

FORMAL SESSION

2-5-19

**PUBLIC HEALTH  
AND SAFETY  
STANDING  
COMMITTEE**

15

**MAYOR'S OFFICE COORDINATORS REPORT**

OVERALL STATUS (please circle):  **APPROVED**  **DENIED**  **N/A**  **CANCELED**

Petition #: 623 Event Name: Martin Luther King, Jr. Day March - St. Matthew/St. Joseph

Event Date: January 21, 2019

Street Closure: Various

Organization Name: MLK Jr. Day March Committee

Street Address: 5920 2nd Avenue Detroit, MI 48202

Receipt date of the <b>COMPLETED</b> Special Events Application:	
Date of City Clerk's Departmental Reference Communication:	
Due date for City Departments reports:	
Due date for the Coordinators Report to City Clerk:	

Event Elements (check all that apply):

- Walkathon       Carnival/Circus       Concert/Performance       Run/Marathon
- Bike Race       Religious Ceremony       Political Ceremony       Festival
- Filming       Parade       Sports/Recreation       Rally/Demonstration
- Fireworks       Convention/Conference       Other: \_\_\_\_\_
- 24-Hour Liquor License**

**Petition Communications** (include date/time)

Annual march in celebration of Dr. Martin Luther King, Jr. by the St. Matthew/St. Joseph Episcopal Church from 2:00pm - 3:30pm on Woodward Avenue, King Street, Oakland Avenue and Owens Street.

**\*\* ALL permits and license requirements must be fulfilled for an approval status \*\***

Date	Department	N/A	APPROVED	DENIED	Additional Comments
	DPD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DPD Assisted Event
	DFD/ EMS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Permits Required
	DPW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DPD Assisted; No Permits Required
	Health Dept.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Jurisdiction

Date	Department	N/A	APPROVED	DENIED	Additional Comments
	TED	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DPD Assisted Event; No Barricades Required
	Recreation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Jurisdiction
	Bldg & Safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Jurisdiction
	Bus. License	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Jurisdiction
	Mayor's Office	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	All Necessary permits must be obtained prior to event. If permits are not obtained, departments can enforce closure of event.
	Municipal Parking	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Purchase of Parking Meters Required
	DDOT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Low Impact on Buses

**MAYOR'S OFFICE**

Signature: Bethanie Lusher

Date: January 9, 2019

## DEPARTMENTAL REFERENCE COMMUNICATION

*Tuesday, January 08, 2019*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

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The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

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MAYOR'S OFFICE    DPW - CITY ENGINEERING DIVISION  
POLICE DEPARTMENT    FIRE DEPARTMENT  
PLANNING AND DEVELOPMENT DEPARTMENT    BUSINESS LICENSE CENTER  
MUNICIPAL PARKING DEPARTMENT    TRANSPORTATION DEPARTMENT

**623**    *MLK Jr. Day March Committee, request to hold "Martin Luther King Jr. Day March" at St. Matthew/St. Joseph Episcopal Church on January 21, 2019 from 2:00 PM to 3:30 PM with closures of King St, Woodward Ave, Owens St, and Oakland Ave.*

City of Detroit  
Media Services  
JAN 04 2019  
Received by Marie A. Williams

# City of Detroit Special Events Application

Successful events are the result of advance planning, effective communication and teamwork. You are required to complete the information below so that the City of Detroit can gain a thorough understanding of the scope and needs of the event. This form must be completed and returned to the City of Detroit Clerk's Office. There is a 90 day review process. At the end of the 90 days, the petition could either be approved or denied by departments. Please take into consideration the amount of time it will take to plan the event when submitting the application. If submitted later than 90 days prior, application is subject to denial. Please type or print clearly and attach additional sheets or maps as needed.

## Section 1- GENERAL EVENT INFORMATION

Event Name: Martin Luther King Jr Day March  
Event Location: St. Matthew / St. Joseph Episcopal Church

## Section 2- ORGANIZATION/APPLICANT INFORMATION

Organization Name: MLK Jr. Day March Committee  
Organization Mailing Address: 5920 2nd Ave., Detroit 48202  
Business Phone: 313 487-5508 Business Fax: —  
Federal Tax ID #: —

*If registered as a non-profit, indicate non-profit ID number and attach a copy of the certificate.*

Applicant Name: David Sole  
Title/Role: Organizer  
Email Address: davidsole48@gmail.com  
Mailing Address: same as above  
Business Phone: same as above Business Fax: —  
Event On-Site Contact Person: David Sole  
Mailing Address: above  
Business Phone: above Business Fax: —

*List name/phone number of person(s) authorized to make decisions for the organization/event (indicate role/responsibility).*

List Event Sponsors: \_\_\_\_\_

### Event Elements (check all that apply)

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Walkathon                  | <input type="checkbox"/> Carnival/Circus   | <input type="checkbox"/> Concert/Performance            |
| <input type="checkbox"/> Run/Marathon               | <input type="checkbox"/> Bike Race         | <input type="checkbox"/> Religious Ceremony             |
| <input checked="" type="checkbox"/> Political Event | <input type="checkbox"/> Festival          | <input type="checkbox"/> Filming                        |
| <input type="checkbox"/> Parade                     | <input type="checkbox"/> Sports/Recreation | <input checked="" type="checkbox"/> Rally/Demonstration |
| <input type="checkbox"/> Convention/Conference      | <input type="checkbox"/> Fireworks         | <input checked="" type="checkbox"/> Other: <u>MARCH</u> |

**What are the projected set-up, event and tear down dates and times (must be completed)?**

Begin Set-up Date & Time: 1-21-19 Complete Set-up Date & Time: \_\_\_\_\_  
Event Start Date & Time: 2:00 PM Event End Date & Time: 3:30 PM 1-21-19  
Begin Tearing Down Date: \_\_\_\_\_ Complete Tear Down Date: \_\_\_\_\_  
Event Times (If more than one day, give times for each day): \_\_\_\_\_

**Is this the first time you have held this event in the City of Detroit?**  Yes  No  
If no, what years has the event been held in Detroit? 2003 to 2018  
When was the event last held in Detroit? 2018  
Where was the event last held in Detroit? WOODWARD and E. ARMS ST.  
What were the hours last year? 2:00 PM to 3:30 PM  
Project Attendance This Year (Minimum – Maximum)? 500 - 700  
What is the basis for your projected attendance? PAST attendance

**Please describe your anticipated/ target audience:**

Is this going to be an annual event?  Yes  No  
If yes, do you have a preferred/proposed for next year? MLK Holiday 2020

- If a parade is planned. Indicate elements (check all that apply):  
 People  Balloons  
 Floats  Animals  
 Vehicles  Other: \_\_\_\_\_  
 Bands

**If animals included, specify type, number and how used.** N/A  
Name of business supplying animal(s): \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_

### Section 3- LOCATION/SITE INFORMATION

Location of Event: \_\_\_\_\_

Facilities to be used (circle):    Street                      Sidewalk                      Park                      City Facility

Please attach a site plan which illustrates the anticipated layout of your event including the following:

- |                                   |  |
|-----------------------------------|--|
| -Public entrance and exit         | -Location of First Aid                 |
| -Location of merchandising booths | -Location of fire lane                 |
| -Location of food booths          | -Proposed route for walk/run           |
| -Location of garbage receptacles  | -Location of tents and canopies        |
| -Location of beverage booths      | -Sketch of street closure              |
| -Location of sound stages         | -Location of bleachers                 |
| -Location of hand washing sinks   | -Location of press area                |
| -Location of portable restrooms   | -Sketch of proposed light pole banners |

### Section 4- ENTERTAINMENT

What type of entertainment will be used? (check all that apply)

- [ ] Singers                      [ ] Magician  
[ ] Musicians                      [ ] Story Telling  
[ ] Comedians                      [ ] Other: \_\_\_\_\_

Describe the entertainment for this year's event: \_\_\_\_\_

List proposed entertainers and/or bands performing at the event: \_\_\_\_\_

Will a sound system be used?     Yes     No

If yes, what type of sound system? \_\_\_\_\_

*hand held microphone*

[ ] Acoustic-audible, sound heard within natural range

[ ] Amplified-augmented, sound increased to broaden range

The amplified sound will be used: \_\_\_\_\_

Will the event consist of a musical concert?     Yes     No

If yes, what type of music? (check all that apply)

- [ ] Live                      [ ] Recorded                      [ ] Karaoke/Lip-synch

Describe specific power needs for entertainment and/or music: \_\_\_\_\_

*none*

How many generators will be used? \_\_\_\_\_

*none*

How will the generators be fueled? \_\_\_\_\_

Name of vendor providing generators: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

### Section 5- COMMUNICATION/ADVERTISING STRATEGY

Check all applicable boxes that describe the type of promotion you plan to use to attract participants:

Radio (Specify stations):

Television (Specific stations):

Newspapers (specify papers):

Web site (identify web address):

Public Relations or Marketing Firm (Specify):

Contact Info:

Raffle (List Item(s)):

Billboards

Flyers

Street Banners

Other (specify): \_\_\_\_\_

NOTE: All raffles subject to laws of State/City.

### Section 6- SALES INFORMATION

Will there be advanced ticket sales?  Yes  No

If yes, please describe: \_\_\_\_\_

Will there be on-site ticket sales?  Yes  No

If yes, list price(s): \_\_\_\_\_

Will food be sold?  Yes  No

If yes, please pick up Special Events Vendor Packet in Suite 105:

Will merchandise be sold?  Yes  No

If yes, describe: \_\_\_\_\_

Will a percentage of the proceeds be distributed to a charitable organization?  Yes  No

If yes, describe: \_\_\_\_\_

If the event is a fundraiser, identify charity or recipient of funds: \_\_\_\_\_

Will there be vending or sales?  Yes  No

If yes, check all that apply:

Food

Merchandise

Non-Alcoholic Beverages

Alcoholic Beverages

Other (specify): \_\_\_\_\_

Indicate type of items to be sold: \_\_\_\_\_

Will these be exclusive vendors or outside vendors? (please describe): \_\_\_\_\_



**Section 7- PUBLIC SAFETY & PARKING INFORMATION**

Name of Private Security Company: Existing park contract security will be used.

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Number of Private Security Personnel Hired Per Shift: \_\_\_\_\_

Are the private security personnel (check all that apply):

Licensed  Armed  Bonded

Describe the emergency evacuation plan: \_\_\_\_\_

Describe the parking plan to accommodate anticipated attendance: \_\_\_\_\_

How will you advise attendees of parking options? \_\_\_\_\_

Are you seeking a group parking rate? \_\_\_\_\_

**Section 8- COMMUNITY IMPACT INFORMATION**

How will your event impact the surrounding community (i.e. pedestrian traffic, sound carryover, safety)? \_\_\_\_\_

Have local neighborhood groups/businesses approved your event?  Yes  No

Indicate what steps you have or will take to notify them of your event: \_\_\_\_\_

Indicate contact names and phone numbers (for verification) or attach approved letter(s): \_\_\_\_\_

**Section 9- EVENT SET-UP**

Complete the appropriate categories that apply to the event.

**Structure** None  
How Many? \_\_\_\_\_  
Size/Height \_\_\_\_\_  
Booth \_\_\_\_\_  
Tent (enclosed on 3 sides) \_\_\_\_\_  
Canopy (open on all sides) \_\_\_\_\_  
Staging/Scaffolding \_\_\_\_\_

Bleachers \_\_\_\_\_

**Company:**

Grill

Gas       Charcoal       Electrical       Propane

Fireworks (Pyrotechnics)

Aerial       Stage

Provide Sketch:

Portable Restrooms:

Standard       ADA Accessible

Vehicles

Type/Weight: \_\_\_\_\_

Other: \_\_\_\_\_

NOTE: Specific requirements must be met and special approval must be received by the Detroit Fire Department.

Will additional electrical wiring need to be installed? Specify locations, voltage, amperage, and phase.

\_\_\_\_\_  
\_\_\_\_\_

Will additional utility services be used (power, water, etc.)? Please describe.

\_\_\_\_\_

Do you plan a fireworks display? List dates, time, location, vendor, and attach certificate of insurance.

\_\_\_\_\_  
\_\_\_\_\_

**Section 10- COMPLETE ALL THAT APPLY**

**Name of Sanitation Company collecting refuse and garbage?**

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

**Name of company providing emergency medical services?**

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

**Name of company providing porta-johns.**

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

**Name of private catering company?**

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

**SPECIAL USE REQUESTS**

List any streets or possible streets you are requesting to be closed. Include the day, date, and time of requested closing and reopening. Neighborhood Signatures must be submitted with application for approval.

**Attach a map or sketch of the proposed area for closure.**

STREET NAME: KING ST.

FROM WINDWARD AVE

TO JERRY R. ST.

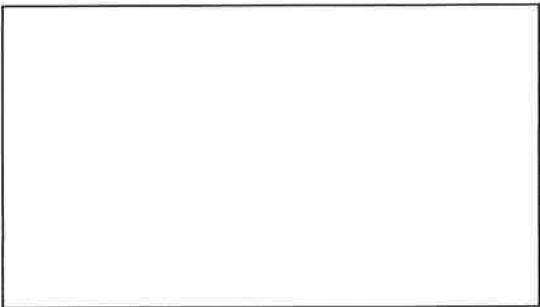
Closure Dates: 1-21-19

Beg. Time: 1:45 PM

End Time: 2:20 PM

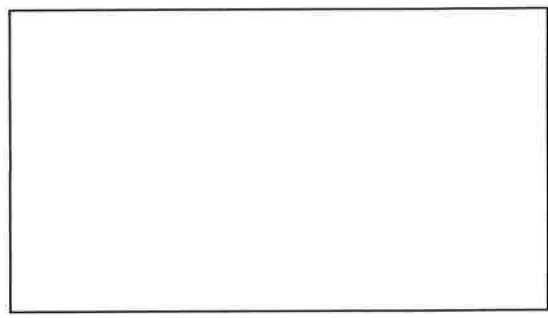
Reopen Date: 1-21-19

Time: 2:30 PM



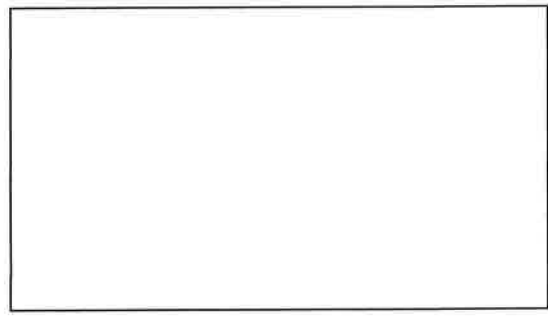
STREET NAME: Woodward Ave (West Lane)  
FROM King St.  
TO DuRoi St.

Closure Dates: 1-21-19  
Beg. Time: 2:00 PM  
End Time: 2:45 PM  
Reopen Date: 1-21-19  
Time: 2:45 PM



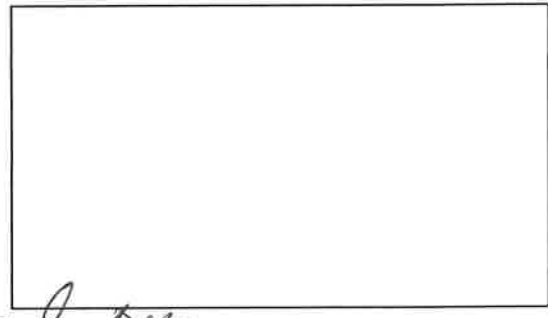
STREET NAME: DuRoi St. (EAST)  
FROM Woodward Ave.  
TO Oakland Ave.

Closure Dates: 1-21-19  
Beg. Time: 2:45 PM  
End Time: 3:15 PM  
Reopen Date: 1-21-19  
Time: 2:15 PM



STREET NAME: Oakland Ave.  
FROM DuRoi St.  
TO King St.

Closure Dates: 1-21-19  
Beg. Time: 3:15 PM  
End Time: 3:45 PM  
Reopen Date: 1-21-19  
Time: 3:45 PM



Street Name: King St. (West)  
from Oakland Ave to Woodward Ave.

Requested City Equipment 3:00 PM to 3:15 PM

Provided In: \_\_\_\_\_ (year)

Current Request: \_\_\_\_\_ (year)

Street Closures:

- Posting no parking signs
- Light pole
- Electrical Services
- Storage for Trailers/Trunks

Barricades are not available from the City of Detroit.

**ADDITIONAL INFORMATION**

Is there any additional information that you feel is important to mention regarding your event or additional requests?

People will exit church  
and return to church for indoor program

**AUTHORIZATION & AFFADAVIT OF APPLICANT**

I certify that the information contained in the foregoing application is true and correct to the best of my knowledge and belief that I have read, understand and agree to abide by the rules and regulations governing the proposed Special Event, and I understand that this application is made subject to the rules and regulation established by the Mayor or the Mayor's designee. Applicant agrees to comply with all other requirements of the City, County, State, and Federal Government and any other applicable entity, which may pertain to Special Events. I further agree to abide by these rules, and further certify that I, on behalf of the Event agree to be financially responsible for any costs and fees that may be incurred by or on behalf of the Event, to the City of Detroit.

David Spivey 1-7-19  
Signature of Applicant Date

My request writer of all costs and fees as has been the case for past 15 years.

NOTE: Completion of this form does not constitute approval of your event. Pending review by the Special Events Management Team, you will be notified of any requirements, fees, and/or restrictions pertaining to your event.

**HOLD HARMLESS AND INDEMNIFICATION**

The Applicant agrees to indemnify and hold the City of Detroit (which includes its agencies, officers, elected officials, appointed officials and employees) harmless from and against injury, loss, damage or liability (or any claims in respect of the foregoing including claims for personal injury and death, damage to property, and reasonable outside attorney's fees) arising from activities associated with this permit, except to the extent attributable to the gross negligence or intentional act or omission of the City.

Applicant affirms that Applicant has read and understands the Hold Harmless and Indemnification provision and agrees to the terms expressed therein.

**(Please Print)**

Event Name: MLK Jr. Day March Event Date: 1-21-19  
Event Organizer: MLK Jr. Day March Committee  
Applicant Signature: David Spivey Date: \_\_\_\_\_

## Proposed March Route for MLK Day January 21, 2019

1. Marchers exit St. Matthew/St. Joseph Episcopal Church at 2:00 PM and gather on King Street, just east of Woodward Ave.
2. March steps off at about 2:15 PM turning north onto Woodward Ave. using right hand lane.
3. March continues north on Woodward Ave. to Owen St.
4. March turns east onto Owen until Oakland St.
5. March turns south onto Oakland St. using right hand lane until it reaches King St.
6. March turns west onto King St. and continues to St. Matthew/St. Joseph Episcopal Church, where marchers will then enter the church.

2019-01-09

**623**

*Petition of MLK Jr. Day March  
Committee, request to hold "Martin  
Luther King Jr. Day March" at St.  
Matthew/St. Joseph Episcopal Church  
on January 21, 2019 from 2:00 PM to  
3:30 PM with closures of King St,  
Woodward Ave, Owens St, and  
Oakland Ave.*

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**REFERRED TO THE FOLLOWING DEPARTMENT(S)**

MAYOR'S OFFICE    DPW - CITY ENGINEERING DIVISION  
POLICE DEPARTMENT    FIRE DEPARTMENT  
PLANNING AND DEVELOPMENT DEPARTMENT  
BUSINESS LICENSE CENTER  
MUNICIPAL PARKING DEPARTMENT

15

**MAYOR'S OFFICE COORDINATORS REPORT**

OVERALL STATUS (please circle):  **APPROVED**  **DENIED**  **N/A**  **CANCELED**

Petition #: 626 Event Name: The Bandit - Autorama Stunt Car Jump

Event Date: March 1, 2019

Street Closure: Atwater Street

Organization Name: Championship Auto Show, Inc.

Street Address: 1092 Centre Road Auburn Hills, MI 48326

Receipt date of the <b>COMPLETED</b> Special Events Application:	
Date of City Clerk's Departmental Reference Communication:	
Due date for City Departments reports:	
Due date for the Coordinators Report to City Clerk:	

Event Elements (check all that apply):

- Walkathon       Carnival/Circus       Concert/Performance       Run/Marathon
- Bike Race       Religious Ceremony       Political Ceremony       Festival
- Filming       Parade       Sports/Recreation       Rally/Demonstration
- Fireworks       Convention/Conference       Other: Specialized Car Demonstration
- 24-Hour Liquor License

**Petition Communications** (include date/time)

3rd Annual Detroit Autorama will host a "Smokie & the Bandit" stunt car jump on Atwater Street from 11:30am - 12:15pm in conjunction with their event taking place in COBO Hall.

**\*\* ALL permits and license requirements must be fulfilled for an approval status \*\***

Date	Department	N/A	APPROVED	DENIED	Additional Comments
	DPD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DPD Assisted Event; Contracted with NAIAS Security to Provide Private Security Services
	DFD/EMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pending Inspections; Contracted with Hart Medical to Provide Private EMS Services
	DPW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROW Permit Required for Street Closure
	Health Dept.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>No Jurisdiction</b>



Date	Department	N/A	APPROVED	DENIED	Additional Comments
	TED	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Type III Barricades & Signage Required for Street Closures
	Recreation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Jurisdiction
	Bldg & Safety	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pending Inspections
	Bus. License	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Jurisdiction
	Mayor's Office	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	All Necessary permits must be obtained prior to event. If permits are not obtained, departments can enforce closure of event.
	Municipal Parking	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Jurisdiction
	DDOT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Impact on Buses

**MAYOR'S OFFICE**

Signature: Bethanie Fisher

Date: January 18, 2019

## DEPARTMENTAL REFERENCE COMMUNICATION

*Tuesday, January 08, 2019*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

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The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

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MAYOR'S OFFICE    DPW - CITY ENGINEERING DIVISION  
TRANSPORTATION DEPARTMENT    POLICE DEPARTMENT  
FIRE DEPARTMENT    PLANNING AND DEVELOPMENT DEPARTMENT  
BUSINESS LICENSE CENTER    MUNICIPAL PARKING DEPARTMENT

**626**    *Championship Auto Shows Inc., request to hold "The Bandit-Stunt Car Jump in Association with the Detroit Autorama" on Atwater Street on March 1, 2019 from 11:30 AM to 12:15 PM with the closure of a portion of Atwater Street and set up and tear down complete on the event date.*

# City of Detroit Special Events Application

Successful events are the result of advance planning, effective communication and teamwork. The City of Detroit will be strictly adhering to the Special Events Guidelines; please print them out for reference. Petitioners are required to complete the information below so that the City of Detroit may gain a thorough understanding of the scope and needs of the event. This form must be completed and returned to the Special Events and Film Handling Office at least **60 days** prior to the first date of the event. If submitted later than 60 days prior, application is subject to denial. Please type or print clearly and attach additional sheets and maps as needed.

## Section 1- GENERAL EVENT INFORMATION

Event Name: The Bandit - Stunt Car Jump in Association with the Detroit Autorama

Event Location: Atwater Street - between the most western point of Cobo Center and Civic Center Drive - attached plan layout to follow

Is this going to be an annual event?  Yes  No

## Section 2- ORGANIZATION/APPLICANT INFORMATION

Organization Name: Championship Auto Shows, Inc.

Organization Mailing Address: 1092 Centre Road, Auburn Hills, MI 48326

Business Phone: 248-373-1700 Business Website: autorama.com

Applicant Name: Sasko Dimoski

Business Phone: 248-373-1700 Cell Phone: 248-840-7063 Email: sdimoski@autorama.com

Event On-Site Contact Person:

Name: Peter Toundas

Business Phone: 248-373-1700 Cell Phone: 248-390-0069 Email: ptoundas@aol.com

Event Elements (check all that apply)

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Walkathon             | <input type="checkbox"/> Carnival/Circus   | <input type="checkbox"/> Concert/Performance                                    |
| <input type="checkbox"/> Run/Marathon          | <input type="checkbox"/> Bike Race         | <input type="checkbox"/> Religious Ceremony                                     |
| <input type="checkbox"/> Political Event       | <input type="checkbox"/> Festival          | <input type="checkbox"/> Filming  |
| <input type="checkbox"/> Parade                | <input type="checkbox"/> Sports/Recreation | <input type="checkbox"/> Rally/Demonstration                                    |
| <input type="checkbox"/> Convention/Conference | <input type="checkbox"/> Fireworks         | <input checked="" type="checkbox"/> Other: <u>Specialized Car Demonstration</u> |

Please provide a brief description of your event:

**What are the projected set-up, event and tear down dates and times (must be completed)?**

Begin Set-up Date : **3/1/2019** Time: **11:00 a.m.** Complete Set-up Date: **3/1/2019** Time: **11:15 a.m.**

Event Start Date: **3/1/2019** Time: **11:30 a.m.** Event End Date: **3/1/2019** Time: **12:15 p.m.**

Begin Tearing Down Date: **3/1/2019** Complete Tear Down Date: **3/1/2019**

Event Times (If more than one day, give times for each day):

Location of Event:

Facilities to be used (circle): Street Sidewalk Park City  
Facility

Please attach a copy of Port-a-John, Sanitation, and Emergency Medical Agreements as well as a site plan which illustrates the anticipated layout of your event including the following:

- Public entrance and exit
- Location of merchandising booths
- Location of food booths
- Location of garbage receptacles
- Location of beverage booths
- Location of sound stages
- Location of hand washing sinks
- Location of portable restrooms
- Location of First Aid
- Location of fire lane
- Proposed route for walk/run
- Location of tents and canopies
- Sketch of street closure
- Location of bleachers
- Location of press area
- Sketch of proposed light pole banners

**Section 4- ENTERTAINMENT**

Describe the entertainment for this year's event: Stunt vehicle will be performing a jump - via a ramp.

Will a sound system be used?  Yes  No

If yes, what type of sound system?

Describe specific power needs for entertainment and/or music: None

How many generators will be used? None

How will the generators be fueled? N/A

Name of vendor providing generators: N/A

Contact Person:

Address:

Phone:

City/State/Zip

**Section 5- SALES INFORMATION**

Will there be advanced ticket sales?  Yes  No

If yes, please describe:

Will there be on-site ticket sales?  Yes  No

If yes, list price(s):

Will there be vending or sales?  Yes  No

If yes, check all that apply:

[ ] Food      [ ] Merchandise      [ ] Non-Alcoholic Beverages      [ ] Alcoholic Beverages

Indicate type of items to be sold: None

**Section 6- PUBLIC SAFETY & PARKING INFORMATION**

Name of Private Security Company: **NAIAS Security Services, L.L.C.**

Contact Person: **Harold Kuhn**

Address: **1900 W. Big Beaver, Suite 202**

Phone: **248-722-4309**

City/State/Zip: **Troy, MI 48084**

Number of Private Security Personnel Hired Per Shift: **Varies**

Are the private security personnel (check all that apply):

Licensed

Armed

Bonded

O  
W

How will you advise attendees of parking options? **Parking handled traditionally, no need for special parking accomodations.**



**SPECIAL USE REQUESTS**

List any streets or possible streets you are requesting to be closed. Include the day, date, and time of requested closing and reopening. Neighborhood Signatures must be submitted with application for approval. Barricades are not available from the City of Detroit.

Attach a map or sketch of the proposed area for closure.

**STREET NAME:** Atwater Street - between most western point of Cobo Center and Civic Center Drive -

**Attachement to Follow** \_\_\_\_\_

**FROM:** March 1, 2019 - 11:00 a.m **TO:** March 1, 2019 - 12:05 p.m.

**CLOSURE DATES:** March 1, 2019 **BEG TIME:** 10:30 a.m. **END TIME:** 12:15 p.m.

**REOPEN DATE:** March 1, 2018 **TIME:** 12:30 p.m.

**STREET NAME:** \_\_\_\_\_

**FROM:** \_\_\_\_\_ **TO:** \_\_\_\_\_

**CLOSURE DATES:** \_\_\_\_\_ **BEG TIME:** \_\_\_\_\_ **END TIME:** \_\_\_\_\_

**REOPEN DATE:** \_\_\_\_\_ **TIME:** \_\_\_\_\_

**STREET NAME:** \_\_\_\_\_

**FROM:** \_\_\_\_\_ **TO:** \_\_\_\_\_

**CLOSURE DATES:** \_\_\_\_\_ **BEG TIME:** \_\_\_\_\_ **END TIME:** \_\_\_\_\_

**REOPEN DATE:** \_\_\_\_\_ **TIME:** \_\_\_\_\_

**STREET NAME:** \_\_\_\_\_

**FROM:** \_\_\_\_\_ **TO:** \_\_\_\_\_

**CLOSURE DATES:** \_\_\_\_\_ **BEG TIME:** \_\_\_\_\_ **END TIME:** \_\_\_\_\_

**REOPEN DATE:** \_\_\_\_\_ **TIME:** \_\_\_\_\_

**STREET NAME:** \_\_\_\_\_

**FROM:** \_\_\_\_\_ **TO:** \_\_\_\_\_

**CLOSURE DATES:** \_\_\_\_\_ **BEG TIME:** \_\_\_\_\_ **END TIME:** \_\_\_\_\_

**REOPEN DATE:** \_\_\_\_\_ **TIME:** \_\_\_\_\_

**PLEASE ADD IMPORTANT INFORMATION BELOW AND ATTACH A COPY OF THE FOLLOWING:**

- 1) **CERTIFICATE OF INSURANCE - See attached**
- 2) **EMERGENCY MEDICAL AGREEMENT - To follow**
- 3) **SANITATION AGREEMENT - N/A**
- 4) **PORT-A-JOHN AGREEMENT - N/A**
- 5) **COMMUNITY COMMUNICATION - To Follow**

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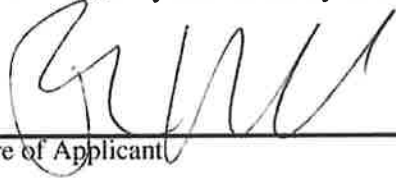
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**AUTHORIZATION & AFFADAVIT OF APPLICANT**

I certify that the information contained in the foregoing application is true and correct to the best of my knowledge and belief that I have read, understood and agreed to abide by the rules and regulations governing the proposed Special Event, and I understand that this application is made subject to the rules and regulations established by the Mayor or the Mayor's designee. Applicant agrees to comply with all other requirements of the City, County, State, and Federal Government and any other applicable entity, which may pertain to Special Events. I further agree to abide by these rules, and further certify that I, on behalf of the Event agree to be financially responsible for any costs and fees that may be incurred by or on behalf of the Event, to the City of Detroit.



12/4/18

Signature of Applicant

Date

NOTE: Completion of this form does not constitute approval of your event. Pending review by the Special Events Management Team, you will be notified of any requirements, fees, and/or restrictions pertaining to your event.

**HOLD HARMLESS AND INDEMNIFICATION**

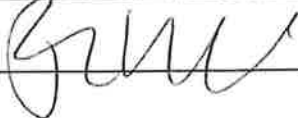
The Applicant agrees to indemnify and hold the City of Detroit (which includes its agencies, officers, elected officials, appointed officials and employees) harmless from and against injury, loss, damage or liability (or any claims in respect of the foregoing including claims for personal injury and death, damage to property, and reasonable outside attorney's fees) arising from activities associated with this permit, except to the extent attributable to the gross negligence or intentional act or omission of the City.

Applicant affirms that Applicant has read and understands the Hold Harmless and Indemnification provision and agrees to the terms expressed therein.

(Please Print)

Event Name: Bandit Car Jump in assoc. with the Detroit Autorama Event Date: 3/1/2019

Event Organizer: Championship Auto Shows, Inc.

Applicant Signature:  Date: 12/4/18

2019-01-09

626

626

*Petition of Championship Auto Shows Inc., request to hold "The Bandit-Stunt Car Jump in Association with the Detroit Autorama" on Atwater Street on March 1, 2019 from 11:30 AM to 12:15 PM with the closure of a portion of Atwater Street and set up and tear down complete on the event date.*

**REFERRED TO THE FOLLOWING DEPARTMENT(S)**

- MAYOR'S OFFICE    DPW - CITY ENGINEERING DIVISION
- TRANSPORTATION DEPARTMENT    POLICE DEPARTMENT
- FIRE DEPARTMENT    PLANNING AND DEVELOPMENT DEPARTMENT
- BUSINESS LICENSE CENTER    MUNICIPAL PARKING

**MAYOR'S OFFICE COORDINATORS REPORT**

OVERALL STATUS (please circle):  APPROVED  DENIED  N/A  CANCELED

Petition #: 653 Event Name: Cupid's Undie Run - Detroit

Event Date : February 9, 2019

Street Closure: Various

Organization Name: Cupid's Charity

Street Address: 3457 Ringsby Ct. Suite 205 Denver, CO 80216

Receipt date of the <b>COMPLETED</b> Special Events Application:	
Date of City Clerk's Departmental Reference Communication:	
Due date for City Departments reports:	
Due date for the Coordinators Report to City Clerk:	

Event Elements (check all that apply):

- Walkathon       Carnival/Circus       Concert/Performance       Run/Marathon
- Bike Race       Religious Ceremony       Political Ceremony       Festival
- Filming       Parade       Sports/Recreation       Rally/Demonstration
- Fireworks       Convention/Conference       Other: \_\_\_\_\_
- 24-Hour Liquor License**

**Petition Communications** (include date/time)

Cupid's Charity 7th Annual 1 Mile Fun Run to benefit Neurofibromatosis at the Filmore Detroit on Woodward Avenue (sidewalk only), Park Street and Clifford Avenue from 12:00pm - 4:00pm.

**\*\* ALL permits and license requirements must be fulfilled for an approval status \*\***

Date	Department	N/A	APPROVED	DENIED	Additional Comments
	DPD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DPD Assisted Event
	DFD/EMS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contracted with Hart EMS to Provide Private Medical Services
	DPW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DPD Assisted; No Permits Required
	Health Dept.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>No Jurisdiction</b>

Date	Department	N/A	APPROVED	DENIED	Additional Comments
	TED	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contracted with POCO to Provide Barricades & Signage for Street Closures
	Recreation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Jurisdiction
	Bldg & Safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Jurisdiction
	Bus. License	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Jurisdiction
	Mayor's Office	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	All Necessary permits must be obtained prior to event. If permits are not obtained, departments can enforce closure of event.
	Municipal Parking	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Purchase of Parking Meters Required
	DDOT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Impact on Buses

**MAYOR'S OFFICE**

Signature: Bethanie Lusher

Date: January 9, 2019

## DEPARTMENTAL REFERENCE COMMUNICATION

*Tuesday, January 22, 2019*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

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The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

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MAYOR'S OFFICE    DPW - CITY ENGINEERING DIVISION  
PLANNING AND DEVELOPMENT DEPARTMENT    POLICE DEPARTMENT  
FIRE DEPARTMENT    TRANSPORTATION DEPARTMENT  
MUNICIPAL PARKING DEPARTMENT    BUSINESS LICENSE CENTER

**653**    *Cupid's Charity, request to hold "Cupid's Undie Run - Detroit" on February 9, 2019 from 12:00 PM to 4:00 PM beginning at the Filmore with various temporary street closures.*

# City of Detroit Special Events Application

Successful events are the result of advance planning, effective communication and teamwork. The City of Detroit will be strictly adhering to the Special Events Guidelines; please print them out for reference. Petitioners are required to complete the information below so that the City of Detroit may gain a thorough understanding of the scope and needs of the event. This form must be completed and returned to the Special Events and Film Handling Office at least 60 days prior to the first date of the event. If submitted later than 60 days prior, application is subject to denial. Please type or print clearly and attach additional sheets and maps as needed.

## Section 1- GENERAL EVENT INFORMATION

Event Name: Cupid's Undie Run - Detroit

Event Location: The Fillmore

Is this going to be an annual event?  Yes  No

## Section 2- ORGANIZATION/APPLICANT INFORMATION

Organization Name: Cupid's Charity

Organization Mailing Address: 3457 Ringsby Ct Suite 205 Denver, CO 80216

Business Phone: 312-805-3515 Business Website: www.cupids.org

Applicant Name: Jamie Balhon

Business Phone: 312-805-3515 Cell Phone: 312-805-3515 Email: jamie@cupids.org

### Event On-Site Contact Person:

Name: Amy Boulas

Business Phone: 303-507-7562 Cell Phone: 303-507-7562 Email: amy@cupids.org

### Event Elements (check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Walkathon               | <input type="checkbox"/> Carnival/Circus   | <input type="checkbox"/> Concert/Performance         |
| <input checked="" type="checkbox"/> Run/Marathon | <input type="checkbox"/> Bike Race         | <input type="checkbox"/> Religious Ceremony          |
| <input type="checkbox"/> Political Event         | <input type="checkbox"/> Festival          | <input type="checkbox"/> Filming                     |
| <input type="checkbox"/> Parade                  | <input type="checkbox"/> Sports/Recreation | <input type="checkbox"/> Rally/Demonstration         |
| <input type="checkbox"/> Convention/Conference   | <input type="checkbox"/> Fireworks         | <input type="checkbox"/> Other: <u>Charity Event</u> |

Projected Number of Attendees: 1000

### Please provide a brief description of your event:

Cupid's Charity requests to hold "Cupid's Undie Run - Detroit" starting at 2115 Woodward Ave and around the downtown area (1 mile brief "fun-run" on February 9<sup>th</sup> 2019 from 12-4pm with temporary street closures. The event has been in the Detroit area since 2013 and funds critical research dollars for the genetic disease Neurofibromatosis (NF).

**What are the projected set-up, event and tear down dates and times (must be completed)?**

Begin Set-up Date: 2/9 Time: 10am Complete Set-up Date: 2/9 Time: 12pm

Event Start Date: 2/9 Time: 12pm Event End Date: 2/9 Time: 4pm

Begin Tearing Down Date: 2/9 4pm Complete Tear Down Date: 2/9 5pm

Event Times (If more than one day, give times for each day):

Only 1 day – Saturday February 9<sup>th</sup> 2019

**Section 3- LOCATION/SITE INFORMATION**

Location of Event: The Fillmore and surrounding streets for a brief period of time

Facilities to be used (circle):  
Facility



Park

City

Please attach a copy of Port-a-John, Sanitation, and Emergency Medical Agreements as well as a site plan which illustrates the anticipated layout of your event including the following: \* NOTE – ONLY ATTACHING ROUTE MAP AND ENTRANCES, AS OTHER THAN OUR 1 MILE RUN, OUR EVENT IS HELD INDOORS AT THE FILLMORE EVENT VENUE

- Public entrance and exit
- Location of merchandising booths
- Location of food booths
- Location of garbage receptacles
- Location of beverage booths
- Location of sound stages
- Location of hand washing sinks
- Location of portable restrooms

- Location of First Aid
- Location of fire lane
- Proposed route for walk/run
- Location of tents and canopies
- Sketch of street closure
- Location of bleachers
- Location of press area
- Sketch of proposed light pole banners

**Section 4- ENTERTAINMENT**

Describe the entertainment for this year's event: We will have an on-site DJ or radio station emcee

that will be indoors

Will a sound system be used?  Yes  No

If yes, what type of sound system? Venues internal sound system and potentially a radio van out front to play music for 30 minutes during the event start

**Section 5- SALES INFORMATION**

Will there be advanced ticket sales?  Yes  No

If yes, please describe: Ticket sales start at \$25 and increase in price through a price jump calendar. We offer individuals opportunities to utilize promotions and events for discounted admission as well.

Will there be on-site ticket sales?  Yes  No

If yes, list price(s): \$50 for a walk up ticket

Will there be vending or sales?  Yes  No  
If yes, check all that apply:

[ ] Food [ ] Merchandise [ ] Non-Alcoholic Beverages [ ] Alcoholic Beverages

Indicate type of items to be sold:

Will there be food trucks?  Yes  No  
If yes, please list how many:

Will there be a charge for parking?  Yes  No  
If yes, please describe the amount:

How will you advise attendees of parking options? We will share ride share options/promotional codes and parking information via email to our participants and via our FB Event Group

### Section 6- PUBLIC SAFETY & PARKING INFORMATION

Name of Private Security Company: Will be using police officers for the route and potentially security guards as suggested by The Fillmore

Contact Person:

Address: TBD

Phone:

City/State/Zip:

Number of Private Security Personnel Hired Per Shift:

Are the private security personnel (check all that apply):

[ ] Licensed

[ ] Armed

[ ] Bonded

### Section 7- COMMUNICATION & COMMUNITY IMPACT INFORMATION

How will your event impact the surrounding community (i.e. pedestrian traffic, sound carryover, safety)?  
Temporary street closures

Have local neighborhood groups/businesses approved your event?  Yes  No

Indicate what steps you have or will take to notify them of your event:

We will communicate our plan to those businesses and residents with the help of the Fillmore. We have not had issues with our event in the 6+ years past, which is a positive sign.

### Section 8- EVENT SET-UP

Complete the appropriate categories that apply to the event Structure



**Describe specific power needs for entertainment and/or music. If generators will be used, described how many and how they will be fueled;**

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**Name of vendor providing generators: Contact Person:**

**Address:**

**Phone:**

**City/State/Zip**

**How Many?**

**Size/Height**

**Booth**

**Tents (enclosed on 3 sides)**

**Canopy (open on all sides)**

**Staging/Scaffolding**

**Bleachers**

**Section 9- COMPLETE ALL THAT APPLY**

**Emergency medical services?**

**Contact Person: Hart EMS Medical Services PLLC**

**Address: 12365 Shrewsbury**

**City/State/Zip: Farmington Hills, MI**

**Name of company providing port-a-johns.**

**Contact Person: N/A**

**Address:**

**Phone:**

**City/State/Zip:**

**Name of private catering company?**

**Contact Person: N/A**

**Address:**

**Phone:**

**City/State/Zip:**

**SPECIAL USE REQUESTS**

List any streets or possible streets you are requesting to be closed. Include the day, date, and time of requested closing and reopening. Neighborhood Signatures must be submitted with application for approval. Barricades are not available from the City of Detroit.

Will there be street closures?     Yes     No

If yes, please complete the street closure information below and attach a map or sketch of the proposed area for closure.

**STREET NAME:** See attached

**FROM:** \_\_\_\_\_ **TO:** \_\_\_\_\_

**CLOSURE DATES:** \_\_\_\_\_ **BEG TIME:** \_\_\_\_\_ **END TIME:** \_\_\_\_\_

**REOPEN DATE:** \_\_\_\_\_ **TIME:** \_\_\_\_\_

**STREET NAME:** See attached

**FROM:** \_\_\_\_\_ **TO:** \_\_\_\_\_

**CLOSURE DATES:** \_\_\_\_\_ **BEG TIME:** \_\_\_\_\_ **END TIME:** \_\_\_\_\_

**REOPEN DATE:** \_\_\_\_\_ **TIME:** \_\_\_\_\_

**STREET NAME:** See attached

**FROM:** \_\_\_\_\_ **TO:** \_\_\_\_\_

**CLOSURE DATES:** \_\_\_\_\_ **BEG TIME:** \_\_\_\_\_ **END TIME:** \_\_\_\_\_

**REOPEN DATE:** \_\_\_\_\_ **TIME:** \_\_\_\_\_

**STREET NAME:** See attached

**FROM:** \_\_\_\_\_ **TO:** \_\_\_\_\_

**CLOSURE DATES:** \_\_\_\_\_ **BEG TIME:** \_\_\_\_\_ **END TIME:** \_\_\_\_\_

**REOPEN DATE:** \_\_\_\_\_ **TIME:** \_\_\_\_\_

**STREET NAME:** See attached

**FROM:** \_\_\_\_\_ **TO:** \_\_\_\_\_

**CLOSURE DATES:** \_\_\_\_\_ **BEG TIME:** \_\_\_\_\_ **END TIME:** \_\_\_\_\_

**REOPEN DATE:** \_\_\_\_\_ **TIME:** \_\_\_\_\_

**PLEASE ADD IMPORTANT INFORMATION BELOW AND ATTACH A COPY OF THE FOLLOWING:**

- 1) CERTIFICATE OF INSURANCE**
  - 2) EMERGENCY MEDICAL AGREEMENT**
  - 3) SANITATION AGREEMENT**
  - 4) PORT-A-JOHN AGREEMENT**
  - 5) COMMUNITY COMMUNICATION**
- 

- 1.) COI has been requested and is in process – attached is the COI for 2017-2018 for reference
  - 2.) Sanitation agreement is N/A
  - 3.) Emergency medical agreement is N/A but we will work to have an EMS on site in case of minor injuries
  - 4.) Community Communication will be carried out at the following businesses via email on 1/7: Hot Taco, Town Pump Tavern, Centaur Cocktails and Small Plates, Cliff Bells, Colony Club, and Park Avenue Horse. All businesses agreed for the event in 2017/2018 (see attached).
  - 5.) Port-a-john agreement is N/A
- 
- 
-

**AUTHORIZATION & AFFADAVIT OF APPLICANT**

I certify that the information contained in the foregoing application is true and correct to the best of my knowledge and belief that I have read, understood and agreed to abide by the rules and regulations governing the proposed Special Event, and I understand that this application is made subject to the rules and regulations established by the Mayor or the Mayor's designee. Applicant agrees to comply with all other requirements of the City, County, State, and Federal Government and any other applicable entity, which may pertain to Special Events. I further agree to abide by these rules, and further certify that I, on behalf of the Event agree to be financially responsible for any costs and fees that may be incurred by or on behalf of the Event, to the City of Detroit.

*Jamie Balhon*

1.3.2019

Signature of Applicant

Date

NOTE: Completion of this form does not constitute approval of your event. Pending review by the Special Events Management Team, you will be notified of any requirements, fees, and/or restrictions pertaining to your event.

**HOLD HARMLESS AND INDEMNIFICATION**

The Applicant agrees to indemnify and hold the City of Detroit (which includes its agencies, officers, elected officials, appointed officials and employees) harmless from and against injury, loss, damage or liability (or any claims in respect of the foregoing including claims for personal injury and death, damage to property, and reasonable outside attorney's fees) arising from activities associated with this permit, except to the extent attributable to the gross negligence or intentional act or omission of the City.

Applicant affirms that Applicant has read and understands the Hold Harmless and Indemnification provision and agrees to the terms expressed therein.

**(Please Print)**

Event Name: Cupid's Undie Run Event

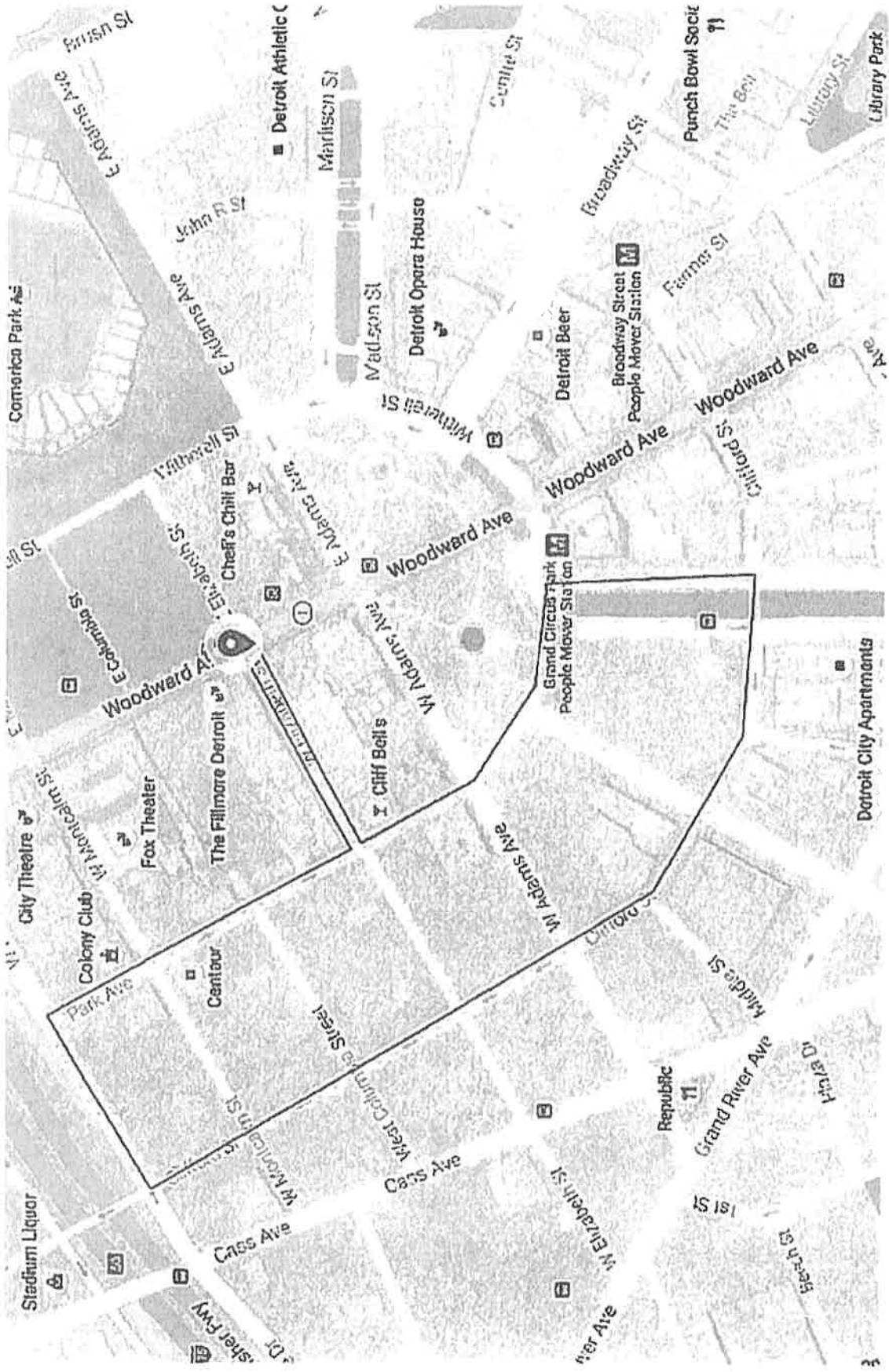
Date: 2.09.2019

**Event Organizer:**

Cupid's Charity

Applicant Signature: *Jamie Balhon*

Date: 1.3.2019



**Closures:**

- West Elizabeth Street between Woodward Avenue and Park Avenue
- Park Avenue between West Fisher Service Drive and Washington Boulevard
- West Fisher Service Drive between Park Avenue and Clifford Street
- Clifford Street between West Fisher Service Drive and Washington Boulevard

# NEIGHBORHOOD NOTIFICATION FORM

If your Special Event does not require street closures, parking located in front of a business or residential community, signatures are not required. The Special Events Office requires notification letters to be distributed in the event location. All information must be legible and the business and/or residents name must be included.

Complete the chart below with your letter distribution details.

Name	Address	Phone Number	Signature	Date
Hot Taco	2233 Park Ave. Detroit, MI 48201	313-963-4545	<i>Janet Mallory</i>	1-25-18
The Town Pump Tavern	100 W. Montcalm Detroit, MI 48201	313-961-1929	<i>JAMES L J. MILLAR</i>	1/25/18
Centaur Cocktails & Small Plates	2233 Park Ave Detroit, MI 48201	313-963-4040	<i>[Signature]</i>	1-25-18
Cliff Bells	2030 Park Ave. Detroit, MI 48201	313-961-2543	<i>[Signature]</i>	1/25/18
Park Bar	2040 Park Ave Detroit, MI 48226	313-926-2933	<i>[Signature]</i>	
	<i>kharris@gemtheatre.com</i>			
Colony Club	2310 Park Ave. Detroit, MI 48201	313-483-4215	Notified via e-mail	1/25/18
Park Avenue House	2305 Park Ave Detroit, MI 48201	313-961-8310	<i>[Signature]</i>	01/25/18

The list above will be checked randomly for credibility. Any false information will be addressed and the Special Events permit may be revoked. The completed form must be returned to the Special Events Office 30 days before the Special Event. By signing, I verify that the information above is true and confirmed.

Authorized Signature: *[Signature]* Date: 1/31/18



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
1/9/2019

**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.**

**IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).**

<b>PRODUCER</b> Select Commercial Lines - (602) 666-4800 USI Insurance Services LLC 2421 West Peoria Ave, Suite 110 Phoenix, AZ 85029	<b>CONTACT NAME:</b> Kristin Humphreys <b>PHONE (AC, Ho, Ext):</b> 602.666.4784 <b>FAX (AC, Ho):</b> 866-359-4390 <b>E-MAIL ADDRESS:</b> kristin.humphreys@usi.com														
<b>INSURED</b> Cupid Charities 3457 Ringsby Ct Unit 205 Denver CO 80216	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: United States Fire Insurance Company</td> <td style="text-align: center;">21113</td> </tr> <tr> <td>INSURER B: United States Liability Ins Co.</td> <td style="text-align: center;">25895</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: United States Fire Insurance Company	21113	INSURER B: United States Liability Ins Co.	25895	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER B: United States Liability Ins Co.	25895														
INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															

**COVERAGES**                              **CERTIFICATE NUMBER: 13820416**                              **REVISION NUMBER: See below**

**THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.**

INSR LTR	TYPE OF INSURANCE	ADDITIONAL SUBR INSD WVT	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:	X	USP284077	02/01/2019	03/01/2019	EACH OCCURRENCE	\$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
						MED EXP (Any one person)	\$ 5,000
						PERSONAL & ADV INJURY	\$ 1,000,000
						GENERAL AGGREGATE	\$ 2,000,000
						PRODUCTS - COM/OP AGG	\$ 2,000,000
						\$	\$
B	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		NBP1562839D	10/13/2018	10/13/2019	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
						\$	\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE	\$
						AGGREGATE	\$
						\$	\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A			PER STATUTE    OTH-ER	\$
						E.L. EACH ACCIDENT	\$
						E.L. DISEASE - EA EMPLOYEE	\$
						E.L. DISEASE - POLICY LIMIT	\$
A	Participant Accident		US1025022	02/01/2019	03/01/2019	\$10,000 maximum benefit	

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**  
 RE: Uncle Run Event Being Held on February 9, 2019; Live Nation Entertainment, Inc; The City of Detroit; Quicken Loans-Main Office-Compuware; and the Filmore Detroit are additionally insured by endorsement as per written agreement as pertains to general liability

<b>CERTIFICATE HOLDER</b> Live Nation Entertainment, Inc. 9348 Civic Center Dr. Beverly Hills, CA 90210	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
--	--



2019-01-17

**653**

**653** *Petition of Cupid's Charity, request to hold "Cupid's Undie Run - Detroit" on February 9, 2019 from 12:00 PM to 4:00 PM beginning at the Filmore with various temporary street closures.*

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**REFERRED TO THE FOLLOWING DEPARTMENT(S)**

- MAYOR'S OFFICE
- DPW - CITY ENGINEERING DIVISION
- PLANNING AND DEVELOPMENT DEPARTMENT
- POLICE DEPARTMENT
- FIRE DEPARTMENT
- TRANSPORTATION DEPARTMENT
- MUNICIPAL PARKING DEPARTMENT
- BUSINESS

**OFFICE OF CONTRACTING  
AND PROCUREMENT**

February 1, 2019

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

3029933      100% City Funding – To Provide Emergency Residential Demolition at 1296 Belvidere, 2900 Bewick, 3977 Lemay, and 4555-59 Cooper. – Contractor: Adamo – Location: 320 E. Seven Mile Rd., Detroit, MI 48203 – Contract Period: Upon City Council Approval through January 27, 2020 – Total Contract Amount: \$151,700.00. **HOUSING AND REVITALIZATION**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer  
Office of Contracting and Procurement

**BY COUNCIL MEMBER**           **BENSON**          

**RESOLVED**, that Contract No. 3029933 referred to in the foregoing communication dated February 1, 2019, be hereby and is approved.

**OFFICE OF CONTRACTING  
AND PROCUREMENT**

February 1, 2019

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

3030689      100% City Funding – To Provide Emergency Residential Demolition at 15464 Virgil, 15707 Riverdale Dr., 15341 Beaverland, and 15751 Chatham. – Contractor: Rickman Enterprise Group – Location: 15533 Woodrow Wilson, Detroit, MI 48238 – Contract Period: Upon City Council Approval through June 13, 2019 – Total Contract Amount: \$67,911.00. **HOUSING AND REVITALIZATION**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer  
Office of Contracting and Procurement

**BY COUNCIL MEMBER**           **BENSON**          

**RESOLVED**, that Contract No. 3030689 referred to in the foregoing communication dated February 1, 2019, be hereby and is approved.



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October 26, 2018

HONORABLE CITY COUNCIL

**RE: ADDRESS: 13242 Chicago**  
**NAME: Detroit Wealth 401K Plan**  
**Date ordered removed: Sept. 17, 2018**

In response to the request for a deferral of the demolition and Environmental Department (BSEED) submits the

*Returned w/ signature 11/2/18*

the Buildings, Safety Engineering

A special inspection on **October 16, 2018** revealed the has paid all taxes and is current. The proposed use of request for this property.

is sound and repairable. The owner occupancy. **This is the 1<sup>st</sup> deferral**

**Therefore, it is 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 that notice was provided to the applicant of the City Council decision.**
2. **The owner must contact BSEED to request a progress inspection within forty-five (45) calendar days from the date of the rehabilitation permit and thereafter submit inspection reports every forty-five (45) calendar days to BSEED to demonstrate progress during the approved time frame for rehabilitation.**
3. **The building shall have all imminently hazardous conditions immediately corrected and 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**
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.**

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 followed, we may proceed with demolition without further hearings. And, 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: Detroit Wealth 401K Plan, 3050 Union Lake RD-8F, Commerce Twp., MI 48382  
Detroit Wealth 401K Plan. 7670 Windgate Circle, W. Bloomfield, MI 48323



21

October 26, 2018

HONORABLE CITY COUNCIL

**RE: ADDRESS: 12515 E. Seven Mile  
NAME: Superior Financial Investments LLC  
Date ordered removed: 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 on **October 16, 2018** 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 1<sup>st</sup> deferral request for this property.**

**Therefore, it is 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 that notice was provided to the applicant of the City Council decision.**
2. **The owner must contact BSEED to request a progress inspection within forty-five (45) calendar days from the date of the rehabilitation permit and thereafter submit inspection reports every forty-five (45) calendar days to BSEED to demonstrate progress during the approved time frame for rehabilitation.**
3. **The building shall have all imminently hazardous conditions immediately corrected and 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
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.**

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 followed, we may proceed with demolition without further hearings. And, 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: Superior Financial Investments LLC, 14900 Wilshire, Detroit, MI 48213



October 26, 2018

HONORABLE CITY COUNCIL

**RE: ADDRESS: 8345 Van Dyke**  
**NAME: Superior Financial Investmenta LLC**  
**Date ordered removed: April 20, 2015**

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 on **October 16, 2018** 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 1<sup>st</sup> deferral request for this property.**

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

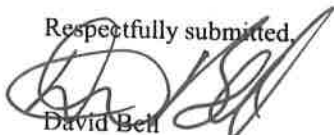
1. **A permit for rehabilitation work shall be applied for within ten (10) business days from the date that notice was provided to the applicant of the City Council decision.**
2. **The owner must contact BSEED to request a progress inspection within forty-five (45) calendar days from the date of the rehabilitation permit and thereafter submit inspection reports every forty-five (45) calendar days to BSEED to demonstrate progress during the approved time frame for rehabilitation.**
3. **The building shall have all imminently hazardous conditions immediately corrected and 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**
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.**

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 followed, we may proceed with demolition without further hearings. And, 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: NDK Properties, 1600 Clay, Detroit, MI 48211  
ATTN: Nikolas Kefallings



23

Date: December 3, 2018

HONORABLE CITY COUNCIL

RE: **RECOMMENDATION FOR DEFERRAL**  
**ADDRESS: 1530 Springwells**  
**NAME: Detroit Renaissance Fund LLC**  
**Demolition Ordered: January 22, 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 November 30, 2018 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 1<sup>st</sup> 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





24

October 26, 2018

HONORABLE CITY COUNCIL

**RE: ADDRESS: 1850 E. McNichols**  
**NAME: 120 Nassau Corp.**  
**Date ordered removed: July 28, 2014**

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 on **October 23, 2018** 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 1<sup>st</sup> deferral request for this property.**

**Therefore, it is 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 that notice was provided to the applicant of the City Council decision.**
2. **The owner must contact BSEED to request a progress inspection within forty-five (45) calendar days from the date of the rehabilitation permit and thereafter submit inspection reports every forty-five (45) calendar days to BSEED to demonstrate progress during the approved time frame for rehabilitation.**
3. **The building shall have all imminently hazardous conditions immediately corrected and 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**
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.**

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 followed, we may proceed with demolition without further hearings. And, 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: 120 Nassau Corp., 120 Nassau ST, New York, NY 10038  
Angela Stewart, 18242 Birwood, Detroit, MI 48221




David Whitaker, Esq.  
Director  
Irvin Corley, Jr.  
Executive Policy  
Manager  
Marcell R. Todd, Jr.  
Senior City Planner  
Janese Chapman  
Deputy Director

# 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  
Derrick Headd  
Marcel Hurt, Esq.  
Kimani Jeffrey  
Anne Marie Langan  
Jamie Murphy  
Kim Newby  
Analine Powers, Ph.D.  
Jennifer Reinhardt  
Sabrina Shockley  
Thomas Stephens, Esq.  
David Teeter

LaKisha Barclift, Esq.  
M. Rory Bolger, Ph.D.,  
AICP  
Elizabeth Cabot. Esq.

TO: The Honorable Detroit City Council  
FROM: David Whitaker, Director   
Legislative Policy Division Staff  
DATE: January 28, 2019  
RE: **Impact of Proposal 18-1 on Criminal Prosecutions**

CITY CLERK 2019 JAN 28 4:42:22

Council Member Ayers has asked the Legislative Policy Division (LPD) to “provide an analysis of which violations will be changed from crimes to civil infractions under the new law from Proposal 18-1,” as well as to address whether the changes will be retroactive or make prior convictions eligible for expungement.

### Enactment and Implementation

Michigan Proposal 18-1 was adopted by Michigan voters on November 6, 2018, and took effect on December 6, 2018, as Initiated law 1 of 2018, *Michigan Regulation and Taxation of Marihuana Act* (“the Act”). (Attached) While recreational marijuana cannot be legally sold or purchased in Michigan prior to the adoption of administrative rules by the Michigan Department of Licensing and Regulatory Affairs (LARA), it can be grown and exchanged without remuneration as of December 6, 2018. LARA has one year from the effective date of the legislation to establish its guidelines. MCL 333.27958.

### Permissible Activity

Briefly, as enumerated under section 5 of the Act, **people 21 or older are allowed** to possess up to 2.5 ounces of marijuana on their person or in their homes and up to 10 ounces in their homes provided the excess (over 2.5 ounces) is secured. It also allows individuals to grow up to 12 plants in their homes for personal use, provided the plants are not visible from a public place without the use of binoculars (MCL 333.27954(f)). Section 5 specifically states that **possession, as well as the other marijuana related acts listed, are authorized, not unlawful, not offenses, not grounds for seizing or forfeiting property, not grounds for arrest, prosecution, or**

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penalty in any manner, and not grounds to deny any other right or privilege, including custody or visitation with a minor. See, MCL 333.27955.

### Prohibited Activity

However, as enumerated under section 4 of the Act, **it remains unlawful** to: operate a vehicle (or boat, aircraft, snowmobile, etc.) while under the influence of marijuana; give or sell marijuana to a person under 21; to possess or consume marijuana if under age 21; to consume marijuana in public; to cultivate marijuana plants in a location visible to the public; etc. See section 4 of the Act, MCL 333.27954. The statute addresses a number of other unlawful practices specific to marijuana processing, as well as other conditions and limitations.

### Penalties

Section 15 of the newly adopted state law (MCL 333.27965) specifically addresses changes in State law as to penalties for marijuana related offenses, **reducing and limiting most violations to civil infractions** or, at most, misdemeanors. The penalties delineated in section 15 of the Act do not apply to the **prohibited conduct** described in section 4, which conduct includes operating a vehicle while under the influence of, or while consuming, marijuana; transferring marijuana to a person under the age of 21; possessing marijuana if under 21; possessing marijuana/accessories on the grounds of a school or correctional facility; etc.

#### 333.27965 Violations; penalties.

##### Sec. 15.

A person who commits any of the following acts, and is not otherwise authorized by this act to conduct such activities, **may be punished only as provided in this section and is not subject to any other form of punishment or disqualification**, unless the person consents to another disposition authorized by law:

1. Except for a person who engaged in conduct described in sections 4(1)(a), 4(1)(b), 4(1)(c), 4(1)(d), 4(1)(g), or 4(1)(h), a person who possesses not more than the amount of marihuana allowed by section 5, cultivates not more than the amount of marihuana allowed by section 5, delivers without receiving any remuneration to a person who is at least 21 years of age not more than the amount of marihuana allowed by section 5, or possesses with intent to deliver not more than the amount of marihuana allowed by section 5, **is responsible for a civil infraction and may be punished by a fine of not more than \$100 and forfeiture of the marihuana.**

2. Except for a person who engaged in conduct described in section 4, a person who **possesses not more than twice the amount of marihuana allowed by section 5**, cultivates not more than twice the amount of marihuana allowed by section 5, delivers without receiving any remuneration to a person who is at least 21 years of age not more than twice the amount of marihuana allowed by section 5, or possesses with intent to deliver not more than twice the amount of marihuana allowed by section 5:

(a) **for a first violation, is responsible for a civil infraction** and may be punished by a fine of not more than \$500 and forfeiture of the marihuana;

(b) **for a second violation, is responsible for a civil infraction** and may be punished by a fine of not more than \$1,000 and forfeiture of the marihuana;

(c) **for a third or subsequent violation, is guilty of a misdemeanor** and may be punished by a fine of not more than \$2,000 and forfeiture of the marihuana.

3. Except for a person who engaged in conduct described by section 4(1)(a), 4(1)(d), or 4(1)(g), **a person under 21 years of age who possesses not more than 2.5 ounces of marihuana or who cultivates not more than 12 marihuana plants:**

(a) **for a first violation, is responsible for a civil infraction** and may be punished as follows:

(1) **if the person is less than 18 years of age, by a fine of not more than \$100 or community service, forfeiture of the marihuana, and completion of 4 hours of drug education or counseling;** or

(2) **if the person is at least 18 years of age, by a fine of not more than \$100 and forfeiture of the marihuana.**

(b) **for a second violation, is responsible for a civil infraction** and may be punished as follows:

(1) **if the person is less than 18 years of age, by a fine of not more than \$500 or community service, forfeiture of the marihuana, and completion of 8 hours of drug education or counseling;** or

(2) **if the person is at least 18 years of age, by a fine of not more than \$500 and forfeiture of the marihuana.**

4. Except for a person who engaged in conduct described in section 4, a person who **possesses more than twice the amount of marihuana** allowed by section 5, **cultivates more than twice the amount of marihuana** allowed by section 5, or **delivers without receiving any remuneration** to a person who is at least 21 years of age more than twice the amount of marihuana allowed by section 5, **shall be responsible for a misdemeanor, but shall not be subject to imprisonment unless the violation was habitual, willful, and for a commercial purpose or the violation involved violence.**

(Emphasis added.)

### **Retroactivity and Expungement**

Changes to the Michigan criminal code under the Initiated Law are **not retroactive**.<sup>1</sup> However, the Legislature can create **prospective relief** for those convicted under previous law. Legislation was introduced in the 2017-2018 legislative session to enhance the existing provisions of State law for setting aside convictions in criminal cases, if the conviction(s) was related to marijuana possession or related offenses that are now no longer criminalized.<sup>2</sup> For example, Senate Bill 1200 and House Bill 6227, if it had been adopted before the conclusion of the legislative term, would have amended MCL 780.621, and would have provided for the setting aside of multiple misdemeanor marihuana offenses. House Bill 4798, while not specific to marihuana offenses, would have permitted the expungement of multiple felonies if arising from the same criminal

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<sup>1</sup> The Michigan Constitution prohibits retroactive, or *ex post facto*, laws. Section 10 states, "No bill of attainder, ex post facto law or law impairing the obligation of contract shall be enacted."

<sup>2</sup> With respect to criminal penalties, it is essential to recognize that marijuana remains a "scheduled" narcotic under federal law, and therefore remains technically illegal, subjecting those in possession to prosecution under federal law.

transaction. Similarly, House Bill 6508 (introduced on November 27, 2018), entitled the “marihuana violation sentence reduction act”, would have provided a means for currently incarcerated individuals to petition the parole board for immediate release if convicted of a now decriminalized marihuana offense.

The above-described proposed legislative actions were **not adopted** by the State Legislature prior to the end of the year; therefore, each of them died at the end of the last legislative term, requiring reintroduction in the new term. Governor Whitmer campaigned on a platform that included support for expungement of criminal records for marijuana offenses that are no longer illegal, making it highly likely that similar legislation will be reintroduced. To date, however, nothing has been proposed. Also of note, current Michigan law limits expungement to one felony and two misdemeanors. MCL 780.621(1)(a). Hopefully, this limitation will be addressed by the Legislature in response to decriminalization of applicable marihuana related offenses. However, proposed legislation to amend MCL 780.621(1)(a) did not increase the number of felonies that could be expunged.

According to recent reporting, in the past five years, 117,123 Michigan citizens have been arrested and charged with misdemeanor marijuana violations, with over 49,000 convictions, per Michigan State Police statistics.<sup>3</sup> In addition, according to FBI crime statistics, African-Americans were three as likely to be arrested for marijuana crimes as whites. It is well known that arrest records for marijuana offenses often result in harmful, long-term consequences for individuals and their families, resulting in barriers to employment, affordable housing, and student loans. For all of these reasons, addressing issues associated with the decriminalization of marijuana possession should be of high priority.

Should the Council have further questions, please advise LPD.

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<sup>3</sup> Detroit Free Press, November 7, 2018, *Michigan pot convictions could get reversed under Gretchen Whitmer.*

## INITIATION OF LEGISLATION

An initiation of legislation to allow under state law the personal possession and use of marihuana by persons 21 years of age or older; to provide for the lawful cultivation and sale of marihuana and industrial hemp by persons 21 years of age or older; to permit the taxation of revenue derived from commercial marihuana facilities; to permit the promulgation of administrative rules; and to prescribe certain penalties for violations of this act. If not enacted by the Michigan State Legislature in accordance with the Michigan Constitution of 1963, the proposed legislation is to be voted on at the General Election, November 6, 2018.

### THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. This act shall be known and may be cited as the Michigan Regulation and Taxation of Marihuana Act.

Sec. 2. The purpose of this act is to make marihuana legal under state and local law for adults 21 years of age or older, to make industrial hemp legal under state and local law, and to control the commercial production and distribution of marihuana under a system that licenses, regulates, and taxes the businesses involved. The intent is to prevent arrest and penalty for personal possession and cultivation of marihuana by adults 21 years of age or older; remove the commercial production and distribution of marihuana from the illicit market; prevent revenue generated from commerce in marihuana from going to criminal enterprises or gangs; prevent the distribution of marihuana to persons under 21 years of age; prevent the diversion of marihuana to illicit markets; ensure the safety of marihuana and marihuana-infused products; and ensure security of marihuana establishments. To the fullest extent possible, this act shall be interpreted in accordance with the purpose and intent set forth in this section.

Sec. 3. As used in this act:

- (a) "Cultivate" means to propagate, breed, grow, harvest, dry, cure, or separate parts of the marihuana plant by manual or mechanical means.
- (b) "Department" means the department of licensing and regulatory affairs.
- (c) "Industrial hemp" means a plant of the genus *cannabis* and any part of that plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration that does not exceed 0.3% on a dry-weight basis, or per volume or weight of marihuana-infused product, or the combined percent of delta-9-tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant of the genus *cannabis* regardless of moisture content.
- (d) "Licensee" means a person holding a state license.
- (e) "Marihuana" means all parts of the plant of the genus *cannabis*, growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including marihuana concentrate and marihuana-infused products. For purposes of this act, marihuana does not include:
  - (1) the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of germination;
  - (2) industrial hemp; or
  - (3) any other ingredient combined with marihuana to prepare topical or oral administrations, food, drink, or other products.
- (f) "Marihuana accessories" means any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marihuana into the human body.
- (g) "Marihuana concentrate" means the resin extracted from any part of the plant of the genus *cannabis*.
- (h) "Marihuana establishment" means a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, or any other type of marihuana-related business licensed by the department.
- (i) "Marihuana grower" means a person licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.
- (j) "Marihuana-infused product" means a topical formulation, tincture, beverage, edible substance, or similar product containing marihuana and other ingredients and that is intended for human consumption.
- (k) "Marihuana microbusiness" means a person licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of

age or older or to a marihuana safety compliance facility, but not to other marihuana establishments.

(l) "Marihuana processor" means a person licensed to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.

(m) "Marihuana retailer" means a person licensed to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.

(n) "Marihuana secure transporter" means a person licensed to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.

(o) "Marihuana safety compliance facility" means a person licensed to test marihuana, including certification for potency and the presence of contaminants.

(p) "Municipal license" means a license issued by a municipality pursuant to section 16 of this act that allows a person to operate a marihuana establishment in that municipality.

(q) "Municipality" means a city, village, or township.

(r) "Person" means an individual, corporation, limited liability company, partnership of any type, trust, or other legal entity.

(s) "Process" or "Processing" means to separate or otherwise prepare parts of the marihuana plant and to compound, blend, extract, infuse, or otherwise make or prepare marihuana concentrate or marihuana-infused products.

(t) "State license" means a license issued by the department that allows a person to operate a marihuana establishment.

(u) "Unreasonably impracticable" means that the measures necessary to comply with the rules or ordinances adopted pursuant to this act subject licensees to unreasonable risk or require such a high investment of money, time, or any other resource or asset that a reasonably prudent businessperson would not operate the marihuana establishment.

Sec. 4. 1. This act does not authorize:

(a) operating, navigating, or being in physical control of any motor vehicle, aircraft, snowmobile, off-road recreational vehicle, or motorboat while under the influence of marihuana;

(b) transfer of marihuana or marihuana accessories to a person under the age of 21;

(c) any person under the age of 21 to possess, consume, purchase or otherwise obtain, cultivate, process, transport, or sell marihuana;

(d) separation of plant resin by butane extraction or another method that utilizes a substance with a flashpoint below 100 degrees Fahrenheit in any public place, motor vehicle, or within the curtilage of any residential structure;

(e) consuming marihuana in a public place or smoking marihuana where prohibited by the person who owns, occupies, or manages the property, except for purposes of this subdivision a public place does not include an area designated for consumption within a municipality that has authorized consumption in designated areas that are not accessible to persons under 21 years of age;

(f) cultivating marihuana plants if the plants are visible from a public place without the use of binoculars, aircraft, or other optical aids or outside of an enclosed area equipped with locks or other functioning security devices that restrict access to the area;

(g) consuming marihuana while operating, navigating, or being in physical control of any motor vehicle, aircraft, snowmobile, off-road recreational vehicle, or motorboat, or smoking marihuana within the passenger area of a vehicle upon a public way;

(h) possessing marihuana accessories or possessing or consuming marihuana on the grounds of a public or private school where children attend classes in preschool programs, kindergarten programs, or grades 1 through 12, in a school bus, or on the grounds of any correctional facility; or

(i) Possessing more than 2.5 ounces of marihuana within a person's place of residence unless the excess marihuana is stored in a container or area equipped with locks or other functioning security devices that restrict access to the contents of the container or area.

2. This act does not limit any privileges, rights, immunities, or defenses of a person as provided in the Michigan medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430, the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801, or any other law of this state allowing for or regulating marihuana for medical use.

3. This act does not require an employer to permit or accommodate conduct otherwise allowed by this act in any workplace or on the employer's property. This act does not prohibit an employer from disciplining an employee for violation of a workplace drug policy or for working while under the influence of marihuana. This act does not

prevent an employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against a person with respect to hire, tenure, terms, conditions, or privileges of employment because of that person's violation of a workplace drug policy or because that person was working while under the influence of marihuana.

4. This act allows a person to prohibit or otherwise regulate the consumption, cultivation, distribution, processing, sale, or display of marihuana and marihuana accessories on property the person owns, occupies, or manages, except that a lease agreement may not prohibit a tenant from lawfully possessing and consuming marihuana by means other than smoking.

5. All other laws inconsistent with this act do not apply to conduct that is permitted by this act.

Sec. 5. 1. Notwithstanding any other law or provision of this act, and except as otherwise provided in section 4 of this act, the following acts by a person 21 years of age or older are not unlawful, are not an offense, are not grounds for seizing or forfeiting property, are not grounds for arrest, prosecution, or penalty in any manner, are not grounds for search or inspection, and are not grounds to deny any other right or privilege:

(a) except as permitted by subdivision (b), possessing, using or consuming, internally possessing, purchasing, transporting, or processing 2.5 ounces or less of marihuana, except that not more than 15 grams of marihuana may be in the form of marihuana concentrate;

(b) within the person's residence, possessing, storing, and processing not more than 10 ounces of marihuana and any marihuana produced by marihuana plants cultivated on the premises and cultivating not more than 12 marihuana plants for personal use, provided that no more than 12 marihuana plants are possessed, cultivated, or processed on the premises at once;

(c) assisting another person who is 21 years of age or older in any of the acts described in this section; and

(d) giving away or otherwise transferring without remuneration up to 2.5 ounces of marihuana, except that not more than 15 grams of marihuana may be in the form of marihuana concentrate, to a person 21 years of age or older, as long as the transfer is not advertised or promoted to the public.

2. Notwithstanding any other law or provision of this act, except as otherwise provided in section 4 of this act, the use, manufacture, possession, and purchase of marihuana accessories by a person 21 years of age or older and the distribution or sale of marihuana accessories to a person 21 years of age or older is authorized, is not unlawful, is not an offense, is not grounds for seizing or forfeiting property, is not grounds for arrest, prosecution, or penalty in any manner, and is not grounds to deny any other right or privilege.

3. A person shall not be denied custody of or visitation with a minor for conduct that is permitted by this act, unless the person's behavior is such that it creates an unreasonable danger to the minor that can be clearly articulated and substantiated.

Sec. 6. 1. Except as provided in section 4, a municipality may completely prohibit or limit the number of marihuana establishments within its boundaries. Individuals may petition to initiate an ordinance to provide for the number of marihuana establishments allowed within a municipality or to completely prohibit marihuana establishments within a municipality, and such ordinance shall be submitted to the electors of the municipality at the next regular election when a petition is signed by qualified electors in the municipality in a number greater than 5% of the votes cast for governor by qualified electors in the municipality at the last gubernatorial election. A petition under this subsection is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488.

2. A municipality may adopt other ordinances that are not unreasonably impracticable and do not conflict with this act or with any rule promulgated pursuant to this act and that:

(a) establish reasonable restrictions on public signs related to marihuana establishments;

(b) regulate the time, place, and manner of operation of marihuana establishments and of the production, manufacture, sale, or display of marihuana accessories;

(c) authorize the sale of marihuana for consumption in designated areas that are not accessible to persons under 21 years of age, or at special events in limited areas and for a limited time; and

(d) designate a violation of the ordinance and provide for a penalty for that violation by a marihuana establishment, provided that such violation is a civil infraction and such penalty is a civil fine of not more than \$500.

3. A municipality may adopt an ordinance requiring a marihuana establishment with a physical location within the municipality to obtain a municipal license, but may not impose qualifications for licensure that conflict with this act or rules promulgated by the department.

4. A municipality may charge an annual fee of not more than \$5,000 to defray application, administrative, and enforcement costs associated with the operation of the marihuana establishment in the municipality.

5. A municipality may not adopt an ordinance that restricts the transportation of marihuana through the municipality or prohibits a marihuana grower, a marihuana processor, and a marihuana retailer from operating

within a single facility or from operating at a location shared with a marihuana facility operating pursuant to the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801.

Sec. 7. 1. The department is responsible for implementing this act and has the powers and duties necessary to control the commercial production and distribution of marihuana. The department shall employ personnel and may contract with advisors and consultants as necessary to adequately perform its duties. No person who is pecuniarily interested, directly or indirectly, in any marihuana establishment may be an employee, advisor, or consultant involved in the implementation, administration, or enforcement of this act. An employee, advisor, or consultant of the department may not be personally liable for any action at law for damages sustained by a person because of an action performed or done in the performance of their duties in the implementation, administration, or enforcement of this act. The department of state police shall cooperate and assist the department in conducting background investigations of applicants. Responsibilities of the department include:

- (a) promulgating rules pursuant to section 8 of this act that are necessary to implement, administer, and enforce this act;
- (b) granting or denying each application for licensure and investigating each applicant to determine eligibility for licensure, including conducting a background investigation on each person holding an ownership interest in the applicant;
- (c) ensuring compliance with this act and the rules promulgated thereunder by marihuana establishments by performing investigations of compliance and regular inspections of marihuana establishments and by taking appropriate disciplinary action against a licensee, including prescribing civil fines for violations of this act or rules and suspending, restricting, or revoking a state license;
- (d) holding at least 4 public meetings each calendar year for the purpose of hearing complaints and receiving the views of the public with respect to administration of this act;
- (e) collecting fees for licensure and fines for violations of this act or rules promulgated thereunder, depositing all fees collected in the marihuana regulation fund established by section 14 of this act, and remitting all fines collected to be deposited in the general fund; and
- (f) submitting an annual report to the governor covering the previous year, which report shall include the number of state licenses of each class issued, demographic information on licensees, a description of enforcement and disciplinary actions taken against licensees, and a statement of revenues and expenses of the department related to the implementation, administration, and enforcement of this act.

Sec. 8. 1. The department shall promulgate rules to implement and administer this act pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to MCL 24.328, including:

- (a) procedures for issuing a state license pursuant to section 9 of this act and for renewing, suspending, and revoking a state license;
- (b) a schedule of fees in amounts not more than necessary to pay for implementation, administration, and enforcement costs of this act and that relate to the size of each licensee or the volume of business conducted by the licensee;
- (c) qualifications for licensure that are directly and demonstrably related to the operation of a marihuana establishment, provided that a prior conviction solely for a marihuana-related offense does not disqualify an individual or otherwise affect eligibility for licensure, unless the offense involved distribution of a controlled substance to a minor;
- (d) requirements and standards for safe cultivation, processing, and distribution of marihuana by marihuana establishments, including health standards to ensure the safe preparation of marihuana-infused products and prohibitions on pesticides that are not safe for use on marihuana;
- (e) testing, packaging, and labeling standards, procedures, and requirements for marihuana, including a maximum tetrahydrocannabinol level for marihuana-infused products, a requirement that a representative sample of marihuana be tested by a marihuana safety compliance facility, and a requirement that the amount of marihuana or marihuana concentrate contained within a marihuana-infused product be specified on the product label;
- (f) security requirements, including lighting, physical security, and alarm requirements, and requirements for securely transporting marihuana between marihuana establishments, provided that such requirements do not prohibit cultivation of marihuana outdoors or in greenhouses;
- (g) record keeping requirements for marihuana establishments and monitoring requirements to track the transfer of marihuana by licensees;
- (h) requirements for the operation of marihuana secure transporters to ensure that all marihuana establishments are properly serviced;
- (i) reasonable restrictions on advertising, marketing, and display of marihuana and marihuana establishments;



- (j) a plan to promote and encourage participation in the marihuana industry by people from communities that have been disproportionately impacted by marihuana prohibition and enforcement and to positively impact those communities; and
  - (k) penalties for failure to comply with any rule promulgated pursuant to this section or for any violation of this act by a licensee, including civil fines and suspension, revocation, or restriction of a state license.
2. In furtherance of the intent of this act, the department may promulgate rules to:
- (a) provide for the issuance of additional types or classes of state licenses to operate marihuana-related businesses, including licenses that authorize only limited cultivation, processing, transportation, delivery, storage, sale, or purchase of marihuana, licenses that authorize the consumption of marihuana within designated areas, licenses that authorize the consumption of marihuana at special events in limited areas and for a limited time, licenses that authorize cultivation for purposes of propagation, and licenses intended to facilitate scientific research or education; or
  - (b) regulate the cultivation, processing, distribution, and sale of industrial hemp.
3. The department may not promulgate a rule that:
- (a) establishes a limit on the number of any type of state licenses that may be granted;
  - (b) requires a customer to provide a marihuana retailer with identifying information other than identification to determine the customer's age or requires the marihuana retailer to acquire or record personal information about customers other than information typically required in a retail transaction;
  - (c) prohibits a marihuana establishment from operating at a shared location of a marihuana facility operating pursuant to the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801, or prohibits a marihuana grower, marihuana processor, or marihuana retailer from operating within a single facility; or
  - (d) is unreasonably impracticable.

Sec. 9. 1. Each application for a state license must be submitted to the department. Upon receipt of a complete application and application fee, the department shall forward a copy of the application to the municipality in which the marihuana establishment is to be located, determine whether the applicant and the premises qualify for the state license and comply with this act, and issue the appropriate state license or send the applicant a notice of rejection setting forth specific reasons why the department did not approve the state license application within 90 days.

2. The department shall issue the following state license types: marihuana retailer; marihuana safety compliance facility; marihuana secure transporter; marihuana processor; marihuana microbusiness; class A marihuana grower authorizing cultivation of not more than 100 marihuana plants; class B marihuana grower authorizing cultivation of not more than 500 marihuana plants; and class C marihuana grower authorizing cultivation of not more than 2,000 marihuana plants.

3. Except as otherwise provided in this section, the department shall approve a state license application and issue a state license if:

- (a) the applicant has submitted an application in compliance with the rules promulgated by the department, is in compliance with this act and the rules, and has paid the required fee;
- (b) the municipality in which the proposed marihuana establishment will be located does not notify the department that the proposed marihuana establishment is not in compliance with an ordinance consistent with section 6 of this act and in effect at the time of application;
- (c) the property where the proposed marihuana establishment is to be located is not within an area zoned exclusively for residential use and is not within 1,000 feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12, unless a municipality adopts an ordinance that reduces this distance requirement;
- (d) no person who holds an ownership interest in the marihuana establishment applicant:
  - (1) will hold an ownership interest in both a marihuana safety compliance facility or in a marihuana secure transporter and in a marihuana grower, a marihuana processor, a marihuana retailer, or a marihuana microbusiness;
  - (2) will hold an ownership interest in both a marihuana microbusiness and in a marihuana grower, a marihuana processor, a marihuana retailer, a marihuana safety compliance facility, or a marihuana secure transporter; and
  - (3) will hold an ownership interest in more than 5 marihuana growers or in more than 1 marihuana microbusiness, except that the department may approve a license application from a person who holds an ownership interest in more than 5 marihuana growers or more than 1 marihuana microbusiness if, after January 1, 2023, the department promulgates a rule authorizing an individual to hold an ownership interest in more than 5 marihuana growers or in more than 1 marihuana microbusiness.

4. If a municipality limits the number of marihuana establishments that may be licensed in the municipality pursuant to section 6 of this act and that limit prevents the department from issuing a state license to all applicants who meet the requirements of subsection 3 of this section, the municipality shall decide among competing applications by a competitive process intended to select applicants who are best suited to operate in compliance with this act within the municipality.

5. All state licenses are effective for 1 year, unless the department issues the state license for a longer term. A state license is renewed upon receipt of a complete renewal application and a renewal fee from any marihuana establishment in good standing.

6. The department shall begin accepting applications for marihuana establishments within 12 months after the effective date of this act. Except as otherwise provided in this section, for 24 months after the department begins to receive applications for marihuana establishments, the department may only accept applications for licensure: for a class A marihuana grower or for a marihuana microbusiness, from persons who are residents of Michigan; for a marihuana retailer, marihuana processor, class B marihuana grower, class C marihuana grower, or a marihuana secure transporter, from persons holding a state operating license pursuant to the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801; and for a marihuana safety compliance facility, from any applicant. One year after the department begins to accept applications pursuant to this section, the department shall begin accepting applications from any applicant if the department determines that additional state licenses are necessary to minimize the illegal market for marihuana in this state, to efficiently meet the demand for marihuana, or to provide for reasonable access to marihuana in rural areas.

7. Information obtained from an applicant related to licensure under this act is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

Sec. 10. 1. Notwithstanding any other law or provision of this act, and except as otherwise provided in section 4 of this act or the rules promulgated thereunder, the following acts are not unlawful, are not an offense, are not grounds for seizing or forfeiting property, are not grounds for arrest, prosecution, or penalty in any manner, are not grounds for search or inspection except as authorized by this act, and are not grounds to deny any other right or privilege:

(a) a marihuana grower or an agent acting on behalf of a marihuana grower who is 21 years of age or older, cultivating not more than the number of marihuana plants authorized by the state license class; possessing, packaging, storing, or testing marihuana; acquiring marihuana seeds or seedlings from a person who is 21 years of age or older; selling or otherwise transferring, purchasing or otherwise obtaining, or transporting marihuana to or from a marihuana establishment; or receiving compensation for goods or services;

(b) a marihuana processor or agent acting on behalf of a marihuana processor who is 21 years of age or older, possessing, processing, packaging, storing, or testing marihuana; selling or otherwise transferring, purchasing or otherwise obtaining, or transporting marihuana to or from a marihuana establishment; or receiving compensation for goods or services;

(c) a marihuana secure transporter or an agent acting on behalf of a marihuana secure transporter who is 21 years of age or older, possessing or storing marihuana; transporting marihuana to or from a marihuana establishment; or receiving compensation for services;

(d) a marihuana safety compliance facility or an agent acting on behalf of a marihuana safety compliance facility who is 21 years of age or older, testing, possessing, repackaging, or storing marihuana; transferring, obtaining, or transporting marihuana to or from a marihuana establishment; or receiving compensation for services;

(e) a marihuana retailer or an agent acting on behalf of a marihuana retailer who is 21 years of age or older, possessing, storing, or testing marihuana; selling or otherwise transferring, purchasing or otherwise obtaining, or transporting marihuana to or from a marihuana establishment; selling or otherwise transferring marihuana to a person 21 years of age or older; or receiving compensation for goods or services; or

(f) a marihuana microbusiness or an agent acting on behalf of a marihuana microbusiness who is 21 years of age or older, cultivating not more than 150 marihuana plants; possessing, processing, packaging, storing, or testing marihuana from marihuana plants cultivated on the premises; selling or otherwise transferring marihuana cultivated or processed on the premises to a person 21 years of age or older; or receiving compensation for goods or services.

(g) leasing or otherwise allowing the use of property owned, occupied, or managed for activities allowed under this act;

(h) enrolling or employing a person who engages in marihuana-related activities allowed under this act;

(i) possessing, cultivating, processing, obtaining, transferring, or transporting industrial hemp; or

(j) providing professional services to prospective or licensed marihuana establishments related to activity under

this act.

2. A person acting as an agent of a marijuana retailer who sells or otherwise transfers marijuana or marijuana accessories to a person under 21 years of age is not subject to arrest, prosecution, forfeiture of property, disciplinary action by a professional licensing board, denial of any right or privilege, or penalty in any manner, if the person reasonably verified that the recipient appeared to be 21 years of age or older by means of government-issued photographic identification containing a date of birth, and the person complied with any rules promulgated pursuant to this act.

3. It is the public policy of this state that contracts related to the operation of marijuana establishments be enforceable.

Sec. 11. (a) A marijuana establishment may not allow cultivation, processing, sale, or display of marijuana or marijuana accessories to be visible from a public place outside of the marijuana establishment without the use of binoculars, aircraft, or other optical aids.

(b) A marijuana establishment may not cultivate, process, test, or store marijuana at any location other than a physical address approved by the department and within an enclosed area that is secured in a manner that prevents access by persons not permitted by the marijuana establishment to access the area.

(c) A marijuana establishment shall secure every entrance to the establishment so that access to areas containing marijuana is restricted to employees and other persons permitted by the marijuana establishment to access the area and to agents of the department or state and local law enforcement officers and emergency personnel and shall secure its inventory and equipment during and after operating hours to deter and prevent theft of marijuana and marijuana accessories.

(d) No marijuana establishment may refuse representatives of the department the right during the hours of operation to inspect the licensed premises or to audit the books and records of the marijuana establishment.

(e) No marijuana establishment may allow a person under 21 years of age to volunteer or work for the marijuana establishment.

(f) No marijuana establishment may sell or otherwise transfer marijuana that was not produced, distributed, and taxed in compliance with this act.

(g) A marijuana grower, marijuana retailer, marijuana processor, marijuana microbusiness, or marijuana testing facility or agents acting on their behalf may not transport more than 15 ounces of marijuana or more than 60 grams of marijuana concentrate at one time.

(h) A marijuana secure transporter may not hold title to marijuana.

(i) No marijuana processor may process and no marijuana retailer may sell edible marijuana-infused candy in shapes or packages that are attractive to children or that are easily confused with commercially sold candy that does not contain marijuana.

(j) No marijuana retailer may sell or otherwise transfer marijuana that is not contained in an opaque, resealable, child-resistant package designed to be significantly difficult for children under 5 years of age to open and difficult for normal adults to use properly as defined by 16 C.F.R. 1700.20 (1995), unless the marijuana is transferred for consumption on the premises where sold.

(k) No marijuana establishment may sell or otherwise transfer tobacco.

Sec. 12. In computing net income for marijuana establishments, deductions from state taxes are allowed for all the ordinary and necessary expenses paid or incurred during the taxable year in carrying out a trade or business.

Sec. 13. 1. In addition to all other taxes, an excise tax is imposed on each marijuana retailer and on each marijuana microbusiness at the rate of 10% of the sales price for marijuana sold or otherwise transferred to anyone other than a marijuana establishment.

2. Except as otherwise provided by a rule promulgated by the department of treasury, a product subject to the tax imposed by this section may not be bundled in a single transaction with a product or service that is not subject to the tax imposed by this section.

3. The department of treasury shall administer the taxes imposed under this act and may promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to MCL 24.328 that prescribe a method and manner for payment of the tax to ensure proper tax collection under this act.

Sec. 14. 1. The marijuana regulation fund is created in the state treasury. The department of treasury shall deposit all money collected under section 13 of this act and the department shall deposit all fees collected in the fund. The state treasurer shall direct the investment of the fund and shall credit the fund interest and earnings from fund investments. The department shall administer the fund for auditing purposes. Money in the fund shall not lapse to the general fund.

2. Funds for the initial activities of the department to implement this act shall be appropriated from the general fund. The department shall repay any amount appropriated under this subsection from proceeds in the fund.

3. The department shall expend money in the fund first for the implementation, administration, and enforcement of this act, and second, until 2022 or for at least two years, to provide \$20 million annually to one or more clinical trials that are approved by the United States food and drug administration and sponsored by a non-profit organization or researcher within an academic institution researching the efficacy of marihuana in treating the medical conditions of United States armed services veterans and preventing veteran suicide. Upon appropriation, unexpended balances must be allocated as follows:

- (a) 15% to municipalities in which a marihuana retail store or a marihuana microbusiness is located, allocated in proportion to the number of marihuana retail stores and marihuana microbusinesses within the municipality;
- (b) 15% to counties in which a marihuana retail store or a marihuana microbusiness is located, allocated in proportion to the number of marihuana retail stores and marihuana microbusinesses within the county;
- (c) 35% to the school aid fund to be used for K-12 education; and
- (d) 35% to the Michigan transportation fund to be used for the repair and maintenance of roads and bridges.

Sec. 15. A person who commits any of the following acts, and is not otherwise authorized by this act to conduct such activities, may be punished only as provided in this section and is not subject to any other form of punishment or disqualification, unless the person consents to another disposition authorized by law:

1. Except for a person who engaged in conduct described in sections 4(1)(a), 4(1)(b), 4(1)(c), 4(1)(d), 4(1)(g), or 4(1)(h), a person who possesses not more than the amount of marihuana allowed by section 5, cultivates not more than the amount of marihuana allowed by section 5, delivers without receiving any remuneration to a person who is at least 21 years of age not more than the amount of marihuana allowed by section 5, or possesses with intent to deliver not more than the amount of marihuana allowed by section 5, is responsible for a civil infraction and may be punished by a fine of not more than \$100 and forfeiture of the marihuana.

2. Except for a person who engaged in conduct described in section 4, a person who possesses not more than twice the amount of marihuana allowed by section 5, cultivates not more than twice the amount of marihuana allowed by section 5, delivers without receiving any remuneration to a person who is at least 21 years of age not more than twice the amount of marihuana allowed by section 5, or possesses with intent to deliver not more than twice the amount of marihuana allowed by section 5:

- (a) for a first violation, is responsible for a civil infraction and may be punished by a fine of not more than \$500 and forfeiture of the marihuana;
- (b) for a second violation, is responsible for a civil infraction and may be punished by a fine of not more than \$1,000 and forfeiture of the marihuana;
- (c) for a third or subsequent violation, is guilty of a misdemeanor and may be punished by a fine of not more than \$2,000 and forfeiture of the marihuana.

3. Except for a person who engaged in conduct described by section 4(1)(a), 4(1)(d), or 4(1)(g), a person under 21 years of age who possesses not more than 2.5 ounces of marihuana or who cultivates not more than 12 marihuana plants:

- (a) for a first violation, is responsible for a civil infraction and may be punished as follows:
  - (1) if the person is less than 18 years of age, by a fine of not more than \$100 or community service, forfeiture of the marihuana, and completion of 4 hours of drug education or counseling; or
  - (2) if the person is at least 18 years of age, by a fine of not more than \$100 and forfeiture of the marihuana.
- (b) for a second violation, is responsible for a civil infraction and may be punished as follows:
  - (1) if the person is less than 18 years of age, by a fine of not more than \$500 or community service, forfeiture of the marihuana, and completion of 8 hours of drug education or counseling; or
  - (2) if the person is at least 18 years of age, by a fine of not more than \$500 and forfeiture of the marihuana.

4. Except for a person who engaged in conduct described in section 4, a person who possesses more than twice the amount of marihuana allowed by section 5, cultivates more than twice the amount of marihuana allowed by section 5, or delivers without receiving any remuneration to a person who is at least 21 years of age more than twice the amount of marihuana allowed by section 5, shall be responsible for a misdemeanor, but shall not be subject to imprisonment unless the violation was habitual, willful, and for a commercial purpose or the violation involved violence.

Sec. 16. 1. If the department does not timely promulgate rules as required by section 8 of this act or accept or process applications in accordance with section 9 of this act, beginning one year after the effective date of this act, an applicant may submit an application for a marihuana establishment directly to the municipality where the marihuana establishment will be located.

2. If a marihuana establishment submits an application to a municipality under this section, the municipality shall issue a municipal license to the applicant within 90 days after receipt of the application unless the municipality finds and notifies the applicant that the applicant is not in compliance with an ordinance or rule adopted pursuant to this

act.

3. If a municipality issues a municipal license pursuant to this section:

- (a) the municipality shall notify the department that the municipal license has been issued;
- (b) the municipal license has the same force and effect as a state license; and
- (c) the holder of the municipal license is not subject to regulation or enforcement by the department during the municipal license term.

Sec. 17. This act shall be broadly construed to accomplish its intent as stated in section 2 of this act. Nothing in this act purports to supersede any applicable federal law, except where allowed by federal law. All provisions of this act are self-executing. Any section of this act that is found invalid as to any person or circumstances shall not affect the application of any other section of this act that can be given full effect without the invalid section or application.



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVE. SUITE 601  
DETROIT, MICHIGAN 48226  
PHONE: (313) 224-3949 • TTY: 711  
FAX: (313) 224-3471  
WWW.DETROITMI.GOV

January 21, 2019

Honorable City Council:

**Re: Petition No. 296 – PM Environmental on behalf of Barrick Enterprises 40, request for installation of two permanent monitoring wells and two soil gas sampling points within the alley south of 1830 East 8 mile Road.**

Petition No. 296 of PM Environmental on behalf of Barrick Enterprises #40 whose address is 1830 East 8 mile Road, Detroit, Michigan, request permission to install and maintain two (2) monitoring wells, and two (2) soil gas sampling points. The encroachments will be in the east-west alley, 20 feet wide, and the north-south alley, 16 feet wide in the block of Winchester Avenue, 50 feet wide, East Eight Mile Road, 204 feet wide, Marx Avenue, 75 feet wide and Dequindre Street, 66 feet wide. The purpose of the bored well is to monitor the existence or extent of soil contamination from leaking underground fuel storage tanks (a.k.a. "L.U.S.T.").

The encroachment petition was referred to the City Engineering Division – DPW for investigation and report. This is our report:

The Division of Environmental Affairs Of the Buildings, Safety Engineering and Environmental Department (BSEED) is responsible for developing and implementing a coordinated and comprehensive environmental policy for the City of Detroit, including soil remediation from leaking underground fuel storage tanks. To ensure public safety BSEED will review the petitioner’s environmental activities prior to the issuance of city permits. A Right-of-Entry is required by BSEED prior to contractor field activity.

Soil borings and monitoring well installations are equivalent to an "open cut" in a public street or alley. Necessary permits have to be obtained for any street or alley opening, backfill, surface restoration, barricade, or occupancy of city rights-of-way to install monitoring wells. The City Engineering Division - DPW will require the permit applicant to secure a right-of-entry approval from the Division of Environmental Affairs of BSEED.

It is the responsibility of "PM Environmental" to give reasonable and proper notice to any abutting property owner(s) before commencing any open cut or boring operations within public rights-of-way.

The enforcement of fire safety regulations and building codes is the responsibility of the Fire Marshal and BSEED. Generally, the Fire Marshal and BSEED report no objections



to the placement and maintenance of permanent L.U.S.T. monitoring well encroachments within public rights-of-way.

---

DTE Energy – MichCon Gas Company reports involvement but no objections provided that the installer contact MISS DIG at 1 800 482-7171; and provided that any removal or relocation of gas facilities be done at project expense.

The Public Lighting Department (PLD) and Public Lighting Authority (PLA) report no involvement.

Traffic Engineering Division – DPW reports involvement, but no objections provided that the grade shall be maintained in original condition with flush covers on the monitoring wells.

The Water and Sewerage Department (DWSD) reports involvement, but no objections to the proposed encroachments for monitoring well installation provided that the petitioner follow DWSD provisions for encroachments. The DWSD encroachment provisions are a part of the attached resolution.

All other involved City departments and privately owned utility companies request the petitioner(s) make use of "Miss Dig" facilities before any soil borings or permanent monitoring wells are installed in public (street or alley) rights-of-way.

Finally, the City Engineering Division - DPW requires "PM Environmental" to submit certified "as built" drawings, a map and survey, showing the exact location of the petitioner's completed permanent L.U.S.T. monitoring well installations within public rights-of-way.

In accord with Detroit Code (Sec. 50-1-9), there is an appropriate resolution, granting the encroachment petition, attached for consideration by your Honorable Body.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard Doherty".

Richard Doherty, P.E., City Engineer  
City Engineering Division - DPW

JMK/

Cc: Ron Brundidge, Director – DPW  
Mayor's Office - City Council Liaison

BY COUNCIL MEMBER \_\_\_\_\_

*Whereas*, The Environmental Affairs Division of Building, Safety Engineering and Environmental Department (BSEED) is responsible for developing and implementing a coordinated and comprehensive environmental policy for the City of Detroit, including soil remediation from leaking underground fuel storage tanks. To ensure public safety BSEED will review the petitioner's environmental activities prior to the issuance of city permits; also

*Whereas*, The State of Michigan requires that all underground storage tanks be registered and inspected for leaks. Also, the "State" has mandated the replacement of leaking tanks including removal (and proper disposal) of contaminated soil; also

*Whereas*, Any L.U.S.T. can contaminate soil and diminish the value of surrounding properties, including public rights-of-way. The taxpayers of Detroit invested substantial capital in the acquisition, site preparation, insurance, and maintenance of public rights-of-way. Finally, it is in the interests of public health, safety, and welfare to detect the presence of hazardous materials and/or soil contamination from L.U.S.T.(s); therefore be it

**RESOLVED**, The City Engineering Division - DPW is hereby authorized and directed to issue permits to "Barrick Enterprises #40" and/or their assigns at the site of 1830 East 8 mile Road, Detroit, Michigan to install and maintain one (2) monitoring wells, and two (2) soil gas sampling points encroaching within the public rights-of-way for the purpose of detecting and providing remediation of hazardous materials and/or soil contamination from any leaking underground storage tank (L.U.S.T.); said public right-of-way being nearby or adjoining property described as follows:

Land in the City of Detroit, Wayne County, Michigan being part of the east-west alley, 20 feet wide, and the north-south alley, 16 feet wide, in the block of Winchester Avenue, 50 feet wide, East Eight Mile Road, 204 feet wide, Marx Avenue, 75 feet wide and Dequindre Street, 66 feet wide, also lying northerly of the northerly line, and westerly of the westerly line of Lot 20, "Thompson Woods Subdivision of the East ½ of the Northeast ¼ of Section 1, T.1S.,R.11E. Greenfield Township, Wayne County, Michigan" as recorded in Liber 36, Page 45 of Plats, Wayne County Records. Encroachments further described as:

- 1) One (1) –Monitoring well in the southerly portion of east-west alley and lying approximately 36 feet west of the east line and 2 feet north of the north line of above said Lot 20.
- 2) One (1) –Monitoring well in the easterly portion of the north-south alley and lying approximately 7 feet south of the north line and 3 feet west of the west line of above said Lot 20.
- 3) One (1) – Soil Gas well in the southerly portion of east-west alley and lying approximately 38 feet west of the east line and 2 feet north of the north line of above said Lot 20.



- 4) One (1) – Soil Gas well in the southerly portion of east-west alley and lying approximately 70 feet west of the east line and 2 feet north of the north line of above said Lot 20.

**PROVIDED**, That nothing in this resolution shall be construed as giving any authority, permission or grant to the permittee for any part of the encroaching L.U.S.T. monitoring wells to be placed upon the surface or underground rights of privately owned property. Enforcement of violations of fire safety regulations and building codes is the responsibility of the Fire Marshal and the Buildings, Safety Engineering and Environmental Department (BSEED). The petitioner shall apply to the BSEED for approval and permits to place any monitoring wells on privately owned property (if necessary); and further

**PROVIDED**, It is the intention of this resolution to authorize the City Engineering Division - DPW (prior to the issuance of "encroachment" permits) to require the permit applicant to perform any reasonable task to protect public property interests including, but not limited to, the submission of engineering plans (containing construction details and distances from property lines) of the proposed encroaching L.U.S.T. monitoring wells. The City Engineering Division - DPW shall require the permit applicant to secure approval(s) of said plans from the Department of Environmental Affairs. Also, the City Engineering Division - DPW may require the permit applicant to secure approval(s) of said plans from Wayne County, the State of Michigan, other city departments (including commissions, authorities, corporations, councils, boards, contractors, and agencies whenever applicable) and/or utility companies; whether Wayne County, the State of Michigan, other city departments and/or utility companies are specifically enumerated in this resolution or not; and further

**PROVIDED**, Said L.U.S.T. monitoring well encroachments shall be maintained under the rules and regulations of the City Engineering Division - DPW, the department of Buildings and Safety Engineering, and the Fire Marshal in accord with Detroit Code Section 50-1-9 and 10; and further

**PROVIDED**, Whenever it becomes necessary to open-cut, drill, bore, jack, occupy or barricade public rights-of-way for additional test holes or maintenance of the monitoring well installation(s), such work shall be according to detailed permit application drawings (to be submitted by the petitioner or their assigns, subject to city department review and stamp approvals) prior to any public right-of-way construction (including, if necessary, adjustments or removals); and further

**PROVIDED**, It is the responsibility of "Barrick Enterprises #40" and/or their assigns to give reasonable and proper notice to any abutting property owner before commencing any (permitted) open cut or boring operations within public rights-of-way; and further

**PROVIDED**, that by approval of this petition/request 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 agent or employees, shall have the right to enter upon

the right-of-way to maintain, repair, alter, service, inspect, or install its facilities. All cost 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 cost 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 further

**PROVIDED**, that all construction performed under this petition shall not be commence until after (5) days written notice to DWSD. Seventy-two hours notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system; and 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 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 cost incident to the repair, replacement, or relocation of such broken or damage DWSD facilities; and further

**PROVIDED**, the petition shall hold DWSD harmless for any damage to the encroaching device constructed or installed under this petition, which may be caused by the failure of DWSD's facilities; and further

**PROVIDED**, All costs for the construction, maintenance, permits and use of the encroaching L.U.S.T. monitoring wells shall be borne by the petitioner. Should damages to utilities occur the petitioner 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 in the public rights-of-way, by the acceptance of this permission, the petitioner(s) for themselves, their heirs or assigns, waive claims for any damages to the encroaching installations and agree to pay the costs incurred in the removal, if the removal becomes necessary, and to restore the property affected to a condition satisfactory to the City Engineering Division - DPW at the petitioner's expense; and further

**PROVIDED**, That the encroaching L.U.S.T. monitoring wells shall be installed and maintained with a secure frame and cover, so as to fit flush within the public sidewalk, berm, or pavement grade. All public rights-of-way shall be maintained safe and convenient for public travel. The petitioner shall be liable for all claims, demands, costs, damages, expenses, and causes of action of every kind and character arising in favor of any person, or other legal entity on account of personal injuries or death or damage to property caused by or claimed or alleged to have arisen out of failure to properly install and maintain any encroaching L.U.S.T. monitoring well. The installation and

maintenance of said encroachments shall comply with the rules and regulations of the City Engineering Division - DPW and Traffic Engineering Division - DPW; and further

**PROVIDED**, The petitioner shall file with the Finance Department and/or City Engineering an indemnity agreement approved by the Law Department, saving and protecting the City of Detroit from any and all claims that may arise there from. Also, the petitioner shall be required by the Law Department in conjunction with the Finance Department - Risk Management Division to present proof of financial capability (bonds or insurance) to pay any claims, damages or expenses that may arise as a result of L.U.S.T. monitoring well(s) placement, installation or maintenance in public rights-of-way; and further

**PROVIDED**, That said permittee shall be subject to any tax under the provisions of the General Property Tax Act which may be levied against it pursuant to law; and further

**PROVIDED**, That no 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 the expense of the permittee 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 at the permittee's sole cost and expense; and further

**PROVIDED**, That said permits issued by the City Engineering Division - DPW and/or the Buildings, Safety Engineering and Environmental Department are granted with the distinct understanding that in the event the City Charter, or Detroit Code(s), or ordinance(s), or resolution(s), or City policies (governing the placement of encroachments in public rights-of-way) are amended to provide for the levying thereafter, of a fee, charge or rental, to be hereafter determined upon, for the occupancy of public streets, alleys or other public places, that the permittee will pay said fee, charge or rental provided for in said Charter, or code(s), or ordinance(s), or resolution(s), or policies; also said permittee does hereby bind itself thereunto, and to accept said permits on the conditions hereby imposed, and in the event said permittee shall contest the validity of said Charter, or code(s), or ordinance(s), or resolution(s), or policies of said fee, charge or rental, or upon refusal to pay same, issued permits shall immediately become void; and further

**PROVIDED**, That the grade shall be maintained in original condition after installation of the wells with flush covers for the holes; and further

**PROVIDED**, That all construction in the public right-of-way be conducted under permit from DPW City Engineering Division; and further

**PROVIDED**, This resolution is revocable at the will, whim or caprice of the City Council, and permittee hereby waives any right to claim damages or compensation for removal of encroachment(s), and further, that the permittee acquires no implied or other privileges hereunder not expressly stated herein; and 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 further

**PROVIDED**, The filing of the indemnity agreement and the securing of the necessary permit(s) referred to herein shall be construed as acceptance of this resolution by the permittee; and further

**PROVIDED**, That the encroachment permit 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 with the Wayne County Register of Deeds.



PETITION NO. 296  
 PM ENVIRONMENTAL  
 3340 RANGER RD.  
 LANSING, MICHIGAN 48906  
 C/O LENA PAPPAS  
 PHONE NO. 248 336-9988



E. EIGHT MILE RD. 204 FT. WD.

**"REVISED"**

MARX AVE. 75 FT. WD.

DEQUINDRE ST. 66 FT. WD.

23	21	"	SUB	"	N	"	NO. 2	"	21	23
100	93	95	97	99	101	103	104		100	104
21.43	20	105	120	21.67	120	20	20	20	20	20
41	187	120		16	21					
"	"				23	"	"	"	"	"
"	185				25	"	"	"	"	"
"					27	"	"	"	"	"
"	183				29	"	"	"	"	"
"					31	"	"	"	"	"
"	181				33	"	"	"	"	"
"					35	"	"	"	"	"
"	179				37	"	"	"	"	"
"					39	"	"	"	"	"
41	177				41	"	"	"	"	"
42.5					43	"	"	"	"	"
42.5	175	120	16	120	45	"	"	"	"	"
					47	20				

WINCHESTER AVE. 50 FT. WD.

● - REQUEST ENCROACHMENT  
 (With Monitoring Wells)

(FOR OFFICE USE ONLY)

CARTO 37 A

<b>B</b>						<b>REQUEST ENCROACHMENT          INTO THE EAST/WEST AND NORTH/SOUTH          PUBLIC ALLEYS VARIOUS WIDTHS          IN THE BLOCK BOUND BY          DEQUINDRE ST., WINCHESTER, MARX AVE.          AND E. EIGHT MILE RD.          (With Monitoring Wells)</b>	<b>CITY OF DETROIT          CITY ENGINEERING DEPARTMENT          SURVEY BUREAU</b>		
<b>A</b>	ADDING A MONITORING WELL	WLW	KSM	KSM	10/24/18				
<b>DESCRIPTION</b>		<b>DRWN</b>	<b>CHKD</b>	<b>APPD</b>	<b>DATE</b>				
<b>REVISIONS</b>									
<b>DRAWN BY</b>	WLW	<b>CHECKED</b>	KSM						
<b>DATE</b>	05-29-18	<b>APPROVED</b>							
		<b>JOB NO.</b>		01-01		<b>DRWG. NO.</b>		X 296	

**City of Detroit**  
**OFFICE OF THE CITY CLERK**

Janice M. Winfrey  
City Clerk

Vivian A. Hudson  
Deputy City Clerk

**DEPARTMENTAL REFERENCE COMMUNICATION**

*Thursday, April 19, 2018*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

---

The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

---

DPW - CITY ENGINEERING DIVISION  
PLANNING AND DEVELOPMENT DEPARTMENT

**296**     *OPM Environmental, request to install one Groundwater Monitoring Well and Two Soil Gas Sampling Points Within the Alley South of 1830 East 8 Mile Rd.*



**Corporate Headquarters**  
Lansing, Michigan  
3340 Ranger Road, Lansing, MI 48906  
f: 877.884.6775  
t: 517.321.3331

**Michigan Locations**  
Berkley      Bay City  
Grand Rapids      Detroit  
Chesterfield      Lansing

April 12, 2018

The Honorable City Council  
200 Coleman A. Young Municipal Center  
Detroit, MI 48226

**RE: Request to Install One Groundwater Monitoring Well and Two Soil Gas Sampling Points Within the Alley South of 1830 East 8 Mile Road, Detroit, Wayne County, Michigan**

Dear Honorable City Council,

PM Environmental, Inc. (PM) is under contract with Barrick Enterprises, Inc. (Owner) to investigate the extent of impact resulting from an open leaking underground storage tank (LUST) gasoline release (C-0191-17) at the BP gasoline dispensing station located at 1830 East 8 Mile Road in Detroit, Wayne County, Michigan (herein referred to as the Site).

PM is requesting approval to conduct subsurface work within the alley south of 1830 East 8 Mile Road as shown in the attached Figure 1. PM will install three soil borings to a total depth of 20 feet below ground surface to collect soil samples. Should groundwater be encountered, two of the soil boring locations will be converted to permanent groundwater monitoring wells. In addition, two in-boring soil gas sampling points will be installed adjacent to the soil boring locations (Figure 1). The investigation will begin as soon as the permit has been granted and will continue until Michigan Department of Environmental Quality regulatory closure is achieved. Following closure, all well and vapor point materials will be removed from the ground and the area returned to normal conditions.

If you have any questions related to this petition, please do not hesitate to contact our office at (248) 336-9988 or via email at [pappas@pmenv.com](mailto:pappas@pmenv.com).

Sincerely,  
**PM Environmental, Inc.**

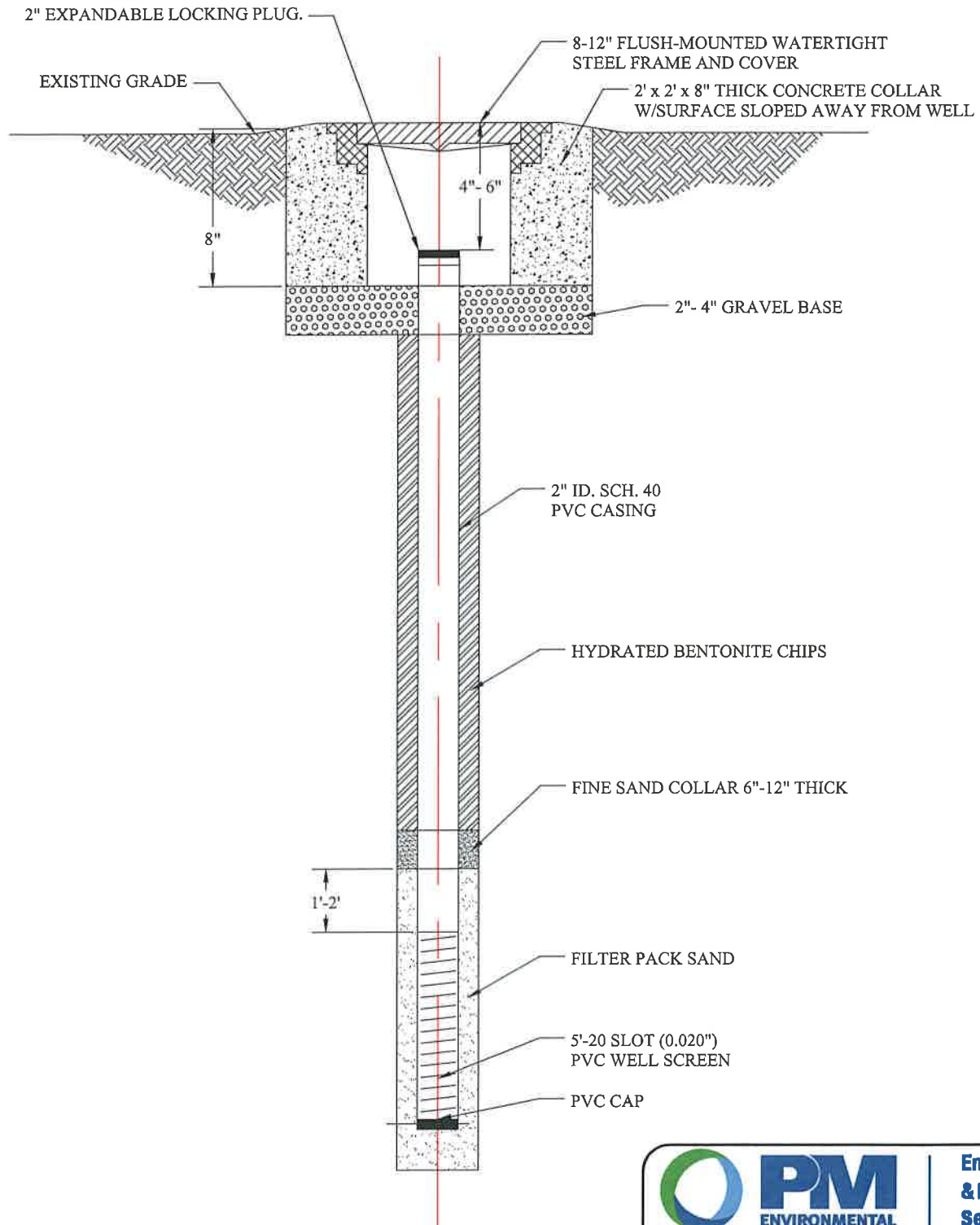
Lena Pappas  
Staff Geologist

Attached:

Figure 1: Proposed Soil Boring/ Permanent Monitoring Well/ Soil Gas Sample Location Map  
Typical Soil Gas Sampling Point Diagram  
Typical Monitoring Well Construction Detail

CITY CLERK 2018 APR 17 PM 2:55





**Environmental  
& Engineering  
Services**

**WELL DETAIL**  
TYPICAL MONITORING WELL CONSTRUCTION  
DETAIL

PROJ: TYPICAL

THIS IS NOT A LEGAL SURVEY	DRN BY: KS	DATE: 3/8/2018
VERIFY SCALE	CHKD BY: SZ	SCALE: NTS
0	FILE NAME: MONITORING WELL DETAIL	

IF NOT 1" ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

TYPICAL SOIL GAS DIAGRAM

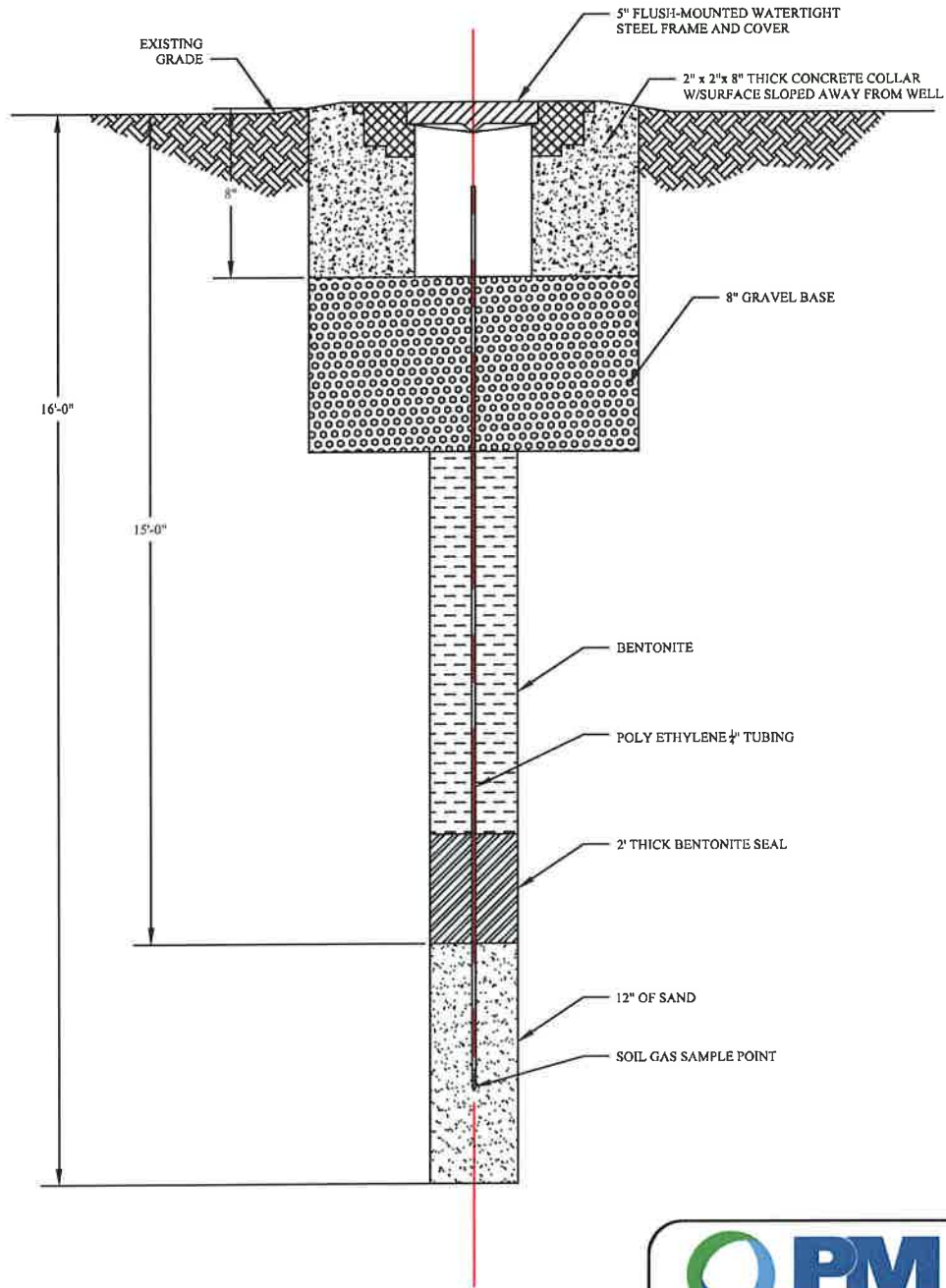
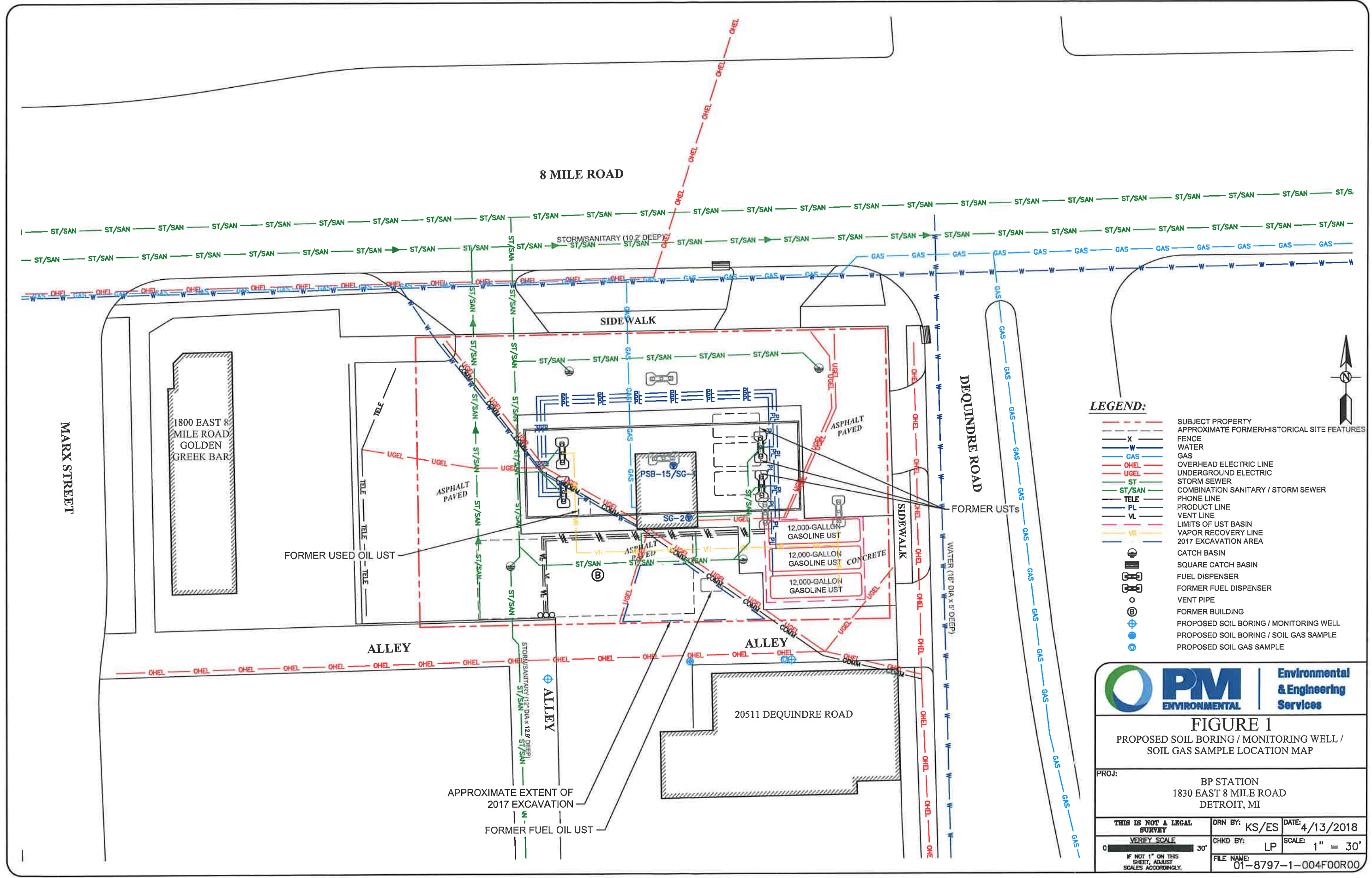


FIGURE X  
TYPICAL SOIL GAS DIAGRAM

PROJ: SOIL GAS DIAGRAM

<p>THIS IS NOT A LEGAL SURVEY</p> <p>VERIFY SCALE</p> <p>0 <span style="background-color: black; color: black;">                    </span> NTS</p> <p>IF NOT 1" ON THIS SHEET, ADJUST SCALES ACCORDINGLY.</p>	DRN BY: CS	DATE: 4/12/2018
	CHKD BY: LP	SCALE: NTS
FILE NAME: SOIL GAS_1_17983_7856		



- LEGEND:**
- SUBJECT PROPERTY
  - APPROXIMATE FORMER/HISTORICAL SITE FEATURES
  - FENCE
  - WATER
  - GAS
  - OHEL
  - UGEL
  - ST/SAN
  - ST/SAN
  - TELE
  - PL
  - V
  - LIMITS OF UST BASIN
  - VAPOR RECOVERY LINE
  - 2017 EXCAVATION AREA
  - CATCH BASIN
  - SQUARE CATCH BASIN
  - FUEL DISPENSER
  - FORMER FUEL DISPENSER
  - VENT PIPE
  - FORMER BUILDING
  - PROPOSED SOIL BORING / MONITORING WELL
  - PROPOSED SOIL BORING / SOIL GAS SAMPLE
  - PROPOSED SOIL GAS SAMPLE



**FIGURE 1**  
 PROPOSED SOIL BORING / MONITORING WELL /  
 SOIL GAS SAMPLE LOCATION MAP

PROJ: BP STATION  
 1830 EAST 8 MILE ROAD  
 DETROIT, MI

THIS IS NOT A LEGAL SURVEY	DRN BY: KS/ES	DATE: 4/13/2018
VERIFY SCALE	CHKD BY: LP	SCALE: 1" = 30'
IF NOT 1" ON THIS SHEET, ADJUST SCALES ACCORDINGLY.	FILE NAME: 01-8797-1-004F00R00	

2018-04-18

**296**

**296** *Petition of OPM Environmental,  
request to install one Groundwater  
Monitoring Well and Two Soil Gas  
Sampling Points Within the Alley  
South of 1830 East 8 Mile Rd.*

---

REFERRED TO THE FOLLOWING DEPARTMENT(S)

DPW - CITY ENGINEERING DIVISION  
PLANNING AND DEVELOPMENT DEPARTMENT





CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

27

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVE. SUITE 601  
DETROIT, MICHIGAN 48226  
PHONE: (313) 224-3949 • TTY: 711  
FAX: (313) 224-3471  
WWW.DETROITMI.GOV

January 14, 2019

Honorable City Council:

**RE: Petition No. 1768 – Bedrock Management LLC, request for 1400 Woodward Hotel Encroachment into Woodward Avenue, John R. Street, Farmer Avenue, and E. Grand River Avenue, all public rights-of-way.**

Petition No. 1768 – Bedrock Management Services LLC, request for encroachments with outdoor café, planters, non-standard paving and trees with grating inclusive of irrigation, also architectural elements including lighting, awnings and canopies above grade. The encroachments are on the east side of Woodward Avenue, 190 feet wide, also on the south side of John R. Street, 60 feet wide, also on the west side of Farmer Street, variable width, also on the north side of East Grand River Avenue, 60 feet wide. All of the encroachments are located in the block of the above four streets.

The petition was referred to the City Engineering Division – DPW for investigation and report. This is our report.

The request is being made for enhancement of the new Shinola Hotel streetscape.

The request was approved by the Solid Waste Division – DPW, and City Engineering Division – DPW, and Traffic Engineering Division – DPW (TED). TED has conditions that are a part of the resolution.

Detroit Water and Sewerage Department (DWSD) reports being involved, but they have no objection provided the DWSD encroachment provisions are followed. The DWSD provisions have been made a part of the resolution.

All other involved City Departments, including the Public Lighting Authority and Public Lighting Department; also privately owned utility companies have reported no objections to the encroachment. Provisions protecting all utility installations are part of the attached resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

Richard Doherty, P.E., City Engineer  
City Engineering Division – DPW

JMK/

Cc: Ron Brundidge, Director, DPW  
Mayor's Office – City Council Liaison

CITY CLERK 2019 JAN 29 4:18:05

COUNCIL MEMBER \_\_\_\_\_

**RESOLVED**, that the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to Bedrock Management LLC or their assigns to install and maintain encroachments consisting of outdoor café, planters, non-standard paving, and trees with grating inclusive of irrigation, also architectural elements including lighting, awnings and canopies above grade. The encroachments are on the east side of Woodward Avenue, 190 feet wide, also on the south side of John R. Street, 60 feet wide, also on the west side of Farmer Street, variable width, also on the north side of East Grand River Avenue, 60 feet wide. All of the encroachments are located in the block of the above four streets and being land in the City of Detroit, Wayne County, Michigan: Woodward Avenue, Farmer Street, East Grand River Avenue, and John R. Street adjoining Lots 28, 29, 30, 31, 32, 68, 69, 70, and 71 "Plan of Section numbered Seven in the City of Detroit, confirmed the 13<sup>th</sup> day of April 1807" as recorded in Liber 34, Page 544 of Deeds, Wayne County Records. Encroachments are further described as follows:

- 1) Outdoor café seating area including barriers, planters, etcetera being 18 feet wide and 150 feet in length along Woodward Avenue, and being 4.4 feet wide and 100 feet in length along East Grand River Avenue and lying west of and adjoining the west line of all of said Lots 31 and 32 and the South 30 feet of said Lot 30; also lying south of and adjoining the south line of said Lot 32.
- 2) Outdoor café seating area including barriers, planters, etcetera being 5 feet wide and 247.60 feet in length along Farmer Avenue, and being 5 feet wide and 31 feet in length along John R. Street and lying east of and adjoining the east line of all of said Lots 68, 69 and 70; also lying north of and adjoining the north line of said Lot 68.
- 3) Non-standard paving and trees with tree grates and landscaped areas with underground irrigation on sidewalks of Woodward Avenue, Farmer Street, East Grand River Avenue, and John R. Street and being west of and adjoining the west line of said Lots 28, 29, 30, 31, and 32 also lying south of and adjoining the south line of said Lot 32 and the west 8.2 feet of said Lot 71 and the vacated alley adjoining Lots 32 and 71; also lying north of and adjoining the north line of said Lot 68 and east of and adjoining the east line of said Lots 68, 69, 70 and the east 2.7 feet of said Lot 28 and the north 7 feet of said Lot 71 and the vacated alley adjoining said Lots 28 and 68. The encroachment area extending from the above described property lines to the curb lines of the adjoining streets.
- 4) Architectural elements with exterior lighting and awnings adjoining the westerly line of said Lots 31, 32 and south 30 feet of Lot 30 and being part of Woodward Avenue, 150 feet in length and 8 feet wide with an elevation of 8 feet above grade and extending to the building height.
- 5) Architectural elements with exterior lighting and awnings adjoining the southerly line of the westerly 41.2 feet and the westerly 37.2 feet of said Lot 32 and being two parts of East Grand River Avenue, 41.2 feet in length and 8 feet wide also 37.2 feet in length and 8 feet wide, both with an elevation of 8 feet above grade and extending to the building height.
- 6) Architectural elements with exterior lighting and building entrance canopy adjoining the southerly line of the westerly 22 feet of the easterly 59.2 feet of said Lot 32 and being part of East Grand River Avenue, 22 feet in length and 11 feet wide with an elevation of 10 feet above grade and extending to the building height.
- 7) Architectural elements with exterior lighting and awnings adjoining the northerly line and the easterly line of the northerly 96.3 feet said Lot 68 inclusive of within 8.5 feet of the northeasterly corner of said Lot 68 and being part of John R. Street Avenue, and Farmer Street and being 8.5 feet wide and 31 feet in length along John R Street and curving around the

- corner of John R. and Farmer Streets with an 8.5 foot radius and continuing 96.3 feet along John R. Street, all with an elevation of 8 feet above grade and extending to the building height.
- 8) Architectural element with building entrance awning with two support poles at grade anchored in the sidewalk adjoining the northerly 11.4 feet of said Lot 70 and being part of Farmer Street 11.4 feet in length and 6 feet wide with an elevation of 8 feet above grade and extending to an elevation of 12 feet above grade.

PROVIDED, that if there is any 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, that a minimum of 6.0 feet wide clear and unobstructed sidewalk shall be maintained for pedestrian traffic in front of the outdoor seating area at all times; and be it further

PROVIDED, that access is maintained to all fire department connections, and be it further

PROVIDED, that the remaining sidewalk width meets minimum ADA requirements and all City standards and policies are met; and be it further

PROVIDED, that 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 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 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, Bedrock Management LLC or their 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; and further

PROVIDED, that all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Bedrock Management LLC or their assigns, 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 Bedrock Management LLC or their assigns. Should damages to utilities occur Bedrock Management LLC or their assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; 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, that the area being used as an Outdoor Café shall meet the general requirements set by the “Outdoor Café Guidelines” as adopted by the City Council and guided by Section 50-2-20 (aka code 1964 § 58-2-8.1) of the City Code; and further

PROVIDED, that the petitioner obtains all necessary licenses and permits every year from Departments having jurisdiction over the outdoor café process; and further

PROVIDED, that said activities are conducted under the rules and regulations of the Department of Public Works and the supervision of the Police Department; and further

PROVIDED, that the sale of food or soft drinks is held under the direction and inspection of the Detroit City Health Department; and further

PROVIDED, that the “permitee” remit the required annual fee(s) to Department of Public Works – City Engineering Division for issuance of a use-permit and confirm license of the establishment in compliance with City Code; and further

PROVIDED, that this use-permit shall be for a period of one year, after receiving approval of City Council, and may be renewable thereafter on an annual basis; and further

PROVIDED, that Bedrock Management LLC or their assigns shall file with the Department of Public Works – City Engineering Division an indemnity agreement 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 of Bedrock Management LLC or their assigns of the terms thereof. Further, Bedrock Management LLC or their assigns shall agree to pay all claims, damages or expenses that may arise out of the use, repair and maintenance of the proposed encroachments; and further



PROVIDED, that filing of said indemnity agreement shall be construed as acceptance of this Resolution by the “permittee”; and further

PROVIDED, that the petitioner is responsible to obtain approval of the Michigan Liquor Control Commission, if necessary and approval from the Detroit Police Liquor License Bureau if serving liquor; and further

PROVIDED, that the designated outdoor seating area shall be identified through the use of railings or other physical barrier in order to regulate the serving of liquor within the perimeter of the café; and further

PROVIDED, that all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Bedrock Management LLC, or their assigns; and further

PROVIDED, that Bedrock Management LLC enter into a maintenance agreement with DPW – City Engineering for the encroachment area; and further

PROVIDED, that construction of the encroachments shall constitute acceptance of the terms and conditions as set forth in this resolution; and be it further

PROVIDED, this resolution or part thereof is revocable at the will, whim or caprice of the City Council, and Bedrock Management LLC 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 be it further

PROVIDED, that the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.



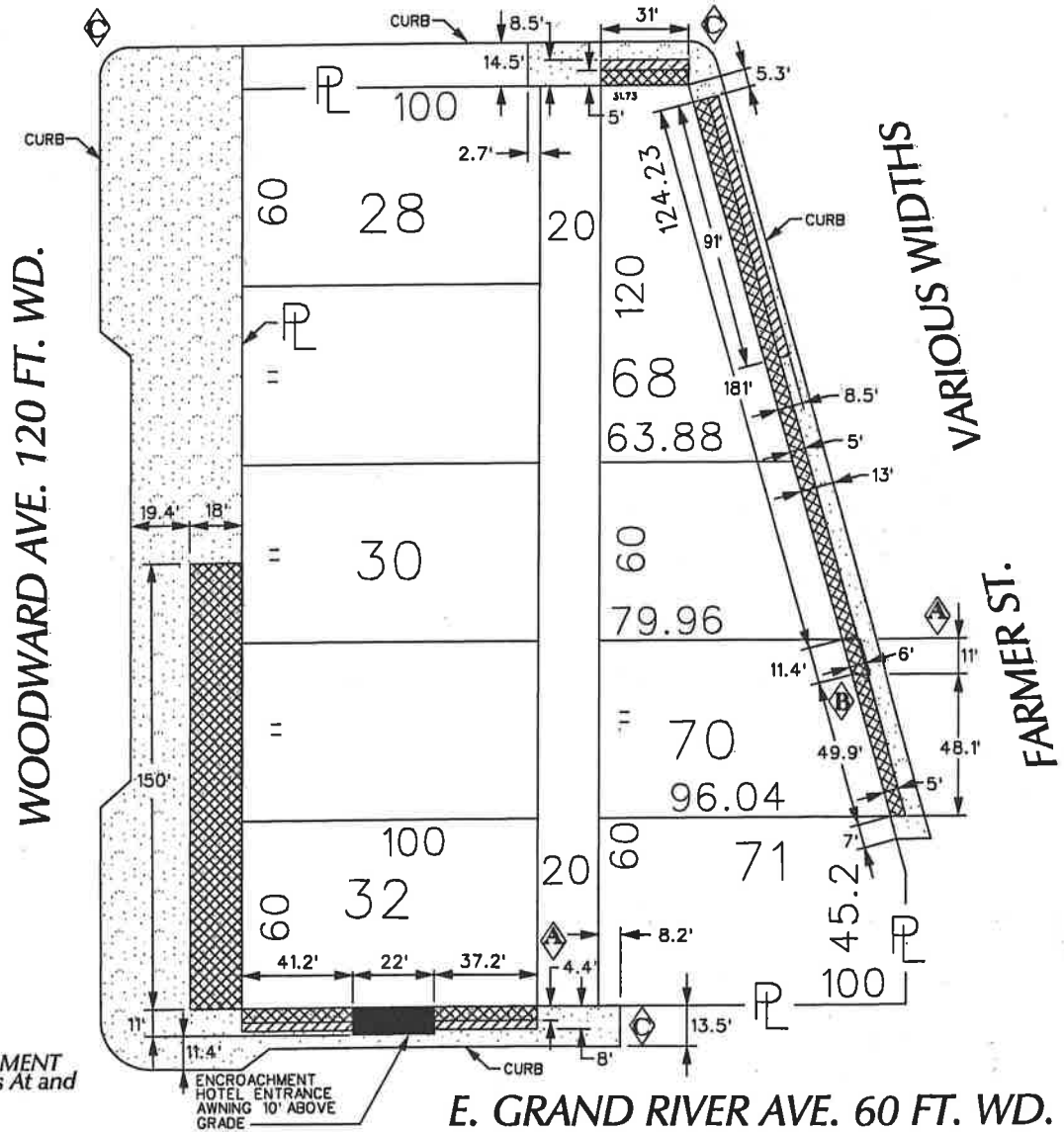


PETITION NO. 1768  
 BEDROCK DETROIT  
 C/O MANNIK SMITH GROUP  
 65 CADILLAC SQUARE SUITE 3311  
 DETROIT, MICHIGAN 48226  
 C/O DAVID RYZYI  
 PHONE NO. 313 961-9500

**"REVISED"**



JOHN R. ST. 60 FT. WD.



- REQUEST ENCROACHMENT (With Tree, Tree Grates At and Below Grade)
- REQUEST ENCROACHMENT (With Hotel Entrance Awnings - 10' Above Grade)
- REQUEST ENCROACHMENT (With Exterior Lighting and Awnings - 8' Above Grade)
- REQUEST ENCROACHMENT (With Outdoor Seating, Planters, Exterior Lighting and Awnings - at Grade)

E. GRAND RIVER AVE. 60 FT. WD.

DESCRIPTION	DRWN	CHKD	APPD	DATE
<b>C</b> ADDING ENCROACHMENT AREA	WLW	KSM	KSM	10/2/18
<b>B</b> PULLING BACK THE AWNING ON FARMER	WLW	KSM	KSM	10/2/18
<b>A</b> MAINTAINING A 6' WALKWAY ALL AROUND	WLW	KSM	KSM	5/9/18
REVISIONS				
DRAWN BY	WLW	CHECKED	KSM	
DATE	04-05-18	APPROVED		

(FOR OFFICE USE ONLY)

CARTO 28 A

REQUEST ENCROACHMENT  
 VARIOUS LOCATIONS  
 AT 1400 WOODWARD

(With Outdoor Seating, Planters, Exterior Lighting  
 Hotel Entrance Awnings, Other Awnings  
 and Encroachments)

CITY OF DETROIT  
 CITY ENGINEERING DEPARTMENT  
 SURVEY BUREAU

JOB NO. 01-01  
 DRWG. NO. X 1768

# City of Detroit

OFFICE OF THE CITY CLERK

Janice M. Winfrey  
City Clerk

Vivian A. Hudson  
Deputy City Clerk

## DEPARTMENTAL REFERENCE COMMUNICATION

*Friday, September 08, 2017*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

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The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

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PLANNING AND DEVELOPMENT DEPARTMENT    DPW - CITY ENGINEERING DIVISION

**1768**    *Bedrock Detroit, request for 1400 Woodward Hotel Encroachment into the Woodward Avenue, John R street, Farmer Avenue, and E. Grand Avenue Public Rights-of- Ways*



August 25, 2017

Honorable Detroit City Council  
c/o Detroit City Clerk  
2 Woodward Avenue  
200 Coleman A. Young Municipal Center  
Detroit, Michigan 48226

**RE: Request for 1400 Woodward Hotel Encroachment into the Woodward Avenue, John R Street, Farmer Avenue, and E. Grand River Avenue Public Right-of-Ways**

On behalf of Bedrock Detroit, 630 Woodward Avenue, Detroit, Michigan, 48226, the Mannik & Smith Group Inc. is respectfully requesting an encroachment approval for the 1400 Woodward Hotel into the Woodward Avenue, John R Street, Farmer Avenue and E. Grand River Avenue public right-of-ways with the installation of canopies and café seating.

We are requesting an 17.4 foot wide – 150 feet in length encroachment into the Woodward Avenue right-of-way, an 5.0 foot wide – 22.1 feet in length encroachment into the John R Street right-of-way, a 5 foot wide – 221.3 feet in length encroachment into the Farmer Avenue right-of-way, and a 7.7 foot wide – 99.1 feet in length encroachment into the E. Grand River Avenue right-of-way; all encroachments mentioned in this paragraph will begin at grade and extend to the height of the building.

Additionally, we are requesting a 3.5 foot wide – 22.1 feet in length encroachment and a 8.5 foot wide – 9.7 feet in length encroachment into the John R Street right-of-way, a 8.5 foot wide – 14.1 feet in length encroachment and a 3.5 foot wide – 90.1 feet in length encroachment into the Farmer Avenue right-of-way, a 7.7 foot wide – 18.3 feet in length encroachment into the E. Grand River right-of-way; all encroachments mentioned in this paragraph will begin 8 feet above grade and extend to the height of the building.

In addition, we are requesting a 7.8 foot wide – 10.7 feet in length encroachment into the Farmer Avenue right-of-way, a 15.0 foot wide – 27.6 feet in length encroachment into the E. Grand River right-of-way; all encroachments mentioned in this paragraph will begin 10 feet above grade and extend to the height of the building.

These encroachments will neither impede pedestrian nor vehicular traffic, nor will they interfere with the maintenance of the public rights-of-way, including utility company and Fire Department access. The requested encroachments maintain at minimum, a 6 foot wide access way within the sidewalk for pedestrian use. Obtaining these encroachments is critical to fully utilize this property as a commercial establishment and will promote activity along the streets. A drawing of the proposed location of the encroachments is included. If you should have any questions, please do not hesitate to contact our office at (313) 961-9500.

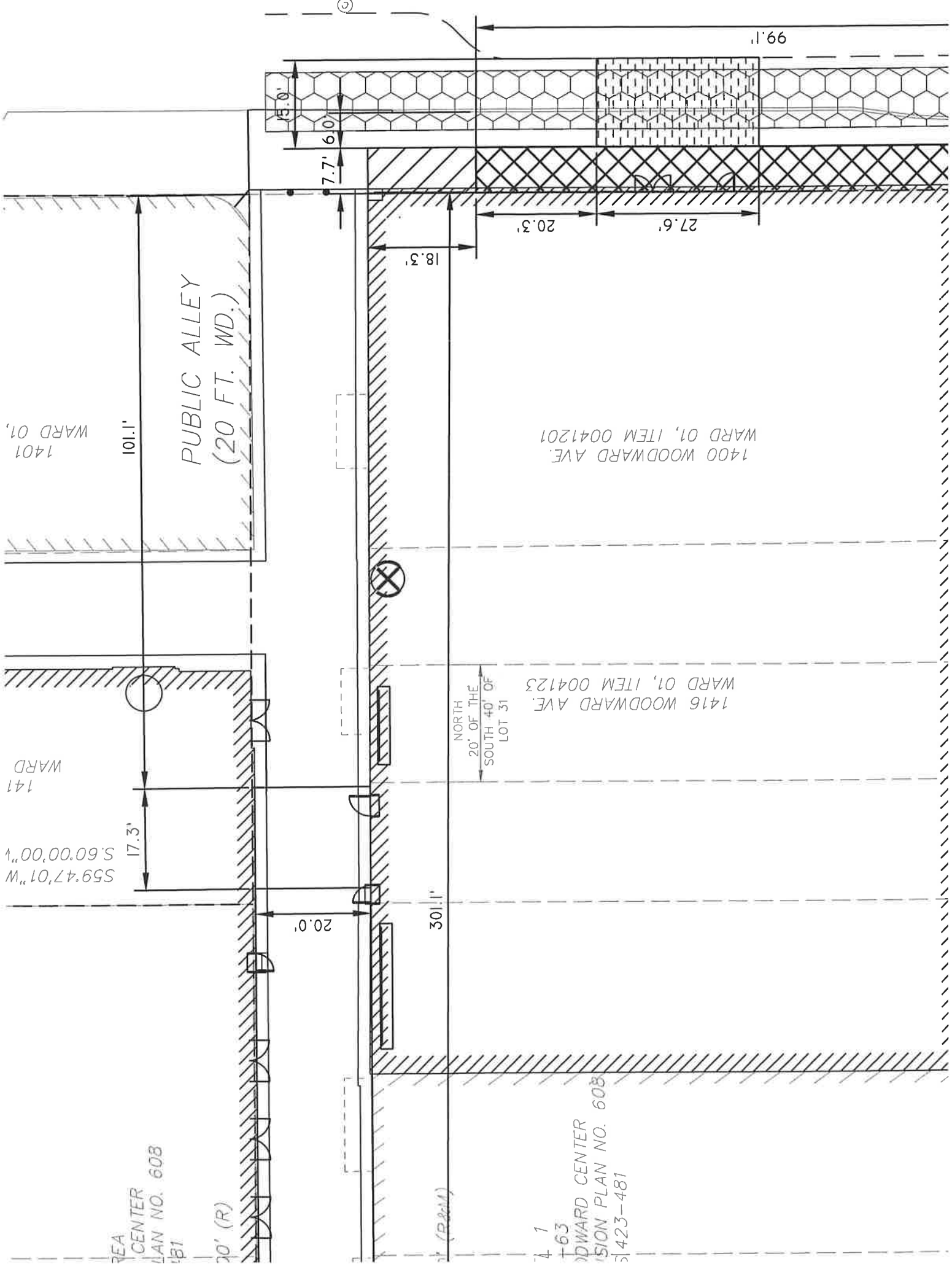
Sincerely,

David Rzyzi  
Director  
Infrastructure Engineering

CITY CLERK 25 AUG 2017 4:48:28

TECHNICAL SKILL.  
CREATIVE SPIRIT.

K1880001.LTR Encroachment Request.Docx



1401  
WARD 01,

101.1'

PUBLIC ALLEY  
(20 FT. WD.)

1400 WOODWARD AVE.  
WARD 01, ITEM 0041201

141  
WARD

17.3'

S59°47'01"W  
5.60°00'00"V

1416 WOODWARD AVE.  
WARD 01, ITEM 004123  
LOT 31  
NORTH 20' OF THE  
SOUTH 40' OF

20.0'

301.1'

AREA  
CENTER  
PLAN NO. 608  
181

20' (R)

(R&M)

1  
+63  
WOODWARD CENTER  
VISION PLAN NO. 608  
5423-481





2017-09-08

**1768**

**1768** *Petition of Bedrock Detroit, request  
for 1400 Woodward Hotel  
Encroachment into the Woodward  
Avenue, John R street, Farmer  
Avenue, and E. Grand Avenue Public  
Rights-of-Ways*

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**REFERRED TO THE FOLLOWING DEPARTMENT(S)**

PLANNING AND DEVELOPMENT DEPARTMENT    DPW -  
CITY ENGINEERING DIVISION