

David Whitaker, Esq.
Director
Irvin Corley, Jr.
Executive Policy Manager
Marcell R. Todd, Jr.
Director, City Planning
Commission
Janese Chapman
Director, Historic Designation
Advisory Board

John Alexander
LaKisha Barclift, Esq.
Timarie DeBruhl
Paige Blessman
M. Rory Bolger, Ph.D., FAICP
Victory Corley
Lisa DiChiera
Kristy Enoex
Eric Fazzini, AICP
Willene Green

City of Detroit
CITY COUNCIL
LEGISLATIVE POLICY DIVISION
208 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Phone: (313) 224-4946 Fax: (313) 224-4336

Christopher Gulock, AICP
Marcel Hurt, Esq.
Sandra L. Jeffers
Kimani Jeffrey
Anthony W. L. Johnson
Phillip Keller, Esq.
Edward King
Kelsey Maas
Jamie Murphy
Dolores Perales-Lara
Analine Powers, Ph.D.
W. Akilah Redmond
Renee Short
Floyd Stanley
Thomas Stephens, Esq.
Theresa Thomas
Janice Tillmon
Ian Tomashik
Emberly Vick

TO: The Honorable Detroit City Council

FROM: David Whitaker, Director
Legislative Policy Division Staff 

DATE: March 3 , 2026

RE: ORDINANCE UPDATES AND ENFORCEMENT DATA REGARDING OFFENSES AT
HEALTHCARE FACILITIES, FUGITIVE DUST ORDINANCE, AND THE CITYWIDE
LANGUAGE ACCESS POLICY

Council Member Gabriela Santiago-Romero requested the Legislative Policy Division (LPD) to provide updates on recent 1) actions, 2) enforcement, and 3) any issues which have arisen regarding the following ordinances:

1. Ch. 31-14-1 through 31-14-4, *Offenses At Healthcare Facilities*
2. Ch. 8, Fugitive Dust Ordinance0
3. Ch. 23, *Citywide Language Access Policy* (Language Access Ordinance)

Offenses at Healthcare Facilities

Chapter 31-14-1 through 31-14-4 or the 2019 Detroit City Code prohibits individuals from knowingly approaching within 8-feet of another person to pass literature, display a sign, or engage in oral protest or attempted education or counseling within a 100-foot-radius of an entrance to a healthcare facility without the other person's consent. It also prohibits individuals from congregating, patrolling, picketing, or demonstrating within a 15-foot radius of any entrance to a healthcare facility. The ordinance is intended to

prevent harassment of individuals as they enter and exit healthcare facilities. Individuals who violate this ordinance may be issued a misdemeanor.

Upon LPD's request, the Detroit Police Department (DPD) conducted a search of its database within the last 12 months. According to the Computer Aided Dispatch (CAD) records, no DPD units were dispatched to any healthcare facilities for violations of the ordinance. DPD also checked its eCitation system and did not find any violations under these sections of the City Code.

Fugitive Dust Ordinance

The Buildings, Safety Engineering and Environmental Department (BSEED) provided a memo attached below in response to LPD's inquiry.

Language Access Ordinance

According to the Civil Rights, Inclusion & Opportunity Department (CRIO), the Department is well under way in implementing the ordinance and has not encountered any significant obstacles. CRIO has been tasked with collecting Language Access Plans (LAPs) from all City Departments. To date, CRIO has received 18 of 20 departmental plans that it has deemed to be the most critical out of a citywide total of 24 plans. CRIO has also identified the staff who will serve as point persons for language access matters for each department, and the Director and Deputy Director are actively assisting in obtaining the remaining critical plans.

CRIO prioritized hiring two new LAP specialists who are currently onboarding. The Department is developing the work and duties that will be carried out by the new staff members, for example, regular visits to departments and dissemination of informational literature and trainings that will make request fulfillment run more smoothly.

CRIO is working with its Comms team, Data team, and vendors to update and translate their LAP grievance form, which will be made available as a web-submissible and downloadable form in Arabic, Bengali, and Spanish within the month. Additionally, the Department is developing new procedures for handling language access complaints where they would be treated similar to discrimination complaints. Once the Department receives a grievance, it will be processed and investigated by the CRIO Civil Rights Manager. Complainants may request reconsideration of any decision to the Deputy Director of CRIO. The Department is currently working through the process for final approval and publication of the administrative procedures.

Please reach out to our office if you require any further assistance in this matter.

MEMORANDUM



**Buildings,
Safety Engineering
& Environmental
Department**

DATE: March 2, 2026
TO: David Whitaker, Director, Legislative Policy Division
FROM: Raymond A. Scott, MPH, Deputy Director Buildings, Safety
Engineer and Environmental Department 
SUBJECT: Request for Ordinance Updates and Enforcement Data

Buildings, Safety Engineering and Environmental Department (BSEED) began outreach and education around The Fugitive Dust Ordinance in 2024 with enforcement following in 2025. Since that time, we have received 117 complaints for 67 separate locations. There have been 154 inspections resulting in 18 blight tickets. Residents may report fugitive dust by

Phone -(313) 628-9994

-Improve Detroit App (available in the Google Play Store and Apple Store)

Email - Dust@detroitmi.gov

Online - <https://detroitmi.gov/webapp/improve-detroit-report-issue-online>

Notable issues

- Observing opacity requires a certified observer to be onsite at the time of emissions. The department has four certified observers; it is difficult for four observers to cover the entire city.
- Public awareness of ordinance and subject matter. Department receives complaints unrelated to Fugitive Dust and/or residents do not know what fugitive dust is.
- The public often conflates opacity and particulate matter

Success story

- Once businesses are made aware of the issue and ordinance, BSEED EA has found that most property owners are eager to comply by creating and submitting a Fugitive Dust plan.
 - Ex. CSX – resident complaint was received regarding track out in bike lanes. BSEED inspected, met with facility, and received a compliant fugitive dust plan for the CSX Livernois rail terminal. No complaints since



receiving fugitive dust plan, and mitigation measures/procedures in place if fugitive dust exceedances occur.

cc: City Council
Dave Bell, Director (BSEED)
Louise Jones, City Clerk's Office
Malik Washington, Director, City Government Affairs