at the Office of
2 the City Clerk.
- 3 2. The individual resident or group of residents shall provide relevant information
4 regarding the proposed residential parking permit area on the petition such as time
5 or day limits, or both, proposed boundaries and circulate it within the residential
6 district to ascertain resident support:
- 7 i. The petitions must contain signatures of certified residents of at least 60% of all
8 residences in the residential area and meet the designation criteria in Sec.
9 55-2-24 for consideration as a residential parking permit area; and
- 10 ii. Apartment buildings and other multiple-family dwellings shall be considered as
11 one residence for petitioning purposes and shall be limited to one signature,
12 which shall be the signature of the property owner or the signature of a person
13 who is legally authorized to sign on behalf of the property owner, not renters;
14 and
- 15 iii. The minimum boundary requirement shall be one block face; and
- 16 iv. The petition shall identify a resident petition coordinator and shall conform in
17 form and content with the requirements established under this Division. Each
18 sheet of the petition shall be verified by the affidavit of the person who obtained
19 the signatures to the petition. A person who willfully affixes another’s signature,
20 or subscribes and swear to a verification that is false in any material particular,
21 is guilty of perjury.
- 22 3. Upon receipt of the completed petitions and payment of the applicable fee, the City
23 Clerk shall issue a petition number and forward a copy of the completed petitions to

1 the Department of Public Works and the Municipal Parking Department.

2 i. In accordance with the Charter, the Office of the City Clerk shall establish and
3 publish the fee for application under this section.

4 ii. The fee shall include each department's costs of processing and evaluating
5 such petition.

6 (b) Preliminary Analysis. Within 10 days after receipt of the completed petition from the
7 Office of the City Clerk, the Director of the Department of Public Works shall determine whether
8 the request is reasonable and merits further analysis. The preliminary analysis will include, at
9 minimum, a determination if on street residential parking is presently permitted on the streets being
10 considered for permit parking and whether any obvious traffic conditions exist making it
11 unreasonable to consider permit parking. The preliminary analysis shall be filed with the Office
12 of the City Clerk and provided to the Municipal Parking Department.

13 1. If the proposed residential parking permit area set forth in the petition meets the
14 preliminary thresholds for consideration, the City Clerk shall notify the Department
15 of Public Works and Municipal Parking Department to proceed with compiling a
16 formal recommendation. The City Clerk shall also notify the resident petition
17 coordinator that the preliminary thresholds for consideration have been met and the
18 City shall compile a formal recommendation.

19 2. If the proposed residential parking permit area set forth in the petition does not meet
20 the preliminary thresholds for consideration, the Department of Public Works shall
21 provide written notice to the City Clerk and the resident petition coordinator that the
22 petition is insufficient and outlining the reasons for which the residential parking
23 permit area is ineligible for designation. The City shall remit the fee to the resident

1 petition coordinator.

2 (c) City-Sponsored Initiative. The City may initiate the designation of a residential parking
3 permit area based upon current or future development projects or the existence of a traffic
4 generator impacting a residential district by forwarding a formal recommendation to the City Clerk
5 and City Council. A City-sponsored initiative shall follow the process set forth in this Division,
6 except for the petition requirements set forth in subsection (a) of this section.

7 (d) Formal Recommendation to City Council. Within 30 days after receipt of the preliminary
8 analysis result, the Department of Public Works shall submit a formal recommendation by written
9 report to City Council. The formal recommendation shall indicate, based upon departmental
10 recommendations and the community engagement process in Sec. 55-2-25, whether to designate
11 the residential district as a residential parking permit area.

12 1. The formal recommendation shall clearly state whether a residential district is
13 unreasonably impacted by parking congestion caused by the district's proximity to a
14 traffic generator or parking congestion issues, or by future anticipated parking
15 congestion that is resultant from residential development projects requesting that the
16 district be designated a residential parking permit area.

17 2. The formal recommendation shall include the following supporting information:

18 i. The Department of Public Works Traffic Engineering Division shall forward its
19 recommendation based on the results of the parking study undertaken pursuant
20 to Sec. 55-2-24(a) to determine whether a residential district can support the
21 designation as a residential parking permit area to the Municipal Parking
22 Department.

23 ii. The Municipal Parking Department shall forward its recommendation and

1 supporting information to the Department of Public Works Traffic Engineering
2 Division which may include parking studies, occupancy studies and information
3 regarding the number and type of parking citations issued and metered parking
4 revenues collected within the proposed residential parking permit area during
5 the previous year, if such information regarding revenues is available. The
6 Municipal Parking Department shall also provide a recommendation for parking
7 in the proposed residential parking permit area.

8 iii. Any relevant data the Department of Public Works obtained from the Planning
9 & Development Department, Detroit Police Department, or any other agency or
10 department upon which the formal recommendation is based.

11 (e) For any petition filed during the first twelve months following the operative date of
12 this division, the 10 and 30-day time frames in subparts (b) and (d) of this Section shall be
13 suspended.

14 **Sec. 55-2-24. Designation criteria.**

15 (a) A residential area shall be deemed eligible for consideration as a residential parking permit
16 area if, based upon an objective analysis of traffic and parking conditions by the Department of
17 Public Works Traffic Engineering Division and analysis of Municipal Parking Department data as
18 part of the formal recommendation, it is established that the residential parking area is impacted
19 by nonresident or commuter vehicles for extended periods of time during the day or night, on
20 weekends or during holidays.

21 (b) At minimum, the following factors shall be considered in the determination of whether a
22 residential area qualifies for designation as a residential parking permit area:

23 1. The extent of the desire or the need of the residents for residential parking and their

- 1 willingness to bear the administrative cost in connection therewith;
- 2 2. The extent to which the legal on-street parking spaces are occupied by motor vehicles
- 3 during the period proposed by parking restrictions;
- 4 3. The extent to which the parking in the area during the period proposed by parking
- 5 restriction are commuter vehicles rather than resident vehicles;
- 6 4. The extent to which motor vehicles registered to persons residing in the residential
- 7 area cannot be accommodated by the number of available off-street parking spaces
- 8 because of widespread use of available curbside parking spaces by nonresident
- 9 vehicles;
- 10 5. The extent of noise, pollution, hazardous conditions and deterioration of the
- 11 residential environment as a result of traffic congestion and insufficient parking the
- 12 area;
- 13 6. At least 70% of legal parking spaces are utilized during peak periods as determined
- 14 by the parking surveys and studies, or both, prepared pursuant to subsection (a)
- 15 above;
- 16 7. At least 50% of the current parking spaces are utilized by nonresidents for more than
- 17 two hours;
- 18 8. At least 80% of occupied frontage, at ground level, has a legal use of residential;
- 19 9. Availability of off-street parking including but not limited to driveways, garages, and
- 20 other types of parking facilities for residents;
- 21 10. Impact on the availability of off street and on street parking for non-residents,
- 22 parking meter revenues and existing options for displaced non-resident vehicles and
- 23 extent of the need;

1 11. Development projects;

2 12. Any special circumstances that exist in that particular residential district; and

3 13. Designation of the area as a residential parking permit area will result in one or more
4 of the following expectations for the area:

5 i. A reduction in non-residential vehicles and the accompanying energy waste and
6 air pollution.

7 ii. A reduction in total vehicle miles traveled.

8 iii. A reduction in traffic congestion and illegal parking.

9 iv. An improvement in vehicular and pedestrian safety.

10 (c) The Department of Public Works Traffic Engineering Division shall verify the eligibility
11 criteria set forth in subsections (a) and (b) of an established residential parking permit area. This
12 verification shall occur at minimum every five years or as needed if the impact of nonresident or
13 commuter vehicles for extended periods of time during the day or night, on weekends or during
14 holidays is reduced. Modification or termination of a residential parking permit area shall comply
15 with Subdivision B of this Division.

16 **Sec. 55-2-25. Community engagement.**

17 (a) The City shall coordinate at least one public meeting to discuss the proposed residential
18 parking permit area prior to submitting a formal recommendation under Sec. 55-2-23(d).

19 (b) The City Clerk shall forward notice of the public meeting via first class mail no less than
20 10 days before the meeting to all City of Detroit residents within three hundred radial feet of the
21 proposed residential parking permit area. The notice shall include:

22 1. The time, date and location of the public meeting; and

23 2. General information about the proposed residential parking permit area.

1 (c) The City shall post a copy of the notice forwarded by the City Clerk on the City’s website,
2 and in public areas within the proposed residential parking permit area no less than seven days in
3 advance of any meeting.

4 (d) In addition to the notice requirement contained in subsections (b) and (c), the City shall
5 work with the Council Member or Members representing the district or districts where the
6 proposed residential parking permit area is located and both At-large Council Members to ensure
7 that local residents, businesses, and organizations, especially those located in the proposed
8 residential parking permit area and those expected to be directly impacted by the proposed
9 residential parking permit area, are informed of the public meeting.

10 **Subdivision B. Establishment, modification and elimination of**
11 **residential parking permit areas.**

12 **Sec. 55-2-26. Public hearing(s) and City Council resolution.**

13 (a) Within 30 days after receipt of the formal recommendation from the Department of Public
14 Works required in Sec. 55-2-23(d), the City Council shall hold at least one public hearing on the
15 proposed residential parking permit area including eligibility, boundaries, feasibility of
16 implementation and impact on the surrounding area.

17 (b) The City Clerk shall post notice of the public hearing(s) on the City of Detroit website and
18 by first-class mail to each address within the proposed residential parking permit area.

19 (c) In addition to the notice requirement contained in subsection (b), the City shall work with
20 the Council Member or Members representing the district or districts where the proposed
21 residential parking permit area is located and at both At-large Council Members to ensure that
22 local residents, businesses, and organizations, especially those located in the proposed residential
23 parking permit area and those expected to be directly impacted by the proposed residential parking

1 permit area, are informed of the public hearing.

2 (d) Within 60 days after the completion of the public hearing or hearings on a particular
3 residential parking permit area, the City Council shall determine, by adoption of a resolution,
4 whether a residential district shall be designated by the City as a residential parking permit area
5 and set forth the evidence supporting its decision including, but not limited to, results of surveys,
6 study reports, concerns raised during the public hearing process, findings relative to the
7 designation criteria set forth in Sec. 55-2-24 deemed applicable to that particular residential
8 parking permit area, proposed boundaries, and proposed time limitations in the period of the day
9 for its application.

10 (e) If City Council does not act to approve or disapprove the residential parking permit area
11 within 60 days after the conclusion of the public hearing, the residential parking permit area shall
12 be considered approved.

13 **Sec. 55-2-27. Addition or removal of block faces or partial block faces.**

14 (a) All block faces or partial block faces of a discrete residential parking permit area shall have
15 uniform parking regulations where parking is allowed, and the regulations shall not be removed or
16 modified on individual interior block faces.

17 (b) The City may add or remove block faces or partial block faces along the boundaries of a
18 residential parking permit area upon receipt of a petition in which more than 50% of the residences
19 request the action. The petition shall conform to the requirements of Sec. 55-2-23(a).

20 (c) During the initial process of approving a residential parking permit area or, as related to
21 the addition or removal of block faces, the City may combine adjacent residential parking permit
22 areas or determine the appropriate status for any block face or partial block face abutting a park or
23 other property which has no street address or which has no resident qualified to sign a related

1 petition.

2 **Sec. 55-2-28. Required levels of resident participation.**

3 (a) Required level of participation. The participation of certified residents who represent at
4 least 50% of dwelling units in the designated area is required to maintain a posted residential
5 parking permit area.

6 (b) Failure to achieve required level of participation for implementation. After 30 days but no
7 later than 120 days after approval by City Council of the residential parking permit area, any area
8 that does not reach its initial required level of participation shall have the designation revoked
9 pursuant to the procedure established in paragraph (b)(2). Upon revocation of the designation,
10 residents of the residential parking permit area who have paid for a permit shall be entitled to a
11 full refund.

12 (c) Failure to maintain required participation for continuation of a residential parking permit
13 area. In the event that the number of residents who participate in the residential parking permit
14 program within a designated residential parking permit area falls below a level of 50% of the
15 occupied dwelling units, the designation may be revoked by the City after the following has
16 occurred:

17 1. The Municipal Parking Department shall notify the City Clerk in writing that the
18 residential parking permit area has failed to maintain the minimal level of participation.

19 2. The City Clerk shall mail notice to each address within the residential parking
20 permit area. The notice shall advise residents that they have 30 days to bring the residential parking
21 permit area into compliance with the 50% requirement or the residential parking permit area will
22 be terminated pursuant to the procedure set forth in Sec. 55-2-29. Residents shall not receive a full
23 or partial refund if the residential parking permit area is terminated.

1 3. In addition to the notice requirement contained in subpart 2, the City shall work
2 with the Council Member or Members representing the district or districts where the residential
3 parking permit area is located and both At-large Council Members to ensure that local residents,
4 businesses, and organizations, especially those located in the residential parking permit area are
5 informed that the area has failed to maintain the minimal level of participation.

6 **Sec. 55-2-29. Termination of residential parking permit area.**

7 (a) After conducting at least one public hearing on the matter, the City Council shall
8 determine, through adoption of a resolution, whether the residential parking permit area shall be
9 maintained or dissolved based on the following:

- 10 1. Upon receipt of a petition requesting termination of the designation of an area as a
11 residential parking permit area that is signed by certified residents who represent at
12 least 60% of the dwelling units in an existing residential parking permit area; or
- 13 2. Upon written notification by the Department of Public Works requesting termination
14 of a residential parking permit area designation that is supported by data
15 demonstrating that either the level of participation by certified residents is
16 insufficient, below 50% resident participation after the opportunity to cure in Sec.
17 55-2-28(c)(2) was provided, or that conditions in the area have changed substantially
18 and the residential parking permit area is no longer warranted.

19 **Subdivision C. Implementation, administration and enforcement of**
20 **residential parking permit areas.**

21 **Sec. 55-2-30. Application for permit; eligibility.**

22 (a) At a minimum, the application for a resident parking permit shall provide for the following
23 items which must all reflect an address within the residential parking permit area:

- 1 1. Name of the resident owner or operator of the motor vehicle to be permitted;
- 2 2. Residential address;
- 3 3. Operator's state driver's license number;
- 4 4. Make, model, license plate number and vehicle identification number of the motor
5 vehicle to be permitted;
- 6 5. Current vehicle registration; and
- 7 6. Proof of residency demonstrated by either a current utility bill, notarized declaration
8 of residency by the owner or manager of a rental property or a copy of the applicant's
9 unexpired driver's license or City of Detroit municipal identification card.

10 (b)If last names differ between the applicant and any of the supporting documentation, a copy
11 of the birth certificate, marriage license or other official document supporting the application shall
12 be provided by the applicant.

13 (c)Applicants and holders of annual permits shall meet eligibility requirements which include
14 the submission of a complete application, payment of applicable fee(s), reside within the
15 residential parking permit area, have no outstanding parking citations or fines, and no current
16 revocation actions as set forth in Sec. 55-2-36 of this division.

17 **Sec. 55-2-31. Residential parking permit area; notification and signage.**

18 (a)Upon City Council's approval through adoption of a resolution or non-action that an area
19 shall be designated by the City as a residential parking permit area, the City Clerk shall notify the
20 Department of Public Works and Municipal Parking Department. The Clerk shall also notify
21 residents via first-class mail at each address in the area of the City Council's action and inform
22 them of the City's procedure for the implementation of the residential parking permit area. The
23 Municipal Parking Department shall send a description of the designated area to the City Clerk

1 who shall publish the notice on the City of Detroit website and in a newspaper of general
2 circulation in the City. The designated area shall have a unique zone number assigned by the
3 Municipal Parking Department.

4 (b)Signage of the designated area shall be installed by the Department of Public Works and
5 Municipal Parking Department within 30 days from the time that residents who represent 50% of
6 the dwelling units in the designated area complete an application pursuant to Municipal Parking
7 Department procedures and purchase a residential parking permit.

8 **Sec. 55-2-32. Issuance of permits.**

9 Following City Council approval of a residential parking permit area, the Municipal Parking
10 Department shall issue parking permits, including but not limited to annual residential parking
11 permits and daily visitor permits, after July 1, 2019, as follows:

12 (a)An annual permit shall be issued only to a motor vehicle owner or operator who resides on
13 property that is either fronting or is located on a corner lot along a block face or has vehicular
14 access from an included block face located within the residential parking permit area.

15 (b)Upon application and payment of the applicable fee, annual residential parking permits
16 shall be issued in accordance with the following limitations:

17 1. For single-family dwelling units (one residential structure containing only one
18 housing unit):

19 i. Two residential parking permits may be issued for each valid street address
20 where said dwelling unit has no off-street parking availability.

21 ii. One residential parking permit may be issued for each valid street address where
22 said dwelling unit does have off-street parking availability.

23 2. For multiple family dwelling units (including but not limited to apartments,

1 condominiums, duplexes, attached dwellings, rowhouses, townhouses and
2 cooperatives):

3 i. Two residential parking permits may be issued for each legally constituted and
4 existing dwelling unit in any two-family or multiple-family dwelling facility at
5 a valid street address where said dwelling unit has no off-street parking
6 availability.

7 ii. One residential parking permit may be issued for each legally constituted and
8 existing dwelling unit in any two-family or multiple-family dwelling facility at
9 a valid street address where said dwelling unit does have off-street parking
10 availability.

11 3. One additional residential parking permit is available to residences with an additional
12 vehicle registered to that street address.

13 (c) Upon request, holders of an annual residential parking permit may obtain one daily visitor
14 permit through their Municipal Parking Department account. A resident of a residential parking
15 permit area who is eligible for a residential parking permit but does not apply for the permit may
16 be issued one daily visitor permit by making application as provided in Sec. 55-2-30, opening a
17 Municipal Parking Department account and omitting information which is not applicable.

18 1. Daily visitor permits may be activated for individual 24-hour periods up to 30 times
19 per year. A year is defined as the day the annual application fee was paid, until the
20 last day of the month the application fee is set to expire.

21 2. The number of times a daily visitor permit has been expended and the total available
22 shall be displayed online and available from clerical staff for over the counter
23 transactions. Visitor permits may only be activated for 24-hour periods using the

1 license plate information of the visitor's vehicle.

2 3. Daily visitor permits shall only be used by guests of the annual parking permit holder
3 (or eligible resident without a vehicle under this subsection) and are not transferable.

4 4. Violation of daily visitor permit regulations may result in the revocation of the daily
5 visitor permit or the annual residential parking permit, or both.

6 5. An annual permit holder or a resident of a residential parking permit area who is
7 eligible for a residential parking permit but does not apply for the permit may receive
8 credits for daily visitor permit credits used for a rental car by the annual permit holder
9 when a rental car temporarily replaces the permitted vehicle or a rental car used by
10 the eligible resident. Supporting documentation from a rental car company that
11 matches the name and address of the annual permit holder or eligible resident shall
12 be presented to the Municipal Parking Department. Upon confirmation by the
13 Department, the daily visitor permit(s) shall be credited.

14 6. An annual permit holder or a resident of a residential parking permit area who is
15 eligible for a residential parking permit but does not apply for the permit may receive
16 a temporary home health care permit designation. Supporting documentation in the
17 form of a home health care order and license plate of the provider shall be presented
18 to the Municipal Parking Department. Upon confirmation by the Department, the
19 license plate of the provider shall be active for the time period specified in the home
20 health care order.

21 (d) All existing parking citations must be paid in full before a residential parking permit
22 or daily visitor permit may be issued to an applicant or the user of a visitor permit.

23 (e) Annual residential parking permits and daily visitor permits may be renewed or replaced

1 in accordance with procedures established by the Municipal Parking Department.

2 **Sec. 55-2-33. Permit linked to license plate.**

3 The resident parking permit and daily visitor permit shall be associated or linked with the
4 license plate of the annual or daily permitted vehicle and verified by the Municipal Parking
5 Department electronically for enforcement purposes.

6 **Sec. 55-2-34. Fees and replacement of permits.**

7 (a) Fees shall be charged for permits under this Division, including but not limited to
8 an annual residential permit fee, daily visitor fee, and a reduced annual residential permit fee for
9 senior citizens and individuals that receive or qualify for a partial or complete property tax
10 exemption pursuant to Chapter 18, Article IX, Division 9, the City's Homeowners Property Tax
11 Assistance Program. A transfer charge shall also be set for those with permits in one residential
12 parking permit area who move to another residential parking permit area and apply for a permit in
13 the new area of residence. In such cases, the new permit shall expire at the same time as the former
14 permit would have expired.

15 (b) In accordance with the Charter, these fees shall be established by the Director of
16 the Municipal Parking Department based upon the cost of issuance and administration of the
17 residential parking permit area and shall be approved by resolution of the City Council. The fees
18 shall be posted on a schedule in the Municipal Parking Department.

19 (c) Upon the expiration of a current residential permit, each licensee shall pay the
20 annual fee for a renewal of the permit.

21 (d) Upon payment of applicable fees, approval of the complete application by the Municipal
22 Parking Department, and upon receipt of all other required approvals set forth in this Division, an
23 annual permit or visitor permit shall be activated.

1 (e) In the event that during the unexpired term of a permit the vehicle bearing a parking permit
2 is sold and the certified resident obtains another vehicle, the vehicle is stolen or the license plate
3 is replaced, upon application for a permit the applicant shall present proof of sale of the vehicle
4 bearing the permit, copy of the police report for the stolen vehicle or proof from the Michigan
5 Secretary of State of the updated license plate, the permit shall be issued or updated by the
6 Municipal Parking Department at no additional cost.

7 **Sec. 55-2-35. Expiration and renewal of permits.**

8 (a) Residential parking permits and the associated daily visitor permits available shall be valid
9 for one year from the date of issuance.

10 (b) Residential parking permits shall be renewed pursuant to Subdivision C of this Division by
11 completing the application process and payment of the fees.

12 **Sec. 55-2-36. Revocation of permit; penalties.**

13 (a) The Municipal Parking Department is authorized to revoke the annual residential parking
14 permit or daily visitor permit of any person found to be in violation of this Division upon written
15 notification thereof. Failure to cease use of a residential parking permit so revoked shall constitute
16 a violation of law and this Chapter.

17 (b) Persons who have had any permit revoked under subsection (a) shall not be eligible to
18 apply for or renew an annual residential parking permit or obtain a daily visitor permit for a period
19 of six (6) months.

20 (c) Persons who have had any permit revoked under subsection (a) three or more times shall
21 not be eligible to apply for an annual residential parking permit or obtain a daily visitor permit.

22 **Sec. 55-2-37. Residential parking permit not a guarantee of parking space.**

23 A residential parking permit or daily visitor permit will allow but shall not guarantee or reserve

1 to the holder thereof any on-street parking space within the designated residential parking permit
2 area. Residing within a designated residential parking permit area does not guarantee issuance of
3 any permit associated with the residential parking permit area. Metered parking may exist in
4 residential parking permit areas.

5 **Sec. 55-2-38. Residential parking permit violation; penalty.**

6 (a) No person shall:

- 7 1. Park in a residential parking permit area beyond the posted time allowed without a
8 valid residential parking permit or daily visitor permit;
- 9 2. Allow for the use of a residential parking permit on a vehicle other than that with the
10 license plate for which the permit was issued. Such conduct shall be unlawful and a
11 violation of this Division by both the person holding the valid permit and the person
12 who so uses the permit improperly;
- 13 3. Fail to cease use of a residential parking permit or daily visitor permit upon
14 notification by the Municipal Parking Department that the permit has been revoked
15 where it is used in violation of this Code;
- 16 4. Knowingly present false information to the City in the course of applying for a
17 permit; or
- 18 5. Allow for the permanent or continued use of a daily visitor permit to subvert the
19 eligibility thresholds or any other provisions of this Division.

20 (b) A person who violates any provision of this Division shall:

- 21 1. Be subject to revocation of any parking permits;
- 22 2. Be subject to a civil infraction;
- 23 3. Be liable for the fine and towing charges for violation of the parking regulations of

1 the City; and

2 4. Be subject to any other remedy permitted by law.

3 **Sec. 55-2-39. Procedures and administration of residential parking permit area.**

4 (a) Except as otherwise specified in this Division, the Municipal Parking Department shall
5 administer this Division.

6 (b) The Municipal Parking Department shall establish procedures for the implementation of
7 residential parking permits in an area that is approved by resolution of City Council as a residential
8 parking permit area. Such procedures shall be promulgated in accordance with the Charter.

9 **Secs. 55-2-40 – 55-2-50. Reserved.**

Section 2. This ordinance is hereby declared necessary to preserve the public peace,

Section 3. All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective sixty (60) days after publication in accordance with paragraph 3 of Section 4-118 of the 2012 Detroit City Charter.

Approved as to form:



Lawrence T. García
Corporation Counsel