

Referrals
~~1/29/19~~
2-1-19

**PUBLIC HEALTH
AND SAFETY
STANDING
COMMITTEE**



CITY OF DETROIT
LAW DEPARTMENT

31

COLEMAN A. YOUNG MUNICIPAL CENTER
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DETROIT, MICHIGAN 48226-3437
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January 24, 2019

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

Re: Amendment To Chapter 61, *Zoning*, of the 1984 Detroit City Code, Article XII, *Use Regulations*, Section 61-12-392, *Prohibited uses and activities*.

Honorable City Council:

The Law Department has prepared an ordinance which amends a portion of the Zoning Code, specifically Chapter 61 of the 1984 Detroit City Code, *Zoning*; by amending Article XII, *Use Regulations*, by removing a portion of the language in Section 61-12-392, *Prohibited uses and activities*, to bring this section into compliance with Chapter 9, *Buildings and Building Regulations*, Article I, *Detroit Property Maintenance Code*, Division 3, *Requirements for Rental Property*, Subdivision C, *Short Term Rentals*. A copy of the ordinance, which has been approved as to form, is attached for your consideration.

I look forward to discussing this important legislation with this Honorable Body.

Respectfully Submitted,

Mary Parisien
Assistant Corporation Counsel
City of Detroit
Municipal Law Section

S U M M A R Y

AN ORDINANCE to amend Chapter 61 of the 1984 Detroit City Code, *Zoning*; by amending Article XII, *Use Regulations*, by removing a portion of the language in Section 61-12-392, *Prohibited uses and activities*, to bring this section into compliance with Chapter 9, *Buildings and Building Regulations*, Article I, *Detroit Property Maintenance Code*, Division 3, *Requirements for Rental Property*, Subdivision C, *Short Term Rentals*.

1 BY COUNCIL MEMBER _____ :

2 AN ORDINANCE to amend Chapter 61 of the 1984 Detroit City Code, *Zoning*; by
3 amending Article XII, *Use Regulations*, by removing a portion of the language in Section 61-12-
4 392, *Prohibited uses and activities*, to bring this section into compliance with Chapter 9, *Buildings*
5 *and Building Regulations*, Article I, *Detroit Property Maintenance Code*, Division 3,
6 *Requirements for Rental Property*, Subdivision C, *Short Term Rentals*.

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

8 Section 1. Chapter 61 of the 1984 Detroit City Code, *Zoning*; Article XII, *Use Regulations*,
9 by amending Section 61-12-392, *Prohibited uses and activities*, to read as follows:

10 CHAPTER 61. ZONING

11 ARTICLE XII. USE REGULATIONS

12 Sec. 61-12-392. Prohibited uses and activities.

13 Any sale of fireworks, any firearms dealership, any materials or service characterized by
14 an emphasis on “specified anatomical areas” or “specified sexual activities” as defined in Sec. 61-
15 16-174 of this Code, and any type of repair or assembly of vehicles or equipment with internal
16 combustion engines, such as automobiles, motorcycles, scooters, snowmobiles, outboard marine
17 engines, lawn mowers, chain saws, and other small engines, are prohibited. Any other work related
18 to automobiles and their parts, that is not conducted as a home occupation and is merely incidental
19 and accessory to the principal use, is subject to the provisions of Sec. 61-8-27 of this Code.

20 In addition, no home occupation may use, store, handle, or manage “significant quantities”
21 of hazardous substances as defined in Sec. 61-16-101 of this Code. For purposes of this provision,
22 “significant quantities” shall mean amounts exceeding those commonly used for typical residential
23 or office purposes. However, this does not include gasoline, oil, or other vehicle fluids that are
24 contained in vehicles traversing or parked at a property for individual use or on a short-term basis.

1 Further, those land uses specified in Sec. 61-12-11 of this Code, the “Group Living” use
2 category, being adult foster care facility, assisted living facility, convalescent, nursing, or rest
3 home, emergency shelter, fraternity or sorority house, religious residential facility, residential
4 substance abuse service facility, rooming house, and shelter for victims of domestic violence, and
5 in Sec. 61-12-13 of this Code, the “Institutional Living” use category, being boarding school,
6 dormitory, child caring institution, penal or correctional institution, detention facility, and pre-
7 release adjustment center, may only be permitted as principal uses of the land in those zoning
8 districts where such uses are permitted. In no instance shall such uses be considered as a home
9 occupation accessory to a single-family dwelling, two-family dwelling, multiple-family dwelling,
10 town house, or loft.


11 ~~Use of a dwelling to accommodate paid overnight guests is prohibited as a home occupation;~~
12 ~~notwithstanding this regulation, public accommodations, including bed and breakfast inns outside~~
13 ~~the R1 and R2 Districts, are permitted as provided in Sec. 61-12-46 of this Code.~~

Section 2. This ordinance is hereby declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

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

Section 4. In the event this ordinance is passed by two-thirds (2/3) majority of City Council Members serving, it shall be given immediate effect and become effective upon publication in accordance with Section 4-118 of the 2012 Detroit City Charter. Where this ordinance is passed by less than a two-thirds (2/3) majority of City Council Members serving, it shall become effective on the thirtieth (30) day after enactment, or on the first business day thereafter, in accordance with Section 4-118 of the 2012 Detroit City Charter.

Approved as to form:



Lawrence T. García
Corporation Counsel



Date: January 23 2019

HONORABLE CITY COUNCIL

RE: **RECOMMENDATION FOR DEFERRAL**
ADDRESS: 5930 Eastlawn
NAME: Dathan Lawrence McCelenic & Latasha Monique Harvin
Demolition Ordered: October 8, 2018

In response to the request for a deferral of the demolition order on the property noted above, the Buildings, Safety Engineering and Environmental Department (BSEED) submits the following information:

A special inspection conducted on January 17, 2019 revealed that 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 1st deferral request for this property.**

Therefore, we respectfully recommended that the demolition order be deferred for a period of six months subject to the following conditions:

1. **A permit for rehabilitation work shall be applied for within ten (10) business days from the date of the City Council decision.**
2. **BSEED will schedule a Progress Inspection within forty-five (45) calendar days from the date of the rehabilitation permit to determine whether substantial progress has been made. Thereafter, the owner must submit to BSEED detailed inspection reports, with photos showing evidence of the work completed, every forty-five (45) calendar days, for the duration of the rehabilitation work, to demonstrate that substantial progress has been made during the approved time frame for rehabilitation.**
3. **The building shall have all imminently hazardous conditions immediately corrected, be maintained, and securely barricaded until rehabilitation is complete. Rehabilitation work is to be completed 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 Compliance, required for all rental properties**
4. **The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).**
5. **The yards shall be maintained clear of overgrown vegetation, weeds, junk and debris at all times.**
6. **Prior to seeking a permit extension, the owner must contact BSEED and request to extend the deferral period.**

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 satisfied and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not followed, the deferral may be rescinded by the City Council at any time and we may proceed with demolition without further notice. In addition, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

Any request exceeding three (3) deferrals must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,

David Bell
Director

DB:bkd

cc: Dathan Lawrence McCelenic, 1152 18th AVE N-Apt. 5, Lake Worth, FL 33460
Latasha Monique Harvin, 1152 18th AVE N-Apt. 5, Lake Worth, FL 33460



Date: January 23 2019

HONORABLE CITY COUNCIL

RE: **RECOMMENDATION FOR DEFERRAL**
ADDRESS: 3181-85 Garfield
NAME: Wherego, LLC
Demolition Ordered: May 21, 2018

In response to the request for a deferral of the demolition order on the property noted above, the Buildings, Safety Engineering and Environmental Department (BSEED) submits the following information:

A special inspection conducted on January 17, 2019 that 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 1st deferral request for this property.**

Therefore, we respectfully recommended that the demolition order be deferred for a period of six months subject to the following conditions:

1. **A permit for rehabilitation work shall be applied for within ten (10) business days from the date of the City Council decision.**
2. **BSEED will schedule a Progress Inspection within forty-five (45) calendar days from the date of the rehabilitation permit to determine whether substantial progress has been made. Thereafter, the owner must submit to BSEED detailed inspection reports, with photos showing evidence of the work completed, every forty-five (45) calendar days, for the duration of the rehabilitation work, to demonstrate that substantial progress has been made during the approved time frame for rehabilitation.**
3. **The building shall have all imminently hazardous conditions immediately corrected, be maintained, and securely barricaded until rehabilitation is complete. Rehabilitation work is to be completed 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 Compliance, required for all rental properties**
4. **The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).**
5. **The yards shall be maintained clear of overgrown vegetation, weeds, junk and debris at all times.**
6. **Prior to seeking a permit extension, the owner must contact BSEED and request to extend the deferral period.**

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 satisfied and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not followed, the deferral may be rescinded by the City Council at any time and we may proceed with demolition without further notice. In addition, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

Any request exceeding three (3) deferrals must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,

David Bell
Director

DB:bkd

cc: Wherego LLC, 336 W. First ST-Suite 113, Flint, MI 48502
Latasha Monique Harvin, 1152 18th AVE N-Apt. 5, Lake Worth, FL 33460



Date: January 23 2019

HONORABLE CITY COUNCIL

RE: **RECOMMENDATION FOR DEFERRAL**
ADDRESS: 14608 Vaughan
NAME: Raquel Butler
Demolition Ordered: April 10, 2017

In response to the request for a deferral of the demolition order on the property noted above, the Buildings, Safety Engineering and Environmental Department (BSEED) submits the following information:

A special inspection conducted on January 14, 2019 revealed that 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 1st deferral request for this property.**

Therefore, we respectfully recommended that the demolition order be deferred for a period of six months subject to the following conditions:

1. A permit for rehabilitation work shall be applied for within ten (10) business days from the date of the City Council decision.
2. BSEED will schedule a Progress Inspection within forty-five (45) calendar days from the date of the rehabilitation permit to determine whether substantial progress has been made. Thereafter, the owner must submit to BSEED detailed inspection reports, with photos showing evidence of the work completed, every forty-five (45) calendar days, for the duration of the rehabilitation work, to demonstrate that substantial progress has been made during the approved time frame for rehabilitation.
3. The building shall have all imminently hazardous conditions immediately corrected, be maintained, and securely barricaded until rehabilitation is complete. Rehabilitation work is to be completed 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 Compliance, required for all rental properties
4. The owner shall not occupy or allow occupancy of the structure without a certificate (as outlined above).
5. The yards shall be maintained clear of overgrown vegetation, weeds, junk and debris at all times.
6. Prior to seeking a permit extension, the owner must contact BSEED and request to extend the deferral period.

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 satisfied and that there has been substantial progress toward rehabilitation. If the building becomes open to trespass or if conditions of the deferral are not followed, the deferral may be rescinded by the City Council at any time and we may proceed with demolition without further notice. In addition, pursuant to the Property Maintenance Code we will issue a Blight Violation Notice.

Any request exceeding three (3) deferrals must be made by petition to City Council through the office of the City Clerk.

Respectfully submitted,

David Bell
Director

DB:bkd

cc: Raquel Butler, 12700 Hazelton, Detroit, MI 48223



CITY OF DETROIT
OFFICE OF THE CHIEF FINANCIAL OFFICER
OFFICE OF DEVELOPMENT AND GRANTS



COLEMAN A. YOUNG MUNICIPAL CENTER
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November 08, 2018

The Honorable Detroit City Council
ATTN: City Clerk Office
200 Coleman A. Young Municipal Center
Detroit MI 48226

RE: Request to Accept and Appropriate the FY 2019 Highway Safety Grant

The Michigan State Police-Office of Highway Safety Planning (OSHP) has awarded the City of Detroit Planning and Development Department with the FY 2019 Highway Safety Grant for a total of \$100,000.00. The State share is \$100,000.00 of the approved amount and there is a required cash match of \$26,030.00. The total project cost is \$126,030.00. The grant period is October 29, 2018 through September 30, 2019.

The objective of the grant is to support the Safe Routes, Safety Ambassador Community Engagement and Education Initiative.

If approval is granted to accept and appropriate this funding, the appropriation number is 20601, with a match in the amount \$26,030.00, coming from appropriation number 14026.

I respectfully ask your approval to accept and appropriate funding in accordance with the attached resolution.

Sincerely,

Ryan Friedrichs
Director, Office of Development and Grants

CC:
Katerli Bounds, Deputy Director, Grants
Sajjiah Parker, Assistant Director, Grants

CITY CLERK 2019 JAN 25 8:42 AM

RESOLUTION

Council Member _____

WHEREAS, the Planning and Development Department is requesting authorization to accept a grant of reimbursement from the Michigan State Police-Office of Highway Safety Planning (OSHP), in the amount of \$100,000.00, to support the Safe Routes, Safety Ambassador Community Engagement and Education Initiative in the City of Detroit; now

THEREFORE, BE IT RESOLVED that the Director or Head of the Department is authorized to sign and execute the grant agreement on behalf of the City of Detroit; and

BE IT FURTHER RESOLVED, that the Budget Director is authorized to establish Appropriation number 20601 in the amount of \$126,030.00 which includes a cash match \$26,030.00, coming from appropriation 14026, for the FY 2019 Highway Safety Grant.

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MEMORANDUM

TO: James Craig, Police Chief
Detroit Police Department

CC: Honorable Colleagues
Louise Jones, Senior City Clerk

FROM: Council President Brenda Jones *BJ*

DATE: January 24, 2019

RE: Detroit Animal Care and Control

Oftentimes owners of dangerous animals fail to appear in court, purchase new dogs, and perpetuate the cycle of neglect that eventually leads to more dangerous animals. Please provide a report on the feasibility and cost of having two (2) Neighborhood Police Officers dedicated to dangerous animal enforcement.

MEMORANDUM

TO: David Bell, Director
Buildings, Safety Engineering and Environmental Department

CC: Honorable Colleagues
Louise Jones, Senior City Clerk

FROM: Council President Brenda Jones *BJ*

DATE: January 24, 2019

RE: **Bed Bug Mitigation Notification**

Please see the following for questions related to the bed bug inspection, mitigation, and notification of tenants per the Bed Bug Ordinance:

1. The Buildings, Safety Engineering and Environmental Department is required to notify landlords of the Bed Bug Ordinance requirements to inspect, mitigate, and inform tenants. What methods are or will be used to reach out to landlords to notify them about the requirements to inspect, mitigate, and inform tenants per the Bed Bug Ordinance?
2. What is the anticipated cost of developing mailers to distribute to landlords in Detroit to notify them of the requirements to inspect, mitigate, and inform tenants per the Bed Bug Ordinance prior to finalizing rental agreements as well as during the term of their rental agreement?
3. What is the Buildings, Safety Engineering and Environmental Department's current marketing budget? How much money is currently left in the Department's budget for marketing? What are the Department's plans to utilize those dollars?
4. The Health Department, in conjunction with Michigan Department of Health and Human Services, developed a brochure for the purpose of disseminating information to the public regarding bedbug mitigation and inspection requirements. The Health Department is currently seeking quotes for printing those brochures, and the Department intends to share the brochure with the Buildings, Safety Engineering and Environmental Department. Upon receipt of the brochure, will all registered landlords receive a brochure from the Buildings, Safety Engineering and Environmental Department?
5. Please provide a digital copy of the brochure.