



116

Date: October 31, 2019

HONORABLE CITY COUNCIL

RE: RECOMMENDATION FOR DEFERRAL
ADDRESS: 12301 Gratiot
NAME: Metro Building Group LLC
Demolition Ordered: November 5, 2012

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 October 16, 2019 revealed that the building is secured and appears to be sound and repairable. The owner has paid all taxes and is current. The proposed use of the property is owner's use and occupancy. **This is the 1st deferral request for this property.**

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

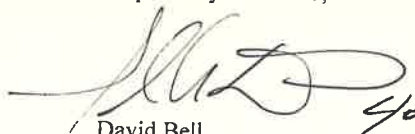
1. **A permit for rehabilitation work shall be applied for within ten (10) business days from the date of the City Council decision.**
2. **BSEED will schedule a Progress Inspection within forty-five (45) calendar days from the date of the rehabilitation permit to determine whether substantial progress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

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

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

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

Respectfully submitted,


David Bell
Director

DB:bkd

cc: Metro Building Group LLC, 1600 Clay, Detroit, MI 48211
ATTN: Dennis Kefallinos

CITY CLERK 2019 NOV 15 AM 8:44



117

Date: November 8, 2019

HONORABLE CITY COUNCIL

RE: **RECOMMENDATION FOR DEFERRAL**
ADDRESS: 15084 Washburn
NAME: Nouveau Virage LLC
Demolition Ordered: July 15, 2019

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 7, 2019, revealed that the building is secured and appears to be sound and repairable. The owner has paid all taxes and is current. The proposed use of the property is owner's use and occupancy. **This is the 2nd deferral request for this property.**

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

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

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

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

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

Respectfully submitted,

David Bell
Director

DB:bkd

cc: Nouveau Virage LLC, 15084 Washburn, Detroit, MI 48238
Noubrsu Virage LLC, 302 S. Main-#200, Royal Oak, MI 48067
Shawn Reed, 16620 Greenfield, Detroit, MI 48235



Date: October 31, 2019

HONORABLE CITY COUNCIL

RE: RECOMMENDATION FOR DEFERRAL
ADDRESS: 2800 Standish
NAME: Harmonie Plaza INC
Demolition Ordered: May 21, 2018

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

A special inspection conducted on October 16, 2019 revealed that the building is secured and appears to be sound and repairable. The owner has paid all taxes and is current. The proposed use of the property is owner's use and occupancy. **This is the 2nd deferral request for this property.**

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

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

We recommend that utility disconnect actions cease to allow the progress of the rehabilitation.

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

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

Respectfully submitted,


David Bell
Director

DB:bkd

cc: Harmonie Plaza INC, 743 Beubien-STE 201, Detroit, MI 48226
Dennis Kefallinos, 1600 Clay, Detroit, MI 48211



SUMMARY

AN ORDINANCE to amend Chapter 6 of the 2019 Detroit City Code, *Animal Care, Control and Regulation*; Article III, *Dangerous Animals*; by amending Section 6-3-1 to add a provision to be known as “Emma’s Clause” in honor and memory of Emma Valentina Hernandez, the nine year old girl that was mauled to death on August 19, 2019, when multiple dogs escaped a neighbor’s yard; to require mandatory actions as part of the Detroit Animal Care and Control Division investigation and evaluation of a verifiable complaint of a dangerous animal; to set forth such mandatory actions such as visit(s) to the residential address, and a requirement that notes and photographs be taken; posting of notice to contact the Animal Care and Control Division within a set timeframe from the posting of notice; and to establish an accelerated procedure to address an individual’s failure to contact the Animal Care and Control Division.

1 **BY COUNCIL MEMBER _____**

2 **AN ORDINANCE** to amend Chapter 6 of the 2019 Detroit City Code, *Animal Care,*
3 *Control and Regulation; Article III, Dangerous Animals;* by amending Section 6-3-1 to add a
4 provision to be known as “Emma’s Clause” in honor and memory of Emma Valentina Hernandez,
5 the nine year old girl that was mauled to death on August 19, 2019, when multiple dogs escaped a
6 neighbor’s yard; to require mandatory actions as part of the Detroit Animal Care and Control
7 Division investigation and evaluation of a verifiable complaint of a dangerous animal; to set forth
8 such mandatory actions such as visit(s) to the residential address, and a requirement that notes and
9 photographs be taken; posting of notice to contact the Animal Care and Control Division within a
10 set timeframe from the posting of notice; and to establish an accelerated procedure to address an
11 individual’s failure to contact the Animal Care and Control Division.

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

13 **Section 1:** That Chapter 6 of the 2019 Detroit City Code, *Animal Care, Control, and*
14 *Regulation; Article III, Dangerous Animals;* is amended by amending Section 6-3-1 to read as
15 follows:

16 **CHAPTER 6. ANIMAL CARE, CONTROL, AND REGULATION**

17 **ARTICLE I. IN GENERAL**

18 **Sec. 6-3-1. Dangerous animal investigation; determination by the Administrator or the**
19 **Administrator's designee; Emma’s Clause requiring mandatory contact with Animal Care**
20 **and Control Division; appeal of dangerous animal determination; treatment of animals**
21 **issued dangerous animal determination; treatment of animals seized or surrendered prior to**
22 **dangerous animal determination.**

1 (a) Upon the receipt of a verifiable complaint from an individual or other report of an
2 attack, a bite, a dog fight, an injury, an observation of threatening behavior, or other reason to
3 cause a reasonable person to believe that a dog or other animal may be dangerous, the Animal Care
4 and Control Division shall evaluate the complaint or report and, where the factual circumstances
5 warrant, may conduct a dangerous animal investigation. Where practicable, the investigation shall
6 include interviewing the complainant, any victim or victims of the attack or animal bite and any
7 witness or witnesses who observed the subject animal, and visiting the scene where the reported
8 incident took place.

9 (b) This subsection shall be known as “Emma’s Clause” in honor and memory of
10 Emma Valentina Hernandez, a nine year old girl that was mauled to death on August 19, 2019,
11 when multiple dogs escaped a neighbor’s yard.

12 (1) Upon the receipt of a verifiable complaint from an individual regarding an
13 unsecured or inadequate enclosure or fencing to contain an animal at a residential location, or other
14 reason to cause a reasonable person to believe that a dog or other animal may be dangerous, the
15 Animal Care and Control Division shall evaluate the complaint or report and, where the factual
16 circumstances warrant, shall conduct a dangerous animal investigation which shall include:

- 17 a. A mandatory visit to the residential address to make contact with owner of
18 the property or the owner of the animal;
- 19 b. During the visit to the residential address, the animal control officer or
20 investigator shall observe, note and photograph the enclosure or fencing to
21 contain an animal at a residential location to assist in the determination of
22 its sufficiency;

1 c. If personal contact cannot be made with the owner of the property or the
2 owner of the animal, a notice shall be posted at the residence requiring that
3 the owner of the property or the owner of the animal contact Animal Care
4 and Control Division within 48 hours of the date of the posting;

5 d. After the expiration of the 48 hour period and without contact from the
6 owner of the property or the owner of the animal at that residential address,
7 the Animal Care and Control Division may attempt a second visit or, with
8 the assistance of the Law Department, initiate show cause proceedings at
9 36th District Court, or both.

10 (c) The Animal Care and Control Division investigator who is assigned to the
11 dangerous animal investigation shall make a written recommendation concerning the incident and
12 the animal and whether the Administrator, or the Administrator's designee, should issue a
13 dangerous animal determination, including the factual basis for the recommendation. For purposes
14 of making a recommendation under this section, the investigating officer may review and rely
15 upon a written police report concerning an animal attack, bite, threatening behavior, or other
16 observation that an animal may be dangerous. Any animal that is the subject of a dangerous animal
17 investigation shall not be moved or harbored at another location, excepting transport to a licensed
18 veterinary facility for purposes of a rabies quarantine, or have its ownership transferred, pending
19 the outcome of the investigation or any hearings related to the determination of whether the animal
20 is a dangerous animal under this section.

21 (d) The Administrator or the Administrator's designee, shall review the
22 recommendation contained in the dangerous animal investigation, and, after such review, shall
23 have the authority to issue a dangerous animal determination concerning the subject dog or animal.

1 (e) Upon a dangerous animal determination, the Animal Care and Control Division
2 shall provide the owner of the animal a written notification of the determination by first class mail.
3 Within ten days from the date of the receipt of the mailing, the owner of the animal may file a
4 written request for a hearing to review the determination at the 36th District Court. Pending any
5 hearing or resolution on the dangerous animal determination, the animal shall be confined in
6 accordance with the requirements imposed by the Administrator or the Administrator's designee,
7 pursuant to Section 6-3-2 of this Code, including confinement in a securely fenced or enclosed
8 area. Where the owner fails to request a hearing within the ten-day period after receipt of the notice,
9 the dangerous animal determination made by the Administrator, or the Administrator's designee,
10 shall become final and the animal shall be issued a dangerous animal determination under this
11 section.

12 (f) Where the Administrator, or the Administrator's designee, makes a dangerous
13 animal determination under Subsection (e d) of this section and the animal has caused severe injury
14 or death to any person or animal, the Administrator, or the Administrator's designee, may seek an
15 order from the 36th District Court to euthanize the animal. Where the Administrator, or the
16 Administrator's designee, makes a second dangerous animal determination under Subsection (c)
17 of this section for a subsequent incident, the Administrator, or the Administrator's designee, may
18 seek an order from the 36th District Court to euthanize the animal. The Administrator, or the
19 Administrator's designee, shall take into consideration the severity and the total circumstances of
20 injury to any person or to any animal prior to seeking review and shall abide by the procedures
21 and judgment of the 36th District Court if an order to euthanize the animal is sought.

22 (g) Whenever an animal is seized or brought to the Animal Care and Control Division
23 for having attacked or bitten a person or another animal, the Animal Care and Control Division

1 shall hold and care for the animal during the pendency of a dangerous animal determination. The
2 Animal shall not be released unless:

3 (1) The owner enters into an agreement with the Administrator, or the Administrator's
4 designee, pursuant to Section 6-3-2 of this Code; or

5 (2) An order from the 36th District Court compels release of the animal to the owner.

6 (h) No animal held by the Animal Care and Control Division for a dangerous animal
7 determination shall be euthanized prior to receipt of an order from the 36th District Court.


8 **Secs. 6-3-4--6-3-20. Reserved.**

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

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

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

Approved as to form:


Lawrence T. Garcia
Corporation Counsel

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S U M M A R Y

This proposed ordinance amends Chapter 6 of the 2019 Detroit City Code, *Animal Care, Control and Regulation*, by amending Article I., *In General*, to amend Section 6-1-2, *Definitions*; to amend Section 6-1-3, *Violations and penalties*; to amend Section 6-1-4, *Animal Care and Control Division; authorization and enforcement; minimum employment standards for animal control officers; right of entry upon probable cause; interference with officer; damage to property; fees; rules*; to amend Section 6-1-5, *Owning, harboring, keeping, maintaining, selling, or transferring of farm or wild animals prohibited; exception for circuses, zoos, and other approved activities; separate violations for each animal; disposition of animals in violation of this section*; to amend Section 6-1-6, *Owning, harboring, keeping, or maintaining of reptiles or serpents prohibited; exceptions; separate violations for each reptile or serpent*; to amend Section 6-1-7, *Certain animals declared public nuisances; abatement; animal waste; responsibility for removal of waste; prohibition of unapproved kennels*; to amend Section 6-1-9, *Impoundment; release and adoption*; to amend Section 6-1-10, *Records and reports*; by amending Article II., *Proper Treatment and Transportation of Animals*, to amend Section 6-2-1, *Duty of care over animals; neglect; abandonment; overcrowding of animals*; to amend Section 6-2-3, *Treatment of stray dogs*; to amend Section 6-2-4, *Sale of baby chicks, baby rabbits, ducklings, or other fowl as pets or novelties prohibited*; by amending Article III., *Dangerous Animals*; to amend Section 6-3-1, *Dangerous animal investigation; determination by the Administrator or the Administrator's designee; appeal of dangerous animal determination; treatment of animals issued a dangerous animal determination; treatment of animals seized or surrendered prior to dangerous animal determination*; to amend Section 6-3-2, *Animals issued dangerous animal determination; requirements for owners of animals issued dangerous animal determination*; to amend Section 6-3-3, *Violations involving animals issued dangerous animal determination; failure to comply with requirements; seizure; order to euthanize animal*; to add Section 6-3-4, *Vicious animals prohibited; exceptions*; by amending Article IV., *Animal Control Shelter*; to amend Section 6-4-2, *Neutering and spaying clinic*; to amend Section 6-4-3, *Seizure, capture, impoundment, and harboring of stray animals*; to amend Section 6-4-5, *Redemption and release fees*; to amend Section 6-4-6, *Disposition upon failure to redeem; sale or transfer of live animals for research prohibited; neutering, spaying, licensing, and vaccination prior to release*; by amending Article V., *Licensing and Control of Dogs*; to amend Section 6-5-1, *Dog license requirements; rabies vaccination requirements; limitation on number of licenses issued to a residence; disposition of licensed dogs; impoundment of unlicensed dogs*; to amend Section 6-5-2, *Rabies control requirements for dogs over the age of four months; waiver of vaccination fee*; to amend 6-5-4, *Dog license application; issuance and expiration of licenses*; to amend Section 6-5-5, *Dog license fees*; to amend Section 6-5-6, *License tags; license and tags not transferable; use of microchips; transfer of microchip registration*; to add Section 6-5-7, *Breeders permit required; application*; to relocate Article VI., *Urban Farm Animals*, and restate as Article VIII., *Urban Farm Animals*, to add Article VI., *Rescue Organizations*; to add Section 6-6-1, *Registration required*; to add Section 6-6-2, *Registration; information required*; to add Section 6-6-3, *Foster home permits issues to animal rescue organizations; animal limit; license*; to add Section 6-6-4, *Foster home permit required*; to modify, repeal and add definitions; to modify violations and penalties; to require reporting of efforts to fill a vacancy in the position of Administrator and list potential fees to be established; to modify the complaint, hearing and remedial measures for a nuisance animal

determination; to modify impoundment and release provisions; to add additional reporting requirements; to modify the number of permitted animals of the same species in a single residence; to require licensing and registration; to add categories of potentially dangerous animals and vicious animals; to modify the dangerous dog provisions; to establish complaint, investigation, hearing and appeal provisions for categories of determinations; to add categories of potentially dangerous animals and vicious animals to determinations and set forth requirements for owners of such animals; to establish euthanasia shall only be conducted by a licensed veterinarian or the Animal Care and Control Division; to establish a reckless owner designation and set forth procedures; to prohibit vicious animals and set forth exceptions; to modify dog license application and issuance requirements and the maximum number of licenses per single residence; to require rabies vaccinations be administered by a licensed veterinarian; to require that information on license applications be updated in the event such information changes; to require that the Animal Care and Control Division provide a veterinarian to administer vaccinations; to provide for the transfer of licenses by the Animal Care and Control Division from a rescue organization to an individual that has adopted an animal; to modify dog license fees including renewal fees; to require external identification tags corresponding to a determination issued regarding an animal; to require a breeders permit, establish an application process and set forth applicable regulations; to establish requirements for rescue organization registration, foster home permits, and set forth foster home animal limits, and to update language, delete duplicative or obsolete language, and make other technical revisions.

1 **BY COUNCIL MEMBER** _____

2 **AN ORDINANCE** to amend Chapter 6 of the 2019 Detroit City Code, *Animal Care,*
3 *Control and Regulation*, by amending Article I., *In General*, to amend Section 6-1-2, *Definitions*;
4 to amend Section 6-1-3, *Violations and penalties*; to amend Section 6-1-4, *Animal Care and*
5 *Control Division; authorization and enforcement; minimum employment standards for animal*
6 *control officers; right of entry upon probable cause; interference with officer; damage to property;*
7 *fees; rules*; to amend Section 6-1-5, *Owning, harboring, keeping, maintaining, selling, or*
8 *transferring of farm or wild animals prohibited; exception for circuses, zoos, and other approved*
9 *activities; separate violations for each animal; disposition of animals in violation of this section*;
10 to amend Section 6-1-6, *Owning, harboring, keeping, or maintaining of reptiles or serpents*
11 *prohibited; exceptions; separate violations for each reptile or serpent*; to amend Section 6-1-7,
12 *Certain animals declared public nuisances; abatement; animal waste; responsibility for removal*
13 *of waste; prohibition of unapproved kennels*; to amend Section 6-1-9, *Impoundment; release and*
14 *adoption*; to amend Section 6-1-10, *Records and reports*; by amending Article II., *Proper*
15 *Treatment and Transportation of Animals*, to amend Section 6-2-1. *Duty of care over animals;*
16 *neglect; abandonment; overcrowding of animals*; to amend Section 6-2-3, *Treatment of stray dogs*;
17 to amend Section 6-2-4, *Sale of baby chicks, baby rabbits, ducklings, or other fowl as pets or*
18 *novelties prohibited*; by amending Article III., *Dangerous Animals*; to amend Section 6-3-1,
19 *Dangerous animal investigation; determination by the Administrator or the Administrator's*
20 *designee; appeal of dangerous animal determination; treatment of animals issued a dangerous*
21 *animal determination; treatment of animals seized or surrendered prior to dangerous animal*
22 *determination*; to amend Section 6-3-2, *Animals issued dangerous animal determination;*
23 *requirements for owners of animals issued dangerous animal determination*; to amend Section 6-

1 3-3, *Violations involving animals issued dangerous animal determination; failure to comply with*
2 *requirements; seizure; order to euthanize animal; to add Section 6-3-4, Vicious animals*
3 *prohibited; exceptions; by amending Article IV., Animal Control Shelter; to amend Section 6-4-2,*
4 *Neutering and spaying clinic; to amend Section 6-4-3, Seizure, capture, impoundment, and*
5 *harboring of stray animals; to amend Section 6-4-5, Redemption and release fees; to amend*
6 *Section 6-4-6, Disposition upon failure to redeem; sale or transfer of live animals for research*
7 *prohibited; neutering, spaying, licensing, and vaccination prior to release; by amending Article*
8 *V., Licensing and Control of Dogs; to amend Section 6-5-1, Dog license requirements; rabies*
9 *vaccination requirements; limitation on number of licenses issued to a residence; disposition of*
10 *licensed dogs; impoundment of unlicensed dogs; to amend Section 6-5-2, Rabies control*
11 *requirements for dogs over the age of four months; waiver of vaccination fee; to amend 6-5-4, Dog*
12 *license application; issuance and expiration of licenses; to amend Section 6-5-5, Dog license fees;*
13 *to amend Section 6-5-6, License tags; license and tags not transferable; use of microchips;*
14 *transfer of microchip registration; to add Section 6-5-7, Breeders permit required; application; to*
15 *relocate Article VI., Urban Farm Animals, and restate as Article VIII., Urban Farm Animals, to*
16 *add Article VI., Rescue Organizations; to add Section 6-6-1, Registration required; to add Section*
17 *6-6-2, Registration; information required; to add Section 6-6-3, Foster home permits issues to*
18 *animal rescue organizations; animal limit; license; to add Section 6-6-4, Foster home permit*
19 *required; to modify, repeal and add definitions; to modify violations and penalties; to require*
20 *reporting of efforts to fill a vacancy in the position of Administrator and list potential fees to be*
21 *established; to modify the complaint, hearing and remedial measures for a nuisance animal*
22 *determination; to modify impoundment and release provisions; to add additional reporting*
23 *requirements; to modify the number of permitted animals of the same species in a single residence;*

1 to require licensing and registration; to add categories of potentially dangerous animals and vicious
2 animals; to modify the dangerous dog provisions; to establish complaint, investigation, hearing
3 and appeal provisions for categories of determinations; to add categories of potentially dangerous
4 animals and vicious animals to determinations and set forth requirements for owners of such
5 animals; to establish euthanasia shall only be conducted by a licensed veterinarian or the Animal
6 Care and Control Division; to establish a reckless owner designation and set forth procedures; to
7 prohibit vicious animals and set forth exceptions; to modify dog license application and issuance
8 requirements and the maximum number of licenses per single residence; to require rabies
9 vaccinations be administered by a licensed veterinarian; to require that information on license
10 applications be updated in the event such information changes; to require that the Animal Care and
11 Control Division provide a veterinarian to administer vaccinations; to provide for the transfer of
12 licenses by the Animal Care and Control Division from a rescue organization to an individual that
13 has adopted an animal; to modify dog license fees including renewal fees; to require external
14 identification tags corresponding to a determination issued regarding an animal; to require a
15 breeders permit, establish an application process and set forth applicable regulations; to establish
16 requirements for rescue organization registration, foster home permits, and set forth foster home
17 animal limits, and to update language, delete duplicative or obsolete language, and make other
18 technical revisions.

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

20 **Section 1:** That Chapter 6 of the 2019 Detroit City Code, *Animal Control, Regulation, and*
21 *Care*, is amended by amending the chapter, as follows:

22 **CHAPTER 6. ANIMAL CARE, CONTROL, AND REGULATION**

23 **ARTICLE I. IN GENERAL**

1 **Sec. 6-1-2. Definitions.**

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

4 *Abandonment* means an owner leaving an animal unattended for at least 72 consecutive
5 hours.

6 *Adequate Shelter* means provision of and access to shelter that is:

7 (1) Suitable for the species, age, condition, size, and type of each animal;

8 (2) Provides adequate space for each animal;

9 (3) Is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight,
10 the adverse effects of heat or cold, physical suffering, and impairment of health;

11 (4) Is properly lighted;

12 (5) Is properly cleaned;

13 (6) Enables each animal to be clean and dry, except when detrimental to the species;

14 (7) During hot weather, is properly shaded and does not readily conduct heat;

15 (8) During cold weather, has a windbreak at its entrance and provides a quantity of
16 bedding material consisting of straw, cedar shavings, or the equivalent that is

17 sufficient to protect the animal from cold and promote the retention of body heat;

18 and

19 (9) For dogs and cats, provides a solid surface, resting platform, pad, floor mat, or
20 similar device that is large enough for the animal to lie on in a normal manner and

21 can be maintained in a sanitary manner.

1 Under this chapter, shelters whose wire, grid, or slat floors (i) permit the animals' feet to
2 pass through the openings, (ii) sag under the animals' weight, or (iii) otherwise do not protect the
3 animals' feet or toes from injury are not adequate shelter.

4 Adequate space means sufficient space to allow each animal to:

5 (1) Easily stand, sit, lie, turn about, and make all other normal body movements in a
6 comfortable, normal position for the animal; and

7 (2) Interact safely with other animals in the enclosure.

8 *Administrator* means the individual with direct supervisory control over the Animal Care
9 and Control Division.

10 Adoption means the transfer of ownership of a cat or dog, or other animal permitted under
11 this code, from a releasing agency to an individual.

12 Altered means an animal that has been neutered or spayed by a veterinarian licensed to
13 practice veterinary medicine.

14 *Animal* means any living domesticated or wild invertebrate or vertebrate, excluding
15 humans.

16 *Animal Care and Control Division* means the division of the Health Department, or such
17 other designated City department or agency, authorized to administer and enforce the provisions
18 of this chapter.

19 Animal Control Investigator means any person employed or appointed by the City who is
20 authorized to investigate and enforce violations under the provisions of this Chapter, investigate
21 complaints in compliance with legal enforcement procedures and conduct seizure of property and
22 animals pursuant to dangerous animal provisions.

23 Animal Control Officer means any person employed or appointed by the City who is

1 authorized to investigate and enforce violations under the provisions of this Chapter.

2 *Animal Control Shelter* means the animal control shelter established, operated, and
3 maintained by the City pursuant to Article IV of this chapter.

4 *Business License Center* means the division of the Buildings, Safety Engineering and
5 Environmental Department, or such other designated City department or agency, authorized to
6 issue business licenses.

7 *Dangerous animal* means an animal that:

8 (1) Has attacked, bitten, or otherwise caused injury to a person without provocation; or

9 (2) Has attacked, bitten, or otherwise caused injury to another domesticated animal
10 without provocation; or

11 (3) Has chased or approached any person on one or more occasion and without
12 provocation on any public property, or on any private property that is not the
13 property of the animal's owner, in an apparent attempt to attack or injure the person.

14 *Companion animal* means an animal that is commonly considered to be, or is considered
15 by its owner to be, a pet, or that is a service animal. Companion animal includes, but is not limited
16 to, dogs and cats. A companion animal shall not include a farm animal, urban farm animal, or
17 wild animal.

18 *Dangerous animal determination* means a written declaration or order issued by the
19 Administrator, or the Administrator's designee, finding that ~~a dog or other~~ an animal is a
20 dangerous animal as defined by this article ~~because the dog or other animal:~~

21 ~~(1) Has without provocation attacked, bitten, or otherwise caused injury to a person; or~~

22 ~~(2) Has without provocation attacked, bitten, or otherwise caused injury to another~~
23 ~~domesticated animal; or~~

1 ~~(3) Has on one or more occasions, and without provocation, chased or approached any~~
2 ~~person on any public property, or on any private place that is not the property of the~~
3 ~~animal's owner, in an apparent attempt to attack or injure the person.~~

4 *Department* means the Health Department, or successor department, with administrative
5 oversight and control of the Animal Care and Control Division.

6 *Domesticated animal* means any animal which is accustomed to living in an environment
7 managed by humans and is suitable for the purpose of human companionship or service.

8 *Enclosure or primary enclosure* means for an animal that has not been determined to be
9 potentially dangerous or dangerous under this Chapter, a pen or structure used to confine an animal
10 out of doors that is kept in a sanitary condition, provides adequate space, is properly lighted and
11 provides adequate shelter. In addition to the foregoing, an enclosure or primary enclosure for an
12 animal determined to be potentially dangerous or dangerous under this Chapter shall also be
13 required to have appropriate signage, be a minimum of six feet in height and constructed so that
14 the sides shall be embedded into the ground by a depth of at least two feet or be constructed on
15 and secured to a concrete pad, that has a complete, secure top to prevent escape and is locked to
16 prevent accidental access or escape.

17 *Farm animal* means, but is not limited to, a cow, a donkey, a goat, a horse, a llama, a mule,
18 a pony, poultry, sheep, swine, or any animal held or raised for purposes of food or other
19 commercial consumption.

20 *Foster care provider* means a person or entity that provides care or rehabilitation for
21 companion animals through an affiliation with a public or private animal shelter, home-based
22 rescue, releasing agency, or other animal welfare organization and accepts the responsibility and
23 stewardship of animals, not to exceed the number of animals permitted pursuant to Section 6-2-

1 1(d) of this Code.

2 Foster home means a private residential dwelling and its surrounding grounds, or any
3 facility other than a public or private animal shelter, at which site through an affiliation with a
4 public or private animal shelter, home-based rescue, releasing agency, or other animal welfare
5 organization care or rehabilitation is provided for companion animals.

6 Impounded means an animal confined, kept, and maintained by the Animal Care and
7 Control Division, by any police officer, animal control officer or any other public officer under
8 the provisions of this Chapter.

9 Kennel means any facility, except a duly licensed pet shop, where three or more licensed
10 dogs or household animals are boarded, confined, kept, or maintained for remuneration for the
11 purpose of breeding, boarding, sale, sporting, or any commercial or training purposes.

12 Licensed dog means a dog currently licensed by the Animal Care and Control Division or
13 any unexpired dog license issued and valid for dogs temporarily in the City under Section 6-5-3
14 of this Code.

15 Licensee means any person or premises licensed under this chapter.

16 Muzzle means a device constructed of strong, soft material or of metal, designed to fasten
17 over the mouth of an animal that prevents the animal from biting any person or other animal and
18 that does not cause injury to the animal or impair its vision or respiration.

19 Neglect, means as likewise defined by Section 50 of the Michigan Penal Code, being MCL
20 750.50, to fail to sufficiently and properly care for an animal to the extent that the animal's health
21 is jeopardized.

22 Neuter, neutered, or neutering means to make a male animal incapable of reproducing.

23 Nuisance animal means an animal running at large, on public property or any private

1 property that is not the property of its owner or keeper, whose behavior constitutes a nuisance,
2 which includes:

3 (1) Making physical contact with a person or other domesticated animal in a harassing
4 manner;

5 (2) Unreasonably disturbs or annoys the quiet, comfort, and repose of persons in the
6 vicinity by loud, frequent, habitual, or repeated barking, howling, or yelping;

7 (3) Defecating without all feces being immediately and properly removed and disposed
8 of in a sanitary manner or digging upon any building, lawn, plant, shrub, tree, or
9 any other public property or private property, that is not the property of the owner;

10 or

11 (4) Damaging inanimate personal property.

12 Nuisance animal determination means a written declaration or order issued by the
13 Administrator, or the Administrator's designee, finding that a dog or other animal is a nuisance
14 animal as defined by this article.

15 *Offered for sale* means all animals found on the premises indicated on the license or
16 licenses of a pet shop, except those of diseased, maimed, or sick animals that are housed in an
17 entirely separate part of the premises or in cages or kennels with a "not for sale" sign attached to
18 the front of each cage or kennel.

19 *Owner* means, when applied to the proprietorship of an animal, ~~every~~ any person,
20 partnership, or corporation having a right of property in the animal, ~~every person~~ or who keeps or
21 harbors an animal, or who has ~~an animal~~ it in the ~~person's~~ their care or control, or acts as its
22 custodian, and every person or who knowingly permits an animal to remain at or about any
23 premises occupied by the person.

1 *Pet shop* means any building, enclosure, lot, place, or structure, where birds, cats, dogs,
2 fish, rabbits, and other animals are offered for sale to the public.

3 *Potentially dangerous animal* means an animal that:

4 (1) Without provocation, chases or menaces a person or domesticated animal in an
5 aggressive manner, causing injury to a person or domesticated animal;

6 (2) In a menacing manner, approaches without provocation any person or domesticated
7 animal as if to attack; or

8 (3) Has demonstrated a propensity to attack without provocation or otherwise to
9 endanger the safety of human beings or domesticated animals.

10 *Potentially dangerous animal determination* means a written declaration or order issued
11 by the Administrator, or the Administrator's designee, finding that a dog or other animal is a
12 potentially dangerous animal as defined by this chapter.

13 *Properly cleaned* means that carcasses, debris, food waste, and excrement are removed
14 from the primary enclosure with sufficient frequency to minimize the animals' contact with the
15 above-mentioned contaminants; the primary enclosure is sanitized with sufficient frequency to
16 minimize odors and the hazards of disease; and the primary enclosure is cleaned so as to prevent
17 the animals confined therein from being directly or indirectly sprayed with the stream of water, or
18 directly or indirectly exposed to hazardous chemicals or disinfectants.

19 *Provocation* means any action or activity, whether intentional or unintentional, which
20 would be reasonably expected to cause a normal animal in similar circumstances to react in a
21 manner similar to that exhibited by the animal.

22 *Quarantine* means to confine and isolate for the purpose of detecting and preventing the
23 transmission of rabies.

1 Releasing agency means either a public animal shelter or a private animal shelter, humane
2 society, animal welfare organization, society for the prevention of cruelty to animals, or other
3 similar entity or home-based rescue that releases companion animals for adoption that is registered
4 as required by applicable state and local law. A releasing agency shall be registered with federal,
5 state and appropriate agencies for charitable solicitation purposes.

6 Rescue organization means a person or group of persons who hold themselves out as an
7 animal rescue, accept or solicit dogs, cats or other animals with the intention of finding permanent
8 adoptive homes or providing lifelong care for such dogs, cats or other animals, or who use foster
9 homes as the primary means of housing dogs, cats or other animals. A rescue organization shall
10 be registered with federal, state and appropriate agencies for charitable solicitation purposes.

11 **Retractable leash** means a handheld animal restraint that attaches to the collar of an animal
12 with an internally housed cord, belt, tape, or other retractable material, which may be extended,
13 retracted, or locked at various lengths.

14 **Residence** means an apartment, dwelling, flat, house, or other building or structure where
15 one or more persons reside.

16 **Restraint** means a device, enclosure, or structure such as a cage, corral, fenced enclosure,
17 house, pen, or vehicle without means of escape, or a leash or other form of cable, rope, or tether
18 or secure attachment, used to securely and safety confine an animal.

19 Sanitary condition means, when referring to an enclosed area, one that has been sanitized
20 and properly cleaned at least once daily, kept in a condition of good order to minimize the
21 possibility of disease transmission and maintained in a state that is appropriate for the species, size
22 and number of animals enclosed therein.

23 Sanitize means to make physically clean and to remove and destroy, to a practical

1 minimum, agents injurious to health.

2 *Seize* means to capture, collect, restrain, or impound an animal.

3 *Serious physical injury* means disfigurement, protracted impairment of health, or
4 impairment of the function of any bodily organ.

5 *Service animal* means, as likewise defined in Section 1 of the Michigan Leader Dogs for
6 Blind Persons Act, being MCL 287.291:

- 7 (1) As defined in 28 CFR 36.104, any dog that is individually trained to do work or
8 perform tasks for the benefit of an individual with a disability, including a physical,
9 sensory, psychiatric, intellectual, or other mental disability. Other species of
10 animals, whether wild or domestic, trained or untrained, are not service animals or
11 the purposes of this definition. The work or tasks performed by a service animal
12 must be directly related to the individual's disability. Examples of work or tasks
13 include, but are not limited to, assisting individuals who are blind or have low
14 vision with navigation and other tasks, alerting individuals who are deaf or hard of
15 hearing to the presence of people or sounds, providing non-violent protection or
16 rescue work, pulling a wheelchair assisting an individual during a seizure, alerting
17 individuals to the presence of allergens, retrieving items such as medicine or the
18 telephone, providing physical support and assistance with balance and stability to
19 individuals with mobility disabilities, and helping persons with psychiatric and
20 neurological disabilities by preventing or interrupting impulsive or destructive
21 behaviors. The crime deterrent effects of an animal's presence and the provision of
22 emotional support, well-being, comfort, or companionship do not constitute work
23 or tasks for the purposes of this definition; and

1 (2) A miniature horse that has been individually trained to do work or perform tasks as
2 described in 28 CFR 36.104 for the benefit of a person with a disability.

3 *Spay, spayed, or spaying* means to make a female animal incapable of reproducing.

4 ~~*Sterilize* means to neuter or spay an animal.~~

5 *Stray animal* means any animal, including but not limited to a licensed or an unlicensed
6 dog, running at large and loose on public property or private property that is not the property of
7 the owner without restraint and not under the control of the owner, harborer or keeper.

8 *Tether* means to secure a dog to a stationary object by means of a metal chain or coated
9 steel cable for keeping a dog restrained in its movement but does not mean walking a dog on a
10 leash or restraining a dog for temporary grooming or other professional service.

11 *Unlicensed dog* means a dog not currently licensed by the Animal Care and Control
12 Division or any expired dog license issued by another governmental unit for dogs temporarily in
13 the City under Section 6-5-3 of this Code.

14 *Urban farm* means over one acre of land under common ownership that:

15 (1) May be divided into plots for cultivation by one or more individuals and/or groups
16 or may be cultivated by individuals and/or groups collectively;

17 (2) Is used to grow and harvest food crops and/or non-food crops for personal or group
18 use;

19 (3) Has products, which may or may not be for commercial purposes;

20 (4) Includes an orchard or a tree farm that is a principal use; and

21 (5) Is one of the following:

22 a. Contiguous; or

23 b. Non-contiguous and on the same block; or

1 c. Contiguous or non-contiguous and separated by a right-of-way not greater
2 than 60 feet in width; .

3 *Urban farm animal* means livestock or fowl permitted to be raised or kept in accordance
4 with Article ~~VI~~ VIII of this chapter.

5 *Vicious animal* means an animal that without provocation or justification bites or attacks a
6 person and causes serious physical injury or death or that is declared vicious under this Chapter.

7 *Wild animal* means any animal that generally lives in its original and natural habitat, and
8 is not normally considered a domesticated animal.

9 *Without provocation* means, when applied to damage or injury caused to a person by an
10 animal, the person has not committed:

11 (1) A willful trespass or other tort upon the property of the animal's owner, ~~or~~ ;

12 (2) An act of abuse, assault, attack, or torment upon the animal or the owner of the
13 animal; or

14 (3) A criminal act or an attempt to commit a criminal act ~~which~~ that takes place where
15 the animal is located.

16 **Sec. 6-1-3. Violations and penalties.**

17 (a) An animal owner, harborer, keeper or person who has custody of an animal shall
18 prevent the animal from engaging in nuisance, menacing, potentially dangerous or dangerous
19 behavior.

20 (b) An animal owner, harborer, keeper or person who has custody of an animal shall
21 prevent the animal from engaging in loud, frequent or habitual barking, yelping or howling,
22 causing annoyance to people in the vicinity.

1 (c) No person shall violate any provision of this chapter, or to aid and abet another to
2 violate such provision.

3 (d) No person shall falsely represent that he or she is in possession of a service animal,
4 or a service animal in training, in any public place or for licensing purposes.

5 (e) Any person who violates this chapter may be issued an ordinance violation for each
6 day that the violation continues.

7 (f) Any person who is found guilty of violating this chapter shall be convicted of a
8 misdemeanor for each ordinance violation that is issued, and, in the discretion of the court, may
9 be fined up to \$500.00 and sentenced to up to 90 days in jail, or both, for each ordinance violation
10 that is issued, provided, that, in addition to any costs associated with seizure, impoundment, care,
11 and vaccination of an unlicensed or unvaccinated dog borne by the Animal Care and Control
12 Division under Article V of this chapter, any violation of Article V of this chapter may subject the
13 violator, in the discretion of the court, to the following penalties:

14 (1) A fine of not more than \$100.00 for the first offense. For a first offense, the Animal
15 Care and Control Division may require that an owner attend an Animal Awareness
16 Program provided by the Animal Care and Control Division or the Michigan
17 Humane Society. Proof of Completion of such training within 30 days of the
18 citation shall negate the applicable fine;

19 (2) A fine or not more than \$200.00 for a second offense occurring within six months
20 of the first offense;

21 (3) A fine of up to \$500.00 and relinquishment of any rights of ownership of the dog
22 for a third offense or later offense occurring within 18 months of the first offense;
23 and

1 (4) Where the dog is intact after a second offense, the mandatory ~~spay or neuter~~
2 alteration of the dog with associated costs to be paid by the owner.

3 (g) The Animal Care and Control Division may require that an owner attend an Animal
4 Awareness Program provided by the Animal Care and Control Division or the Michigan Humane
5 Society as part of or the penalty for a violation of this chapter. The Animal Awareness Program
6 shall include information on local ordinances, state law, animal care standards and any other
7 materials deemed appropriate. Any program fees collected by the respective organization shall be
8 retained and used for education and training for Animal Care and Control staff, law enforcement
9 or animal welfare personnel.

10 (h) Where the provisions of this chapter have been violated, any animal control officer,
11 police officer, sheriff, or any person authorized by the Animal Care and Control Division may
12 seize the animal or animals in accordance with Section 6-1-4(e f) of this Code.

13 **Sec. 6-1-4. Animal Care and Control Division; authorization and enforcement; minimum**
14 **employment standards for animal control officers; right of entry upon probable cause;**
15 **interference with officer; damage to property; fees; rules.**

16 (a) The Animal Care and Control Division is authorized to enforce the provisions of
17 this chapter concerning all animals within the City, including the care, control, regulation, and
18 disposition of such animals, and to administrate and operate the City's Animal Control Shelter.

19 (b) The Department shall provide a written update to City Council every 30 days a
20 vacancy in the position of Administrator of the Animal Care and Control Division exists. This
21 update shall include the efforts undertaken to locate and hire a qualified Administrator.

22 (c) The Animal Care and Control Division shall designate public servants as animal
23 control officers, to enforce the provisions of this chapter, or any rule or regulation promulgated

1 thereto, including issuing and serving appearance tickets, citations, complaints, or other written
2 notices to persons for violations of any of the provisions of this chapter.

3 (d) In accordance with Section 1-1-10 of this Code, public servants who are employed
4 as animal control officers for the purpose of enforcing the provisions of this chapter shall have
5 concurrent authority with police officers and shall have such police powers as are necessary for
6 the enforcement of this chapter.

7 (e) Pursuant to Sections 29b and 29c of the Michigan Dog Law of 1919, being MCL
8 287.289b and MCL 287.289c, the minimum employment standards relative to the recruitment,
9 selection, and appointment of animal control officers shall include:

- 10 (1) Requirements for educational, physical, mental, and moral fitness;
- 11 (2) Proof of a minimum course of study of not less than 100 instructional hours
12 approved by the Michigan Department of Agriculture and Rural Development; and
- 13 (3) A valid driver's license.

14 Where the animal control officer is a police officer or has served at least three years as an animal
15 control officer, these standards and requirements shall not be required.

16 (f) The following provisions shall apply regarding the right of entry upon, onto, or into
17 property:

- 18 (1) Subject to the provisions of Subsections (2) and (3) of this subsection, the animal
19 control officers and investigators of the Animal Care and Control Division who are
20 designated to enforce the provisions of this chapter, police officers, sheriffs, other
21 peace officers, or any person authorized by the Animal Care and Control Division
22 shall have the right of entry upon, onto, or into:

- 1 a. Any residence, private property, or vehicle within the City for the purpose
2 of seizing any animal; or
- 3 b. Any residence, private property, or vehicle within the City for the purpose
4 of examining any animal suspected of having rabies, having been exposed
5 to rabies, or having attacked or bitten a person or any animal.
- 6 (2) Subject to Subsection (3) of this subsection, as a condition to exercising the right
7 of entry set forth in Subsection (1) of this subsection, the person shall satisfy
8 Subsections a. and b. of this subsection by establishing or obtaining:
- 9 a. Probable cause of a violation of this chapter; and
- 10 b. At least one of the following:
- 11 1. Owner consent;
- 12 2. A warrant issued by an appropriate judicial officer or magistrate;
- 13 3. Entry for the purpose of assisting other law enforcement, public safety, or
14 other personnel having a lawful right of entry; or
- 15 4. Exigent circumstances in which the public health, safety, or health or safety
16 of one or more animals is subject of imminent danger.
- 17 (3) In addition, the following provisions shall apply:
- 18 a. Owner consent, a warrant, or exigent circumstances shall not be required to
19 seize any animal which is observed running loose and traversing across
20 public or private properties, provided, that, where the animal is located
21 inside private property or an adjoining fenced-in yard at the time seizure is
22 sought, the limitation on seizure that is delineated in Subsections (2) and (3)
23 of this section shall apply.

1 b. With respect to any provision within this chapter that authorizes capture or
2 seizure of an animal from a residence or private property, such seizure or
3 capture shall be made in accordance with the provision of this section.

4 c. Any owner aggrieved by the seizure of an animal from private property shall
5 have the right, within 72 hours of the seizure, to meet with the
6 Administrator, or the Administrator's designee, and explain any mitigating
7 circumstances. Subject to the provisions of this chapter governing
8 dangerous animals and animals possibly exposed to rabies, the
9 Administrator or the Administrator's designee shall have the authority to
10 exercise discretion to direct the immediate return of the animal and waive
11 any fee relating to the seizure of the animal.

12 (g) No person shall knowingly and willfully interfere with, hinder, resist or obstruct an
13 animal control officer, or any police officer, or any authorized agent or City employee in the lawful
14 performance of their duties as delineated in this chapter.

15 (h) No person shall knowingly and willfully release, remove, or attempt to release or
16 remove, any animal in the care or custody of an animal control officer, including any animal
17 located within the Animal Control Shelter, or within any vehicle or device used by the Animal
18 Care and Control Division to transport or restrain any animal.

19 (i) No person shall knowingly and willfully make a false statement, or to fail to reveal
20 any fact, concerning any information required to be disclosed or otherwise provided to the City
21 under any provision of this chapter.

1 (j) No person shall knowingly and willfully burn, deface, destroy, tear down or
2 otherwise damage, or attempt to burn, deface, destroy, tear down or otherwise damage, any
3 equipment, enclosure, or impoundment facility of the Animal Care and Control Division.

4 (k) In accordance with Section 9-507 of the Charter, the Public Health Director is
5 authorized to establish necessary fees with the approval of the City Council, through adoption of
6 a resolution, for the cost of services which are determined to be necessary for the public health and
7 welfare of the City under Articles I through ~~V~~ VI of this chapter, including, but not limited to, ~~the~~
8 licensing and registration of altered and unaltered dogs, penalty for late renewal of license,
9 impoundment, boarding and kenneling, quarantine, nuisance dog tag and signage, potentially
10 dangerous dog tag and signage, dangerous dog tag and signage, adoption, vaccinations, microchip,
11 field pickup, transport, transfer of license from an animal rescue organization to an adoptive owner,
12 and Animal Awareness Program fees. The fees authorized by this section shall cover the costs of
13 rendering such services and shall be reviewed, revised, and approved as necessary in accordance
14 with this section. After adoption of a resolution by the City Council and approval of the resolution
15 by the Mayor, the fees shall be:

16 (1) Published in a daily newspaper of general circulation and in the Journal of the City
17 Council;

18 (2) Made available at the Animal Care and Control Division and at the Office of the
19 City Clerk; and

20 (3) Reviewed by the Public Health Director at least once every two years.

21 (l) In accordance with the Michigan Public Health Code, being MCL 333.1101 *et seq.*,
22 and Section 2-111 of the Charter, the Director of the Department shall promulgate administrative

1 rules and procedures, as necessary, for the administration of this chapter, including hearing
2 procedures for resolving matters in dispute.

3 **Sec. 6-1-5. Owning, harboring, keeping, maintaining, selling, or transferring of farm or wild**
4 **animals prohibited; exception for circuses, zoos, and other approved activities; separate**
5 **violations for each animal; disposition of animals in violation of this section.**

6 (a) Except as provided in Article ~~VI~~ VIII of this chapter, no person shall own, harbor,
7 keep, or maintain, sell, or transfer any farm animal, or any wild animal, on their premises or at a
8 public place within the City, provided, that such farm animal or wild animal may be kept in
9 circuses, zoos, or laboratories, or non-profit organizations for educational purposes, subject to the
10 approval of the City, where the care or custody is under the care of a trained and qualified animal
11 attendant at all times, whose responsibility shall be to see that such animals are securely under
12 restraint.

13 (b) Each farm animal, or wild animal, that is owned, kept, maintained, sold or
14 transferred contrary to Subsection (a) of this section shall constitute a separate violation of this
15 section.

16 (c) The Animal Care and Control Division is authorized to sell, transfer, euthanize, or
17 dispose of any animal owned, kept, maintained, sold or transferred in violation of this section in a
18 manner consistent with the protection of the public health, acceptable humane practices, and any
19 established City administrative rules and procedures that have been promulgated under Section 6-
20 1-4(~~k~~ l) of this Code.

1 **Sec. 6-1-6. Owning, harboring, keeping, or maintaining of reptiles or serpents prohibited;**
2 **exceptions; separate violations for each reptile or serpent.**

3 (a) No person shall own, harbor, keep, or maintain any reptiles or serpents, except
4 turtles that are not in excess of 15 inches in length, in their premises or at a public place within the
5 City, provided, that this section does not prohibit a circus, zoo, or serpentarium, subject to the
6 approval of the City, or to a pet shop that is licensed under Article VII of this chapter, from keeping
7 reptiles or serpents where such reptiles or serpents are securely confined in a manner consistent
8 with the protection of the public health and safety and with acceptable humane practices.

9 (b) Each reptile or serpent that is owned, harbored, kept, or maintained contrary to
10 Subsection (a) of this section shall constitute a separate violation of this section.

11 (c) The Animal Care and Control Division is authorized to sell, transfer, euthanize, or
12 dispose of any reptile or serpent that is owned, harbored, kept, or maintained in violation of this
13 section in a manner consistent with the protection of the public health and safety, acceptable
14 humane practices, and any applicable administrative rules and procedures that have been
15 promulgated under Section 6-1-4(~~k~~ l) of this Code.

16 **Sec. 6-1-7. Certain animals declared public nuisances; complaint; hearing; abatement;**
17 **animal waste; responsibility for removal of waste; prohibition of unapproved kennels.**

18 (a) Any animal may be declared to be a public nuisance, and be subject to capture and
19 abatement by the Animal Care and Control Division or by the Police Department or by any other
20 authorized governmental agency, in accordance with the provisions of the Michigan Dog Law of
21 1919, being MCL 287.261 *et seq.*, or this chapter and the administrative rules that have been
22 promulgated under Section 6-1-4(~~k~~ l) of this Code, where the animal:

1 (1) Is unclaimed by its owner after being picked up by, or delivered to the care and
2 control of, the Animal Care and Control Division, or is a stray animal;

3 (2) ~~Bites a person~~ Makes contact with a person or other animal in a harassing manner;
4 ~~or~~

5 (3) Unreasonably disturbs or annoys the quiet, comfort, and repose of persons in the
6 vicinity by loud, frequent, habitual, or repeated barking, howling or yelping; or

7 (4) Defecates, ~~or digs, or urinates~~ upon any building, lawn, plant, shrub, tree, or any
8 other public property, or any private property, other than the that is not the property
9 of the animal's owner, without all feces being immediately and properly removed
10 and disposed of in a sanitary manner by the owner.

11 (b) Any resident of the City may submit to the Department a complaint of nuisance
12 behavior which shall include:

13 (1) Allegations of nuisance behavior for a minimum of two interactions for any
14 complaint based on Subsection 6-1-7(a)(3) of this section; or

15 (2) Allegations of nuisance behavior for a minimum of a two week time frame for any
16 complaint based on Subsections 6-1-7(a)(4) of this section.

17 (c) Upon receipt of a verifiable nuisance complaint or upon personal observation by an
18 animal control officer of nuisance behavior, the Animal Care and Control Division shall evaluate
19 the complaint, investigate, and, where factual circumstances warrant, conduct a nuisance animal
20 hearing.

21 (1) Notification for the nuisance animal hearing shall be made to the animal owner and
22 the petitioner via first class mail within 14 days of submission of the nuisance
23 complaint.

1 (2) The Administrator, or the Administrator's designee, shall hear testimony regarding
2 the alleged nuisance behavior and shall have the authority to issue a nuisance
3 animal determination.

4 (3) Within 14 days of the date of the nuisance animal hearing, the Animal Care and
5 Control Division shall provide the owner of the animal a written notification of the
6 Administrator, or Administrator's designee, determination by first class mail.

7 (4) Within ten days from the date of the receipt of the mailing, the owner of the animal
8 may file a written request for a hearing to review the determination at the 36th
9 District Court. Where the owner fails to request a hearing within the ten-day period
10 after receipt of the notice, the determination made by the Administrator, or the
11 Administrator's designee, shall become final and the animal shall be issued a
12 nuisance animal determination under this article.

13 (d) No owner of any animal declared to be a public nuisance shall fail to immediately
14 take any available and reasonable measures to abate the nuisance ~~upon the oral or written~~
15 ~~notification to the owner of the animal by any person authorized to enforce the provisions of this~~
16 ~~chapter, as required by the determination letter issued pursuant to Subsection (c)(3) of this section,~~
17 which may include:

18 (1) Installation and maintenance of any enclosure, pen, or structure used to confine the
19 animal out of doors shall be a minimum of six feet in height, and constructed so
20 that the sides shall be embedded into the ground by a depth of at least two feet or
21 be constructed on and secured to a concrete pad, and kept in a sanitary condition;

22 (2) Installation and maintenance of an opaque fence, as permitted by law, to limit views
23 to neighboring yards or the street;

1 (3) The owner of the animal that has been issued a nuisance animal determination must
2 post a standard sign obtained from the Division of Animal Care and Control to
3 serve as a warning notice on any premises where the animal is harbored, kept, or
4 sheltered in a place conspicuously visible to the public stating in bold, black letters
5 at least six inches in height "WARNING! NUISANCE ANIMAL: KEEP
6 AWAY." The fee for the sign shall be the cost of production to the City and be
7 listed on the fee schedule;

8 (4) Mandatory attendance at an Animal Awareness Program provided by the Animal
9 Care and Control Division or the Michigan Humane Society within 30 days of
10 issuance of the nuisance determination. The Animal Awareness Program shall
11 include information on local ordinances, state law, animal care standards and any
12 other materials deemed appropriate. Any program fees collected by the respective
13 organization shall be retained and used for education and training for Animal Care
14 and Control staff, law enforcement or animal welfare personnel; and

15 (5) The owner must purchase an approved form of external identification from the
16 Animal Care and Control Division, indicating to other residents that the animal is
17 determined to be a nuisance animal under this chapter.

18 (e) Where any animal has defecated upon any building, lawn, plant, shrub, tree, or any
19 other public or private property, other than the property of the owner of the animal, and the owner
20 of the animal upon notice immediately and properly removes all feces deposited by such animal
21 and disposes of same in a sanitary manner, the public nuisance shall be considered abated and not
22 a violation of this section; provided, that it shall be lawful for a blind or disabled person with a
23 service animal to fail to promptly and properly collect and dispose of any animal waste or

1 excrement on any public or private property.

2 (f) No person shall maintain or operate a kennel, or construct, maintain, or use an accessory
3 building for a kennel, within the City without obtaining all relevant licenses and a permits from
4 the Buildings, Safety Engineering and Environmental Department and written approval by the
5 Department.

6 **Sec. 6-1-9. Impoundment; release and adoption.**

7 (a) The Animal Care and Control Division is authorized to impound any animal which
8 is stray, loose, ~~running~~ at large, makes physical contact with a person or other animal in a harassing
9 or menacing manner, or has bitten or otherwise injured any person or other animal and needs to be
10 ~~confirmed~~ confined for observation. The Animal Care and Control Division is authorized to
11 capture any animal which is observed to be stray, loose, or at large and return it to its owner, if
12 known, with the issuance of appropriate citation(s).

13 (b) Any person may retain or trap in a humane manner and hold for the Animal Care
14 and Control Division any animal trespassing upon the person's property. The person must promptly
15 notify the Animal Care and Control Division regarding any stray animal under the person's control,
16 and, upon request, shall turn ~~over~~ the animal over to the Animal Care and Control Division.

17 (c) The Animal Care and Control Division may contract with any non-profit
18 corporation that is organized for the purpose of sheltering animals to assist in the care,
19 impoundment, release, or adoption of stray animals not determined to be dangerous by the Animal
20 Care and Control Division.

21 **Sec. 6-1-10. Records and reports.**

22 (a) Whenever a dog, cat, ferret, or other animal is delivered to, left with, or impounded
23 by the Animal Care and Control Division, the Administrator shall make a record of the receipt of

1 the animal which includes a basic description of the animal, the date the animal was acquired by
2 the Animal Care and Control Division and under what circumstances, the date of any notice sent
3 to the owner of the animal, and the subsequent disposition of the animal by the Animal Care and
4 Control Division.

5 (b) In accordance with Section 9a of the Michigan Pet Shops, Animal Control Shelters,
6 and Animal Protection Shelters Act, being MCL 287.339a, the Animal Care and Control Division
7 shall maintain written records concerning:

8 (1) The total number of dogs, cats, and ferrets less than six months of age, the total
9 number of dogs, cats, and ferrets six months of age and older, and all other animals
10 received and returned to owners, adopted to new owners, and sold or transferred
11 with or without payment to any person;

12 (2) The number of adopted dogs, cats, and ferrets that were altered;

13 (3) The number of adopted dogs, cats, and ferrets that were not altered; and

14 (4) The number of dogs, cats, and ferrets euthanized annually.

15 (c) In accordance with Section 9a of the Michigan Pet Shops, Animal Control Shelters,
16 and Animal Protection Shelters Act, being MCL 287.339a, the Animal Care and Control Division
17 shall provide a copy of these statistics, annually, to the Michigan Department of Agriculture and
18 Rural Development and to the Mayor and to the City Council.

19 (d) The Animal Care and Control Division shall submit a report to the City Council
20 through the City Clerk's Office upon the disposition of a dangerous animal pursuant to Section 6-
21 3-2 of this Code or by order of the 36th District Court.

1 (e) Beginning on January 1st of the calendar year, The the Administrator shall submit
2 ~~an annual~~ a quarterly report to the City Council, which, for the period covered by the report shall
3 include:

4 (1) The number of incidents of dangerous behavior reported to the Animal Care and
5 Control Division;

6 (2) The number of animals that have been issued a nuisance animal, potentially
7 dangerous animal, dangerous animal or vicious animal determination; and

8 (3) The location of all animals that have been issued a potentially dangerous animal or
9 dangerous animal determination and are residing with their owners. This
10 information shall be posted on the City's website.

11 (4) A description of outreach and marketing efforts to residents, rescue organizations,
12 foster care providers, community groups, and other stakeholders regarding the
13 requirements of this Chapter, and Article III in particular. At minimum, these
14 efforts shall include at least one outreach event in each City Council district
15 between February 1st and April 1st of each year. The Department may partner with
16 third-party entities for outreach and marketing efforts.

17 (f) The Administrator, or the Administrator's designee, shall present the contents of
18 each quarterly report required in Subsection (e) in the appropriate City Council standing
19 committee.

20 **Secs. 6-1-11--6-1-20. Reserved.**

1 **ARTICLE II. PROPER TREATMENT AND TRANSPORTATION OF ANIMALS**

2 **Sec. 6-2-1. Duty of care over animals; neglect; abandonment; overcrowding of animals.**

3 (a) All persons owning, harboring, or keeping an animal shall attend to and responsibly
4 care for the animal, including, but not limited to, providing proper food, water, shelter, sanitation,
5 and medical treatment for injuries, parasites, and diseases that is sufficient to maintain the animal
6 in good health and minimize suffering for the animal according to its species, age, and
7 circumstances.

8 (b) No person having care, custody, or control of any animal shall cause neglect, as
9 defined by Section 6-1-2 of this Code.

10 (c) No person having care, custody, or control of any animal shall cause abandonment,
11 as defined by Section 6-1-2 of this Code.

12 (d) No person shall own, harbor, keep, or shelter more than ~~four~~ two animals of the
13 same species over the age of four months in a single residence. Animals shall be properly licensed
14 and registered on the effective date of this ordinance. New licenses shall not be issued for animals
15 over the limit of two upon death or rehoming of animals formerly licensed at that residence.

16 (e) No person shall overcrowd rabbits, domestic fowl, poultry, or any other animals in
17 any crate, box, or other receptacle.

18 (f) Whether or not authorized by Section 53 of Chapter IX, of the Michigan Penal
19 Code, Animals, being MCL 750.53, the Animal Care and Control Division is authorized to
20 impound any animal which:

21 (1) Appears to have been neglected or cruelly treated, including but not limited to
22 actions prohibited in Sections 49 through 51 of Chapter IX, of the Michigan Penal
23 Code, Animals, being MCL 750.49 through 750.51; or

1 (2) Appears to have been abandoned.

2 **Sec. 6-2-3. Treatment of stray dogs.**

3 (a) The Animal Care and Control Division is authorized to seize and impound any stray
4 dog that is on public or private property in accordance with Section 6-1-3(e f) of this Code, and to
5 return, sell, transfer, or euthanize any such animal in accordance with this chapter.

6 (b) All persons shall immediately notify the Animal Care and Control Division
7 regarding any stray dog under their control and, upon request, shall turn over any stray dog to the
8 Animal Care and Control Division. The Animal Care and Control Division shall impound, register,
9 and promptly notify the owner of the dog, if any, at the owner's last known address.

10 (c) No person shall harbor, hold, or keep for reward any dog which has strayed upon
11 the person's premises or property has been picked up on a public highway or other public place
12 unaccompanied by its owner, or has been stolen from the owner.

13 (d) No person other than the owner shall procure a license for any dog, which has
14 strayed upon the person's premises or property, ~~or which~~ has been picked up on a public highway
15 or other public place unaccompanied by its owner, or ~~which~~ has been stolen from the owner.

16 (e) The provisions of this section prohibiting the harboring, holding, or keeping and
17 licensing a stray dog do not apply to a non-profit corporation that is organized for the purpose of
18 sheltering dogs or to a legal purchaser of a dog from such organization.

19 **Sec. 6-2-4. Sale of baby chicks, baby rabbits, ducklings, or other fowl as pets or novelties**
20 **prohibited.**

21 Except as provided in Article ~~VI~~ VIII of this chapter, no person shall sell, or offer for sale,
22 barter, or give away baby chicks, baby rabbits, ducklings or other fowl as pets or novelties, whether
23 or not dyed, colored or otherwise artificially treated. This section shall not be construed to prohibit

1 the display or sale of natural chicks or ducklings in proper brooder facilities by hatcheries or
2 businesses, including licensed pet shops, engaged in the selling of the same to be raised for
3 commercial purposes.

4 **Secs. 6-2-8--6-2-20. Reserved.**

5 **ARTICLE III. POTENTIALLY DANGEROUS, DANGEROUS OR VICIOUS ANIMALS**

6 **Sec. 6-3-1. Potentially dangerous animal, Dangerous ~~dangerous~~ animal or vicious animal**
7 **investigation; determination by the Administrator or the Administrator's designee; appeal**
8 **of ~~dangerous animal~~ determination; treatment of animals issued a ~~dangerous animal~~**
9 **determination; treatment of animals seized or surrendered prior to potentially dangerous**
10 **animal, dangerous animal or vicious animal determination.**

11 (a) Upon the receipt of a verifiable complaint from an individual or other report of an
12 attack, a bite, a dog fight, an injury, an observation of threatening behavior, or other reason to
13 cause a reasonable person to believe that a dog or other animal may be potentially dangerous,
14 dangerous or vicious, the Animal Care and Control Division shall evaluate the complaint or report
15 and, where the factual circumstances warrant, may conduct a potentially dangerous animal,
16 dangerous animal or vicious animal investigation. Where practicable, the investigation shall
17 include interviewing the complainant, any victim or victims of the menacing behavior, the attack
18 or animal bite and any witness or witnesses who observed the subject animal, and visiting the scene
19 where the reported incident took place.

20 (b) The Animal Care and Control Division investigator who is assigned to the
21 potentially dangerous animal, dangerous animal or vicious animal investigation shall make a
22 written recommendation concerning the incident and the animal and whether the Administrator,
23 or the Administrator's designee, should issue a potentially dangerous animal, dangerous animal or

1 vicious animal determination, including the factual basis for the recommendation. For purposes of
2 making a recommendation under this section, the investigating officer may review and rely upon
3 a written police report concerning an animal attack, bite, ~~threatening~~ menacing behavior, or other
4 observation that an animal may be potentially dangerous, dangerous or vicious. Any animal that
5 is the subject of a potentially dangerous animal, dangerous animal or vicious animal investigation
6 shall not be moved or harbored at another location, ~~excepting~~ except for the transport of the animal
7 to a licensed veterinary facility for purposes of a rabies quarantine, or have its ownership
8 transferred, pending the outcome of the investigation or any hearings related to the determination
9 of whether the animal is a potentially dangerous animal, dangerous animal or vicious animal under
10 this ~~section~~ article.

11 (c) The Administrator or the Administrator's designee, shall review the
12 recommendation contained in the potentially dangerous animal, dangerous animal or vicious
13 animal investigation, and, after such review, shall have the authority to issue a potentially
14 dangerous animal, dangerous animal or vicious animal determination concerning the subject dog
15 or animal.

16 (d) Upon a potentially dangerous animal or dangerous animal determination, the
17 Animal Care and Control Division shall provide the owner of the animal a written notification of
18 the determination by first class mail. Within ten days from the date of the receipt of the mailing,
19 the owner of the animal may file a written request for a hearing to review the determination at the
20 36th District Court. Pending any hearing or resolution on the potentially dangerous animal or
21 dangerous animal determination, the animal shall be confined in accordance with the requirements
22 imposed by the Administrator or the Administrator's designee, pursuant to Section 6-3-2 of this
23 Code, including confinement in a securely fenced or enclosed area. Where the owner fails to

1 request a hearing within the ten-day period after receipt of the notice, the ~~dangerous animal~~
2 determination made by the Administrator, or the Administrator's designee, shall become final and
3 the animal shall be issued a potentially dangerous animal or dangerous animal determination under
4 this section.

5 (e) Where the Administrator, or the Administrator's designee, makes a ~~dangerous~~
6 vicious animal determination under Subsection (c) of this section and the animal has caused severe
7 physical injury or death to any person or domesticated animal, the Administrator, or the
8 Administrator's designee, may seek an order from the 36th District Court to euthanize the animal.
9 Where the Administrator, or the Administrator's designee, makes a second dangerous animal
10 determination under Subsection (c) of this section for a subsequent incident, the Administrator, or
11 the Administrator's designee, may seek an order from the 36th District Court to euthanize the
12 animal. The Administrator, or the Administrator's designee, shall take into consideration the
13 severity and the total circumstances of injury to any person or to any domesticated animal prior to
14 seeking review and shall abide by the procedures and judgment of the 36th District Court if an
15 order to euthanize the animal is sought.

16 (f) Whenever an animal is seized or brought to the Animal Care and Control Division
17 for having attacked or bitten a person or another domesticated animal, the Animal Care and Control
18 Division shall hold and care for the animal during the pendency of a dangerous animal or vicious
19 animal determination. The Animal shall not be released unless:

- 20 (1) The owner enters into an agreement with the Administrator, or the Administrator's
21 designee, pursuant to Section 6-3-2 of this Code; or
22 (2) An order from the 36th District Court compels release of the animal to the owner.

1 (g) Unless an animal is forfeited to the ownership of the Animal Care and Control
2 Division, No no animal held by the Animal Care and Control Division for a dangerous animal or
3 vicious animal determination shall be euthanized prior to receipt of an order from the 36th District
4 Court.

5 **Sec. 6-3-2. Animals issued potentially dangerous animal or dangerous animal determination;**
6 **requirements for owners of animals issued potentially dangerous animal or dangerous**
7 **animal determination.**

8 (a) In all cases where an animal has been issued a potentially dangerous animal or
9 dangerous animal determination under Section 6-3-1 of this Code and the animal is not euthanized,
10 the Administrator, or the Administrator's designee, shall make the determination of whether the
11 animal may be returned to its owner. As part of the terms ~~or~~ of return, the Administrator, or the
12 Administrator's designee, shall order the owner to comply with each of the following
13 requirements:

- 14 (1) The owner shall maintain proper licensing and up-to-date vaccinations for the
15 animal as required under Article V of this chapter;
- 16 (2) Where the animal was capable of reproduction prior to the potentially dangerous
17 animal or dangerous animal determination, the animal must be ~~sterilized~~ altered;
- 18 (3) When the animal is on the owner's property, the animal must be confined securely
19 indoors or securely outdoors within a locked enclosure, pen, or structure that
20 prevents the entry of any person and the escape of the confined animal. Any
21 enclosure, pen, or structure used to confine an animal that has been issued a
22 potentially dangerous animal or dangerous animal determination shall be a
23 minimum of six feet in height. Where the enclosure, pen, or structure used to

1 confine the animal does not have a bottom secured to the sides, the sides shall be
2 embedded into the ground at a depth of at least two feet or be constructed on and
3 secured to a concrete pad, and have a complete, secure top to prevent escape and
4 be locked to prevent accidental access or escape. Any enclosure, pen, or structure,
5 including any fencing, used for the purpose of compliance with this section is
6 required to be humane, be maintained in a sanitary condition and provide protection
7 from the weather for the animal. Every owner of an animal that has been issued a
8 potentially dangerous animal or dangerous animal determination shall allow
9 inspection of the required enclosure, pen, or structure by the ~~Animal Care and~~
10 ~~Control Division~~ City to ensure compliance with this section;

11 (4) While off the owner's property, an animal that has been issued a potentially
12 dangerous animal or dangerous animal determination must be securely muzzled to
13 prevent the possibility of biting and under restraint by a substantial chain or leash
14 not exceeding six feet in length by a person 18 years of age or older who is
15 responsible for the animal at all times when the animal is off the owner's property.
16 The muzzle must be made and attached in a manner that does not cause injury to
17 the animal or impair its vision or respiration, but must prevent the animal from
18 biting any person or animal; ~~and~~

19 (5) The owner must permit the ~~Animal Care and Control Division~~ City to perform an
20 annual inspection of the animal and all enclosures, pens, or structures used to house
21 the animal at a time suitable to the Department and to the owner; and

22 (6) The owner of the animal that has been issued a dangerous animal determination
23 must post a standard sign obtained from the Division of Animal Care and Control

1 to serve as a warning notice on any premises where the animal is harbored, kept, or
2 sheltered in a place conspicuously visible to the public stating in bold, black letters
3 at least six inches in height "WARNING! DANGEROUS ANIMAL: KEEP
4 AWAY." The fee for the sign shall be the cost of production to the City and be
5 listed on the fee schedule.

6 (7) The owner of the animal that has been issued a potentially dangerous animal
7 determination must post a standard sign obtained from the Division of Animal Care
8 and Control to serve as a warning notice on any premises where the animal is
9 harbored, kept, or sheltered in a place conspicuously visible to the public stating in
10 bold, black letters at least six inches in height "WARNING! POTENTIALLY
11 DANGEROUS ANIMAL: KEEP AWAY." The fee for the sign shall be the cost
12 of production to the City and be listed on the fee schedule.

13 (b) In addition, the Administrator, or the Administrator's designee, may order the
14 owner of an animal that has been issued a potentially dangerous animal or dangerous animal
15 determination under Section 6-3-1 of this Code to comply with any one or more of the following
16 requirements:

17 (1) The owner must confine the ~~dangerous~~ animal to the secure enclosure described in
18 Subsection (a)(3) of this section at all times and only allow the animal out the
19 enclosure under the conditions set forth in Subsection (a)(4) of this section, where
20 necessary, to obtain veterinary care or to comply with a court order;

21 (2) The owner and the animal must complete a course of animal obedience training
22 approved by the Animal Care and Control Division;

1 (3) The owner must purchase an approved form of external identification from the
2 Animal Care and Control Division, indicating to other residents that the animal is
3 potentially dangerous or dangerous; or

4 (4) The owner must obtain and provide proof of current liability insurance in an amount
5 determined by the Administrator, or the Administrator's designee, to be sufficient
6 to compensate and protect the public from any damage or harm caused by the
7 animal; or

8 (5) The owner must attend an Animal Awareness Program provided by the Animal
9 Care and Control Division or the Michigan Humane Society. The Animal
10 Awareness Program shall include information on local ordinances, state law,
11 animal care standards and any other materials deemed appropriate. Any program
12 fees collected by the respective organization shall be retained and used for
13 education and training for Animal Care and Control staff, law enforcement or
14 animal welfare personnel.

15 (c) Compliance with any requirements set forth in Subparts (a) and (b) shall occur
16 within 30 days of the determination being issued. The 30-day timeframe may be extended by the
17 Administrator, in writing, for good cause. Bond shall be posted for the cost of 30 day boarding or
18 extended timeframe at Animal Care and Control. Failure to comply with the requirements for
19 return on the animal within the established timeframe shall result in the forfeiture of the animal to
20 the ownership of the Division of Animal Care and Control.

1 **Sec. 6-3-3. Violations involving animals issued potentially dangerous animal, dangerous**
2 **animal or vicious animal determination; failure to comply with requirements; reckless**
3 **owner designation; seizure; order to euthanize animal.**

4 (a) No person who owns an animal that has been issued a potentially dangerous animal,
5 dangerous animal or vicious animal determination under ~~Section 6-3-1~~ Article III of this Code
6 shall fail to comply with any of the requirements of Section 6-3-2 of this Code, or any order of the
7 Administrator, or the Administrator's designee, as authorized under ~~Section 6-3-2~~ of this Code.

8 (b) Where an animal has been issued a potentially dangerous animal or dangerous
9 animal determination pursuant to Section 6-3-1 of this Code and thereafter attacks or injures a
10 person or domesticated animal, or where the owner fails to comply with any order issued under
11 Section 6-3-2(a) or (b) of this Code, the animal may be seized and impounded, at the owner's
12 expense, by the Animal Care and Control Division. The Administrator, or the Administrator's
13 designee, is authorized to order the owner of the animal to comply with any of the alternatives
14 contained in Section 6-3-2(b) of this Code or seek an order from the 36th District Court to
15 euthanize the animal. Euthanasia of an animal shall only be conducted by a licensed veterinarian
16 or the Animal Care and Control Division.

17 (c) A person is a reckless dog owner who:

18 (1) Receives 3 or more determinations for violation of the nuisance animal provisions
19 in Section 6-1-7 in a consecutive 24-month period that are upheld by the district
20 court if appealed; or

21 (2) Receives 2 or more determinations under Section 6-3-2 for a potentially dangerous
22 animal in a consecutive 24-month period that are upheld by the district court if
23 appealed; or

1 (3) Receives 1 determination under Section 6-3-2 for a dangerous animal in a
2 consecutive 24-month period which is upheld by the district court if appealed; or

3 (4) Excluding violations set forth in Subparts (2) and (3), receives 4 or more citations
4 for violation of this chapter in a consecutive 5-year period. These may include
5 licensing or animal limit violations or failure to update location of an animal that
6 has been determined to be potentially dangerous or dangerous.

7 (d) The Administrator, or the Administrator's designee, shall issue a notification of the
8 declaration of reckless dog owner to the person with the following:

9 (1) Name and address of the person subject to the declaration;

10 (2) The description, violation, and determinations that led to the declaration;

11 (3) The name, description, and license number of all animals subject to the effects of
12 the declaration; and

13 (4) Instructions on appealing the declaration to the 36th district court.

14 (e) Once declared a reckless dog owner, the city licenses of all dogs owned by the
15 person shall be revoked, and the person shall not own, keep, possess, or harbor a dog for a period
16 of 5 calendar years from the date of the declaration.

17 (f) A person declared to be a reckless dog owner may apply to the Administrator to
18 have the declaration waived after 2 years upon meeting the following conditions:

19 (1) The person has no subsequent violations of this chapter;

20 (2) The person has no subsequent violations of the Michigan Dog Law of 1919, being
21 MCL 287.261 et seq., or this chapter and the administrative rules that have been
22 promulgated under Section 6-1-4(l) of this Code.

1 (3) The person has completed the Animal Awareness Program identified in Secs. 6-1-
2 3(g), 6-3-2(b)(5) or 6-1-7(d)(4) designed to improve the person's understanding of
3 dog ownership responsibilities and based upon an interview with the Administrator
4 establishes that understanding.

5 (g) If the Administrator finds sufficient evidence that the person has complied with all
6 conditions in the Section, the Administrator may rescind the reckless owner declaration subject to
7 conditions if necessary to ensure future compliance with this chapter. If the Administrator declines
8 to remove the declaration, the person may appeal pursuant to Chapter 3, *Administrative Hearings*
9 and *Enforcement*, and *Administrative Appeals*, Article IV, *Administrative Appeals*, of this Code.

10 **Sec. 6-3-4. Vicious animals prohibited; exceptions.**

11 (a) It shall be unlawful to keep, possess, or harbor a vicious dog, as determined under
12 Article III of this Chapter, within the City.

13 (b) Provisions of this Section shall not apply to a police dog being used to assist one or
14 more law enforcement officers acting in an official capacity.

15 (c) The Administrator of the Animal Care and Control Division shall seek a destruction
16 order from the district court to euthanize an animal that has been declared vicious under Article III
17 of this Chapter.

18 (d) The owner of an animal subject to a destruction order of the district court may
19 appeal as prescribed by the Revised Judicature Act of 1961, being MCL 600.101, *et seq.* and MCL
20 600.8342 in particular, or other applicable state law.

21 (e) The owner of a vicious dog shall be liable for and shall pay all costs associated with
22 impoundment, removal, or euthanasia of said animal. The owner shall pay any other associated
23 costs incurred with the enforcement of this Chapter relative to their animal.

1 **Secs. 6-3-5--6-3-20. Reserved.**

2 **ARTICLE IV. ANIMAL CONTROL SHELTER**

3 **Sec. 6-4-2. Neutering and spaying clinic.**

4 (a) Services of a neutering and spaying clinic at the Animal Control Shelter may be
5 made available to residents of the City to have their dogs and cats ~~neutered or spayed~~ altered. The
6 Animal Control Shelter shall give priority for such services to dogs and cats owned by residents
7 of the City who receive public assistance, or whose income consists primarily of payments derived
8 from the Social Security Act or the Railroad Retirement Act, or benefits from the U.S. Department
9 of Veterans' Affairs.

10 (b) A fee schedule for ~~neutering and spaying~~ alteration that is based on an owner's
11 ability to pay and the complexity of the surgery involved shall be established and approved in
12 accordance with Section 6-1-4(j k) of this Code.

13 (c) The availability of any services within this section shall be limited by the annual
14 budget approved by City Council and Mayor for the neutering and spaying clinic.

15 **Sec. 6-4-3. Seizure, capture, impoundment, and harboring of stray animals.**

16 The Animal Control Shelter shall seize, capture, impound, and harbor all stray animals and
17 all animals owned or harbored contrary to the provisions of this chapter, provided, that, where the
18 animal is on private property, the provisions of Section 6-1-3(e f) of this Code shall apply.

19 **Sec. 6-4-5. Redemption and release fees.**

20 (a) A release fee shall be required to be paid to the Animal Control Shelter by each
21 person claiming ownership or buying any dog, cat or other animal that is in the custody of the
22 Animal Control Shelter, provided, that an owner reclaiming his or her stray dog on more than one
23 (1) occasion shall be charged an additional fee for multiple releases.

1 (b) Any animal that has been confined for rabies observation, or has been confiscated
2 by the Animal Care and Control Division or by the Police Department and impounded as a result
3 of alleged unlawful activity or as a result of eviction from a premises, shall not be released from
4 the Animal Control Shelter unless the owner or person lawfully claiming the animal shall pay to
5 the Animal Control Shelter a service charge for the care, custody and feeding of animal for each
6 impoundment.

7 (c) A fee schedule for services rendered under this section shall be established and
8 approved in accordance with Section 6-1-4(j k) of this Code and posted at the Animal Control
9 Shelter.

10 **Sec. 6-4-6. Disposition upon failure to redeem; sale or transfer of live animals for research**
11 **prohibited; neutering, spaying, licensing, and vaccination prior to release.**

12 (a) After being impounded, an animal, which is not claimed, and released within the
13 time period prescribed by Section 6-4-4 of this Code, may be euthanized by the Animal Control
14 Shelter.

15 (b) The Animal Control Shelter shall not knowingly sell or transfer any unclaimed live
16 animal to any organization or person for the purpose of research.

17 (c) During such times as a neutering and spaying clinic shall exist at the Animal
18 Control Shelter, all dogs and cats sold by the shelter shall be ~~neutered or spayed~~ altered at the
19 shelter before being released to the purchaser. A fee that is established and approved in accordance
20 with Section 6-1-4(j k) of this Code shall be charged for this service and paid to the Animal Control
21 Shelter prior to the surgical procedure taking place. The purchaser must agree in writing to all
22 conditions prescribed by the Animal Control Shelter concerning the entire ~~neutering or spaying~~
23 alteration process.

1 (d) All dogs sold by the Animal Control Shelter shall be currently licensed and
2 vaccinated against rabies by a licensed veterinarian before release.

3 **Secs. 6-4-7--6-4-20. Reserved.**

4 **ARTICLE V. LICENSING AND CONTROL OF DOGS**

5 **Sec. 6-5-1. Dog license requirements; rabies vaccination requirements; limitation on number**
6 **of licenses issued to a residence; disposition of licensed dogs; impoundment of unlicensed**
7 **dogs.**

8 (a) No person shall own, harbor, keep, or shelter a dog more than four months of age
9 within the City without purchasing a license for the dog, in accordance with the requirements of
10 this chapter, from the Animal Care and Control Division, from a City agency or department
11 authorized to accept payment for a City dog license, or from a non-profit organization authorized
12 to accept payment for a City dog license. A person must be 18 years of age or older to obtain a
13 City dog license.

14 (b) In accordance with Section 6-5-4(a) of this Code, the Animal Care and Control
15 Division, or any City agency or department authorized to accept payment for a City dog license,
16 or a non-profit organization authorized to accept payment for a City dog license, shall not issue
17 more than ~~four~~ two dog licenses for a residence within the City unless the applicant for a license
18 presents a signed notarized statement indicating whether one or more dogs previously licensed at
19 the residence:

20 (1) Has died;

21 (2) Has been sold or has been permanently transferred to a person not at the same
22 residence or to an agency or organization; or

1 (3) Has escaped or reported stolen and has not been located by the owner for at least a
2 two-month period.

3 (c) The Animal Care and Control Division is authorized to impound, sell, euthanize,
4 or dispose of any unlicensed dog consistent with the Michigan Dog Law of 1919, being MCL
5 287.261 *et seq.*, and this chapter. Where any stray dog is captured by the Animal Care and Control
6 Division and is duly licensed in compliance with this chapter, the dog may be released to the owner
7 upon payment of any fees, including impoundment charges, if any, which are established and
8 approved in accordance with Section 6-1-4(j k) of this Code, provided, that the dog has not been
9 declared a public nuisance under Section ~~6-1-6~~ 6-1-7 of this Code, or issued a potentially
10 dangerous animal, dangerous animal or vicious animal determination pursuant to ~~Section 6-3-1~~
11 Article III of this Code, and the release of the dog to the owner would be consistent with protecting
12 public health and safety.

13 (d) Where any stray dog is captured by the Animal Care and Control Division and is
14 not duly licensed in compliance with this chapter, the dog shall only be released to its owner upon
15 settlement of any other violation or penalty that is provided for in Section 6-1-3 of this Code,
16 payment of license fee, and either:

17 (1) Proof of rabies vaccination as described in Section 6-5-2 of this Code; or

18 (2) Payment of costs associated with vaccination performed by the Animal Care and
19 Control Division.

20 (e) An animal owner, harborer, keeper or person who has custody of an animal shall
21 update the information provided on a license application in the event any of the information
22 changes, including but not limited to the street address where an animal is located. The updated
23 information shall be filed with the Animal Care and Control Division, or with any authorized City

1 agency or department, or with a non-profit organization authorized by the City to issue a dog
2 license.

3 **Sec. 6-5-2. Rabies control requirements for dogs over the age of four months; waiver of**
4 **vaccination fee.**

5 (a) Any dog over the age of four (4) months that is owned, harbored, kept, or sheltered
6 within the City shall at all times be vaccinated against rabies, unless a written statement, renewable
7 each year by a veterinarian is produced by such owner showing that the dog should not be
8 vaccinated. Any owner or person harboring keeping, or sheltering a dog within the City shall have
9 the duty, upon demand by the Animal Care and Control Division or by any authorized agent of the
10 Animal Care and Control Division, to produce a proof of vaccination against rabies. A proof of
11 vaccination against rabies shall consist of a written certificate or statement signed by a licensed
12 veterinarian, and shall state the owner's name and address, a description of the dog, including the
13 breed, sex, and age of the dog, the date of vaccination, the type of vaccine used, and the date re-
14 vaccination is due. One copy of the certificate or statement shall be forwarded by the veterinarian
15 signing such document to the Animal Care and Control Division in a manner as prescribed by the
16 City.

17 (b) The Animal Care and Control Division shall provide a licensed veterinarian to
18 vaccinate a dog, without payment of a fee, where:

19 (1) The owner, as determined by the Animal Control Division, is an indigent person
20 who is unable to pay;

21 (2) The owner presents proof of the current receipt of state or local public assistance;
22 or

1 (3) The owner's income consists entirely of benefits under the Social Security Act or
2 the Railroad Retirement Act, or benefits from the U.S. Department of Veterans'
3 Affairs, provided, that waiver of payment for a dog vaccination shall apply to only
4 one dog per residence.

5 **Sec. 6-5-4. Dog license application; issuance and expiration of licenses.**

6 (a) An application for a City dog license may be filed with the Animal Care and Control
7 Division, or with any authorized City agency or department, or with a non-profit organization
8 authorized by the City to issue a dog license, by a person 18 years of age or older who presents a
9 valid government issued identification card.

10 (b) The application for a dog license shall state:

- 11 (1) The full name of the owner of the dog;
- 12 (2) The age, breed, color, markings, name, and sex of the dog; and
- 13 (3) The name and address of the last previous owner of the dog, if applicable.

14 (c) The application for a dog license shall be accompanied by a license fee that is
15 established and approved in accordance with Section 6-1-4(j k) of this Code and a valid certificate
16 of a current vaccination for rabies with a vaccine licensed by the United States Department of
17 Agriculture that is signed by a licensed veterinarian. A license for a dog may only be issued without
18 such certification in accordance with Section 6-5-2 of this Code.

19 (d) Where the required application for a dog license has been completed and the license
20 fee paid, the Animal Care and Control Division, or any authorized City agency or department or
21 non-profit organization authorized by the City, shall cause to be issued to an applicant an annual
22 license to harbor, keep, or shelter a dog within the City for the term commencing at the date of the
23 issuance of the license and expiring one year from the date of the rabies vaccination.

1 (e) All dog licenses, which are required under this article for any dog that is a service
2 animal, shall be issued for the life of the dog.

3 (f) The Animal Care and Control Division may transfer a license from an animal in the
4 care of a rescue organization under Article VI of this Chapter to a person upon proof of adoption
5 of the animal.

6 **Sec. 6-5-5. Dog license fees.**

7 (a) The Animal Care and Control Division, any authorized City agency or department,
8 or any non-profit organization authorized to issue a City dog license, shall at the time of and before
9 issuing a dog license and for each renewal, collect from each applicant a license fee, which is
10 established and approved in accordance with Section 6-1-4(j k) of this Code, for each ~~neutered-or~~
11 ~~spayed~~ altered dog with a surcharge to be established for each dog not ~~neutered-or-spayed~~ altered.
12 Licenses renewed more than 30 days after expiration or obtained more than 30 days after newly
13 acquiring a dog shall incur a penalty of double the applicable license fee. When the license is
14 issued from a non-profit organization authorized to issue a City dog license, the organization is
15 authorized to deduct a portion designated by the City for each license so issued to pay the
16 organization for the administrative costs incurred, before forwarding the balance of the license fee
17 to the Animal Care and Control Division.

18 (b) A schedule that contains the license fees shall be posted at locations where City dog
19 licenses are issued.

20 (c) A dog license for a dog that is a service animal shall be issued without any charge
21 to the owner.

22

1 **Sec. 6-5-6. License tags; license and tags not transferable; use of microchips; transfer of**
2 **microchip registration.**

3 (a) The dog license issued by the Animal Care and Control Division shall consist of a
4 metal tag which shall have stamped or engraved thereon the year issued. The license tags delivered
5 shall be approved by the Animal Care and Control Division before delivery. The shape and style
6 of the license tags shall be changed annually. License tags will be attached to a substantial collar
7 harness of durable material. Other than those provided for in this section or required by Section 6-
8 3-2(a)(6) or (7), no official license tags shall be used on the collar or harness of any dog. This
9 requirement does not prohibit the placement of private identification tags on any animal.

10 (b) No person shall remove the collar or harness, with the license tag attached, from
11 any dog without consent of the owner or the party to whom the license for the dog is issued,
12 provided, that an animal control officer may remove a collar or harness from an impounded dog
13 for the purpose of identification, or for the safety, of the dog.

14 (c) A collar or harness, with license tag attached, shall be worn at all times by a dog,
15 when the dog is on any street, highway, or public place within the City.

16 (d) Upon satisfactory proof that the license tag, as required in this section, has been
17 lost, the Animal Care and Control Division, or other agency authorized by the City to issue dog
18 licenses, is authorized to issue a duplicate license tag upon the payment of a license replacement
19 fee that is established and approved in accordance with Section 6-1-4(j k) of this Code.

20 (e) Dog licenses or license tags issued under this section are not transferable between
21 dogs or between owners.

1 (f) The Animal Care and Control Division is authorized to implant and utilize
2 microchips to identify licensed dogs and to collect a fee that is established and approved in
3 accordance with Section 6-1-4(j k) of this Code for such services.

4 (g) Any person owning any a dog which has been implanted with a microchip pursuant
5 to this section shall transfer in writing the microchip registration with the Animal Care and Control
6 Division upon the barter, gift, sale, trade or other transfer of the dog.

7 **Sec. 6-5-7. Breeders permit required; application.**

8 (a) No person shall breed or own an unaltered female dog that produces a litter of
9 puppies without obtaining a breeders permit from the Animal Care and Control Division.

10 (b) The Animal Care and Control Division shall issue a breeders permit upon receipt
11 of a completed application form, verification of current licensing and vaccination records, and
12 payment of the applicable fee.

13 (c) The breeders permit shall be valid for one year from the date of issuance and allow
14 for a maximum of two litters per female dog.

15 (d) The Animal Care and Control Division may revoke a breeders permit for failure to
16 adhere to this Section.

17 **Secs. 6-5-8--6-5-20. Reserved.**

18 ~~**ARTICLE VI. URBAN FARM ANIMALS (RESERVED)**~~ **Repealed.**

19 **ARTICLE VI. RESCUE ORGANIZATIONS**

20 **Sec. 6-6-1. Registration required.**

21 It shall be unlawful to engage in the activity of a rescue organization within the City, which
22 shall include the placement of any animal in a foster home within the City of Detroit, without first
23 registering the rescue organization with the Department.

1 **Sec. 6-6-2. Registration; information required.**

2 (a) Registration required under this article shall be made on a form that is provided by
3 the Department. The registration shall be considered completed when the appropriate person has
4 signed and dated the registration in the presence of a notary public, has paid the required
5 registration fee, and has provided the information that is required on the form, including:

6 (1) Name and type of organization.

7 (2) Capacity for the type and number of animals.

8 (3) Proof of current liability insurance in an amount determined by the Administrator,
9 or the Administrator's designee, to be sufficient to compensate and protect the
10 public from any damage or harm caused by the animal.

11 (4) Name and address of all foster homes associated with the rescue organization.

12 (b) Registration shall be filed annually.

13 (c) Any information provided in accordance with Subsection (a) of this section shall
14 be supplemented in writing and sent by certified mail, return receipt requested, to the Department
15 within ten business days of circumstances that would render false or incomplete the information
16 that was previously submitted.

17 **Sec. 6-6-3. Foster home permits issued to animal rescue organization; animal limit; license.**

18 (a) The Department shall issue to each registered rescue organization a specified
19 number of foster home permits which the rescue organization shall use to identify foster homes
20 permitted by the rescue organization to have an animal placed as a foster animal within the City.

21 (b) Each registered foster home permit shall be limited to four total temporary foster
22 dogs.

23 (c) Each foster dog shall be licensed to the animal rescue organization pursuant to the

1 procedure set forth in Article V. of this Chapter. Licenses may be transferred by the Animal Care
2 and Control Division upon adoption by an individual residing in the City.

3 **Sec. 6-6-4. Foster home permit required.**

4 (a) It shall be unlawful to operate a foster home related to a rescue organization without
5 first obtaining a permit from the rescue organization for which that person will operate the foster
6 home.

7 (b) It shall be unlawful to operate a foster home without an affiliation with a registered
8 rescue organization.

9 **Sees. 6-6-5--6-5-20. Reserved.**

10 **ARTICLE VIII. URBAN FARM ANIMALS (RESERVED)**

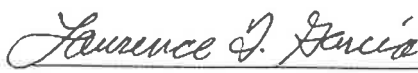
Section 2. This ordinance is hereby declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

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

Section 4. This ordinance shall become effective six months after publication in accordance with paragraph 3 of Section 4-118 of the 2012 Detroit City Charter.

Section 5. This ordinance shall not take effect unless the companion ordinance amending amend Chapter 6 of the 2019 Detroit City Code, *Animal Care, Control and Regulation*; Article III, *Dangerous Animals*; Section 6-3-1 to add a provision to be known as “Emma’s Clause” in honor and memory of Emma Valentina Hernandez, dated November 13, 2019, is enacted.

Approved as to form:



Lawrence T. Garcia
Corporation Counsel



Public Lighting Authority

121

65 Cadillac Square, Suite 3100
Detroit, MI 48226
313.324.8291 - office
313.638.2805 - fax
pladetroit.org

OUR MISSION is to improve,
modernize and maintain the
street lighting system in Detroit.

November 18, 2019

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

**RE: West Vernor & Springwells Business Improvement District
Petition #1150**

Dear Council Members:

The West Vernor & Springwells Business Improvement District is requesting permission to hang approximately 70 banners on West Vernor (from Woodmere to Clark) to celebrate the holiday season along the business district.

The Public Lighting Authority has inspected poles and finds them to be structurally sound and is recommending approval for the West Vernor & Springwells Business Improvement District to hang banners on West Vernor from December 12, 2019 to January 11, 2020.

Respectfully Submitted,

Beau Taylor, Executive Director
Public Lighting Authority

Enclosure: Petition

cc: Council Members
File
PLD

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Andre P. Gilbert II
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

Monday, November 18, 2019

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.

PLANNING AND DEVELOPMENT DEPARTMENT LAW DEPARTMENT
LEGISLATIVE POLICY DIVISION FINANCE DEPT/ASSESSMENTS DIV.

1150 *West Vernor & Springwells Business Improvement District, request to hang approximately 70 banners along West Vernor from Woodmere to Clark from 12-2-2019 to 1-11-2020*

City Of Detroit Banner Permit Application

For Banners in the Public Right-Of-Way

This application is for the proposed banner(s) for a specified period of time only. The City of Detroit will be strictly adhering to the Banner Permit Guidelines; please print them out for reference. This form must be completed and returned at least **60 days** prior to the date of installation. If submitted later than 60 days prior, application is subject to denial. If the requested Banner location is on a Michigan State Truck Line or Wayne County Road the application must be submitted at least **180 days** prior to the date of installation. After expiration of the permit (if granted), or should the banner change in any way, another application will be required.

SECTION 1 - APPLICANT INFORMATION

Contact Name: THERESA ZAJAC

Name of Organization: THE WEST VERNOR & SPRINGWELLS BUSINESS IMPROVEMENT DISTRICT

Mailing Address: 7752 W. VERNOR HWY., SUITE 101

Phone Number: 313.842.0896 X1002 E-Mail Address: BID@SOUTHWESTDETROIT.COM

Type of Banner(s) check all that apply:

- City of Detroit Non-Profit Other
 Community Business District
 Special Event Holiday

If registered as a non-profit, please indicate your non-profit status identification number and attach a copy of the certificate.

Non-profit identification number:

If applying for a business district banner(s) please identify the business district.

Business District: THE WEST VERNOR & SPRINGWELLS BUSINESS IMPROVEMENT DISTRICT

Type of Request:

- Initial Permit Permit Renewal

If this request is for permit renewal, please provide the following:

Permit Identification Number:

Permit Expiration Date:

SECTION 2 – COMMERCIAL BANNER COMPANY

Contact Name: TODD WEEMS
Name of Organization: SOLOMON'S LABOR SOLUTIONS
Mailing Address: 1515 PINGREE, LINCOLN PARK, MI 48146
Phone Number: 313-289-4538 E-Mail Address: TODD.WEEMS01@GMAIL.COM

SECTION 3 – BANNER INFORMATION

Purpose of Banner(s):

HOLIDAY BANNERS TO BE PUT UP A LONG BUSINESS IMPROVEMENT DISTRICT.

Time Period to display Banner(s): Install Date: 12/2/19 Removal Date: 1/11/2020

Number of Banner(s) to display: 70

Streets on which Banner(s) are to be displayed:

ALONG WEST VERNOR FROM WOODMERE TO CLARK. (SEE ATTACHED MAP)

Are any of the poles located on a Michigan State Trunk Line or Wayne County Road?
Refer to listing of Trunk Lines and Wayne County Roads. YES NO

Describe wording on the Banner(s) and any graphics:

1. WORDING: (FELIZ NAVIDAD MEANING MERRY CHIRSTMAS)/GRAPHIC:SANTA
2. WORDING:FELIZ NAVIDAD (MEANING MERRY CHIRSTMAS)/GRAPHIC: SNOWMAN ON A SLED)
3. WORDING: SEASON'S GREETINGS/GRAPHIC: 3 OF 3 BELLS WITH RIBBON, TRUMPET, AND CHRISTMAS TREE
(PLEASE SEE ATTACHED DESIGN)

The following items **MUST BE** included in the permit application package in order for it to be considered:

- Completed banner permit application form
- Signed and dated indemnity agreement
- Signed and dated maintenance and removal agreement
- Copy of certificate of insurance
- Sketch, drawing, or actual sample of the banner to be displayed
- Listing and/or map of the specific locations for the Banner(s)
- \$100 non-refundable permit fee
- A refundable deposit to be held in escrow presented to Business License Department prior to the issuance of the Banner Permit

The undersigned applicant(s) agrees to abide by the provisions set by the City of Detroit to suspend a Banner or Banner(s) during the time period requested for this permit.

THERESA ZAJAC

Applicant: Print Name

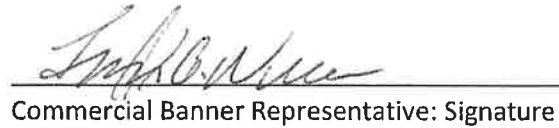

Applicant: Signature

10/17/19

Date

TODD WEEMS

Commercial Banner Representative: Print Name
i.e., installer/remover


Commercial Banner Representative: Signature

10/17/19

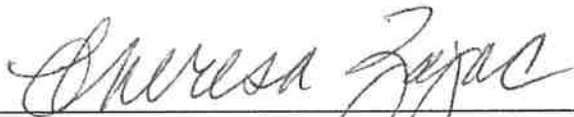
Date

AGREEMENT OF INDEMNITY

CITY OF DETROIT:

For and in consideration of the granting of a permit by the City of Detroit to suspend a Banner or Banners, the undersigned does agree to indemnify and hold harmless the City of Detroit, its officers, agents and employees from any and all claims arising out of the placement of, maintenance of, use of, or removal of banners, including claims involving Banners (or the structure upon which they are hung) falling on people or property.

INDEMNITOR (S):



Signature of Authorized Representative (Organization)

THERESA ZAJAC

Name

7752 WEST VERNOR HWY , DETROIT, MI 48209

Address, City, State, Zip Code

313-842-0986 X1002

Phone Number

10/17/19

Date



Signature of Authorized Representative (Banner Company)

TODD WEEMS

Name

1515 PINGREE, LINCOLN PARK, MI 48146

Address, City, State, Zip Code

313-249-4538

Phone Number

10/17/19

Date

MAINTENANCE & REMOVAL AGREEMENT

It is understood and agreed that during the initial display, and subsequent renewal periods if applicable, the permittee shall be responsible for inspecting banners and poles; replacing and/or removing banners that are torn, defaced or in general disrepair, including rigging. Where any street banner is found to present an immediate threat of harm to the public health, welfare or safety, the City shall summarily cause its removal.

It is also understood and agreed that banners are to be removed within seventy-two (72) hours of the revocation date of the permit. Any street banner not removed within that time period shall be removed by the City without notice to the permittee.

If the City removes banners because they are in disrepair, present a threat of harm, or because the permit has expired, it is understood and agreed that a portion or all of the refundable deposit will be forfeited by the permittee in order to cover the City's expense. If the expense of removal exceeds the amount of deposit, it is understood and agreed that the excess amount shall be collected from the person/entity to which the permit was issued.

It is also understood and agreed that in such cases when the City removes banners there is no guarantee that the banners can be reclaimed by the permittee.

Theresa Zajac

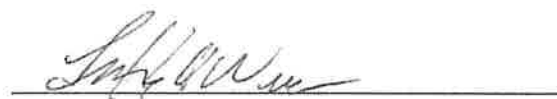
Applicant: Print Name



Applicant: Signature

Todd Weems

Commercial Banner Representative: Print Name
i.e., installer/remover



Commercial Banner Representative: Signature

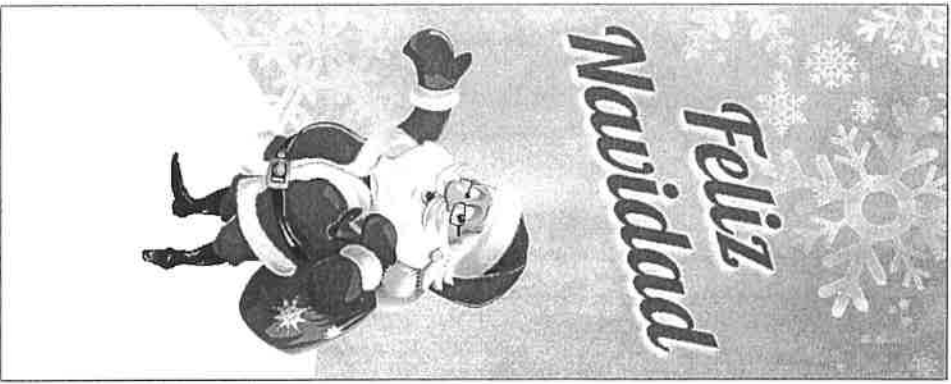
10/17/19

Date

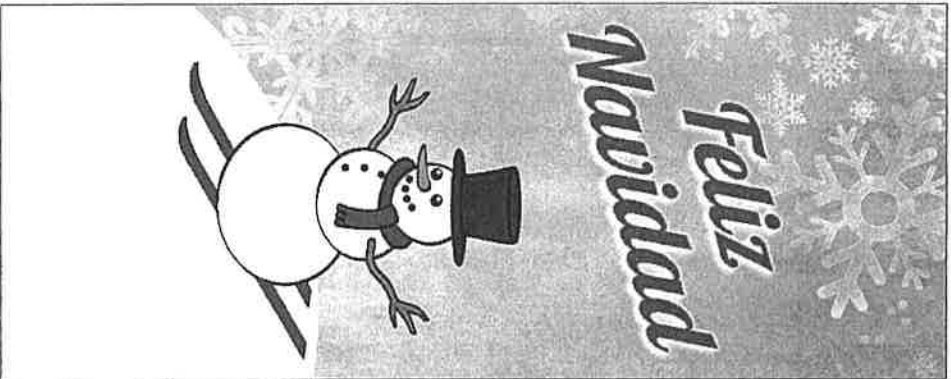
10/17/19

Date

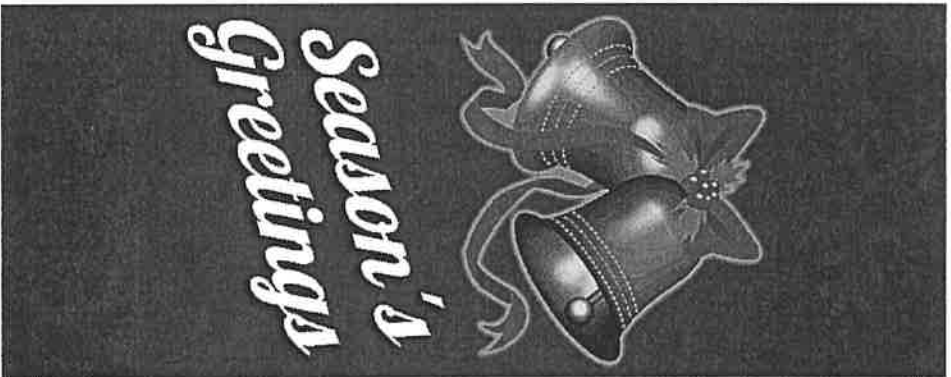
avenue pole banner, 24" w x 61" l,
2-sided, 20qty



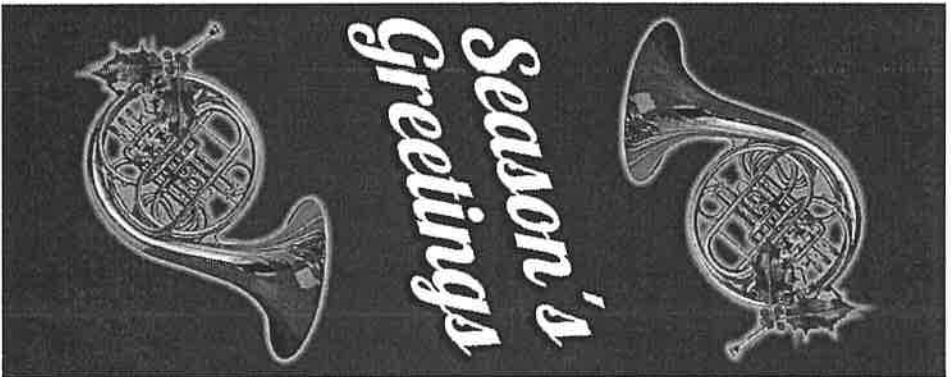
avenue pole banner, 24" w x 61" l,
2-sided, 20qty



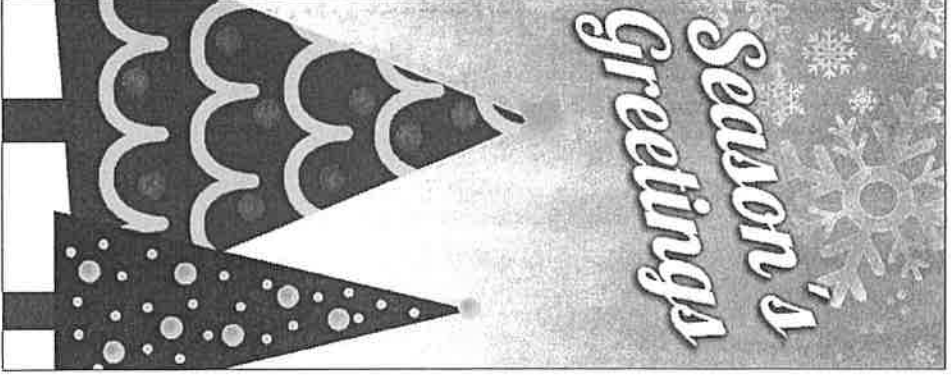
avenue pole banner, 24" w x 61" l,
2-sided, 15qty



avenue pole banner, 24" w x 61" l,
2-sided, 15qty



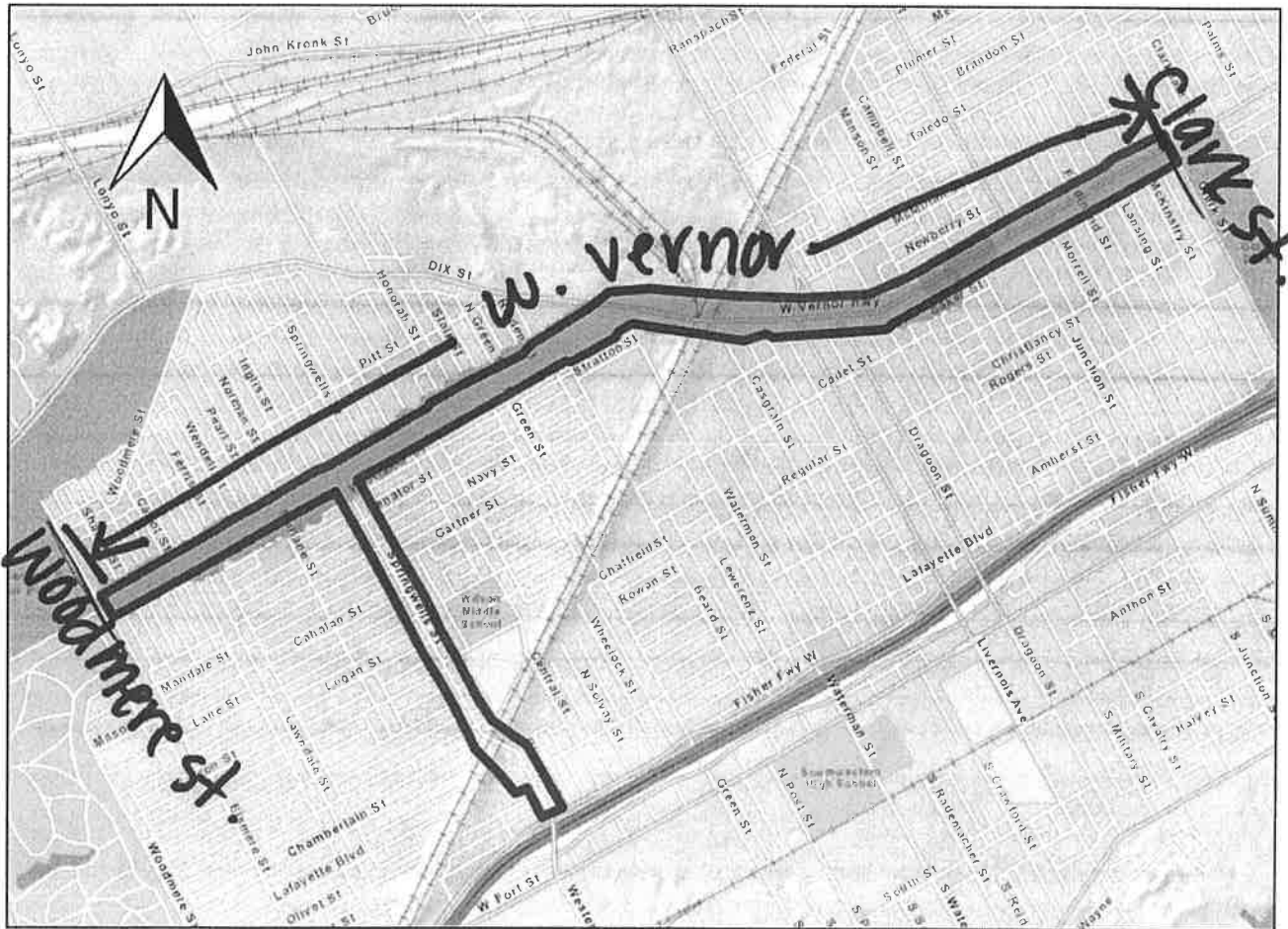
avenue pole banner, 24" w x 61" l,
2-sided, 15qty



along west vernor from woodmere to
clark



West Vernor & Springwells Business Improvement District



 West Vernor and Springwells Business Improvement District (BID)

BID Zone: West Vernor from Woodmere to Clark; and Springwells, from West Vernor to the Southboard I-75 service drive.

The map above generally represents parcels within the BID, parcels without West Vernor or Springwells addresses are including in the BID and receive BID services. Please contact the BID for inquiries about specific parcels.

Clean, Safe and Working for You!

c/o 7752 West Vernor Highway Phone: 313.254.8161
Detroit, MI 48209 Fax: 313.842.6350

* CIVIL ENGR.

M. S. RAJAN

MEMBER OF THE INSTITUTE OF CIVIL ENGINEERS



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



COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 1026
DETROIT, MICHIGAN 48226
PHONE: 313 • 628-2158
FAX: 313 • 224 • 0542
WWW.DETROITMI.GOV

November 13, 2019

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

RE: Authorization to submit a grant application to the Michigan Department of Transportation for the Transportation Economic Development Fund – Category A Grant

The Department of Public Works is hereby requesting authorization from Detroit City Council to submit a grant application to the Michigan Department of Transportation for the Transportation Economic Development Fund – Category A Grant. The amount being sought is \$1,126,444.00. The State share is \$1,126,444.00 of the approved amount, there is a required cash match of \$360,710.00. The total project cost is \$1,487,154.00. If awarded, Richard Doherty, the Department of Public Works Head Engineer, will be the project lead for this grant and the planned improvements will be maintained by the Department of Public Works.

The Transportation Economic Development Fund – Category A Grant will enable the department to:

- Improve roads that can withstand increased truck traffic for the new Dakkota Integrated Systems Plant
- Make Improvements to Van Dyke Ave. and the I-94 Townsend Service Drive

If the application is approved, a cash match will be provided from appropriation 04189.

We respectfully request your approval to submit the grant application by adopting the attached resolution.

Sincerely,
DocuSigned by:

A38B48C2052F48B...

Ryan Friedrichs
Director, Office of Development and Grants
CC:
Katerli Bounds, Deputy Director, Grants
Sajjiah Parker, Assistant Director, Grants

DocuSigned by:

1E1A2A8BD6C84B3...

Office of Budget

CITY CLERK 2019 NOV 15 4:18 PM



Office of Development and Grants

RESOLUTION

Council Member _____

WHEREAS, the Department of Public Works has requested authorization from City Council to submit a grant application to the Michigan Department of Transportation, for the Transportation Economic Development Fund – Category A Grant, in the amount of \$1,126,444.00, to improve roads that can withstand increased truck traffic for the new Dakkota Integrated Systems Plant; and

WHEREAS, the Department of Public Works has \$360,710.00 available in its FY 2020 Departmental allocation, in appropriation 04189, for the City match requirement for the Transportation Economic Development Fund – Category A Grant; and

WHEREAS, if awarded, Richard Doherty, the Department of Public Works Head Engineer, will be the project lead for this grant and the planned improvements will be maintained by the Department of Public Works; and

WHEREAS, this request has been approved by the Office of Budget; now

THEREFORE BE IT RESOLVED, the Department of Public Works is hereby authorized to submit a grant application to the Michigan Department of Transportation for the Transportation Economic Development Fund – Category A Grant.



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

COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 1026
DETROIT, MICHIGAN 48226
PHONE: 313 • 628-2158
FAX: 313 • 224 • 0542
WWW.DETROITMI.GOV

Grant Application Request Form (GARF)

In order to secure the Office of Development and Grants (ODG) approval required under Section 18-4-2 of the Detroit City Charter, this form is to be filled out by City Departments as soon as possible upon learning of an opportunity that the Department would like to pursue. This form must be signed and submitted not later than 20 business days prior to the application deadline.

Please submit this form to the following ODG staff: Sajjiah Parker, Assistant Director, parkersa@detroitmi.gov and Greg Andrews, Program Analyst IV, andrewsgr@detroitmi.gov

City Department	Department of Public Works
Date	11/13/2019
Department Contact Name	Richard Doherty
Department Contact Phone	313-224-3955
Department Contact Email	DohertyRi@detroitmi.gov
Grant Opportunity Title	Transportation Economic Development Fund Category A
Grant Opportunity Funding Agency	Michigan Department of Transportation
Web Link to Opportunity Information	https://www.michigan.gov/mdot/0,4816,7-151-9621_17216_18230_18235---.00.html
Award Amount (that Department will apply for)	\$1,126,444
Application Due Date	Rolling
Anticipated Proposed Budget Amount	\$1,487,154
City Match Contribution Amount	\$380,710
Source of City Match (include Appropriation Number, Cost Center, and Object Code)	3301-04189-193801-632100
List of programs/services/activities to be funded and the Budget for each Sample: - ABC Afterschool program: \$150,000 - XYZ Youth leadership program: \$100,000 - Salary/Benefits: \$95,000 - Supplies: \$5,000	To improve roads that can withstand increased truck traffic for the new Dakota Integrated Systems Kettering Site
Brief Statement of Priorities/Purpose for the Application Sample: To support expansion of promising youth development programs in MNO neighborhood.	To make improvements to Van Dyke Avenue, from the Townsend Service Dr. to Hendrie St. and the Van Dyke bridge overpass, as well as improvements to the Townsend Service Dr. on the I-94 exit ramp.
Key Performance Indicators to be Used to Measure the Programs/Services/Activities Sample: # of kids newly enrolled in ABC and XYZ % of kids from ABC who demonstrate improved educational performance	# of miles of roads fixed by 2020

Oladayo Akinyemi

Director's Name (Please Print)

Director's Signature

11/13/19

Date



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



COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 1026
DETROIT, MICHIGAN 48226
PHONE: 313 • 628-2158
FAX: 313 • 224 • 0542
WWW.DETROITMI.GOV

October 28, 2019

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

RE: Authorization to submit a grant application to the Michigan Department of Environment, Great Lakes, and Energy for the FY 2020 Scrap Tire Regulatory Program Grant

The Detroit Police Department is hereby requesting authorization from Detroit City Council to submit a grant application to the Michigan Department of Environment, Great Lakes, and Energy for the FY 2020 Scrap Tire Regulatory Program Grant. The amount being sought is \$68,105.00. There is no match requirement. The total project cost is \$68,105.00.

The Scrap Tire Regulatory Program Grant will enable the department to:

- Purchase cameras, license plate readers, and tracking devices to monitor the sources of tire dumping on vacant lots.

We respectfully request your approval to submit the grant application by adopting the attached resolution.

Sincerely,
DocuSigned by:

A38B48C2052F4#B

Ryan Friedrichs
Director, Office of Development and Grants
CC:

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

CITY CLERK 2019 NOV 15 4:11:00



Office of Development and Grants

RESOLUTION

Council Member _____

WHEREAS, the Detroit Police Department has requested authorization from City Council to submit a grant application to the Michigan Department of Environment, Great Lakes, and Energy, for the FY 2020 Scrap Tire Regulatory Program Grant, in the amount of \$68,105.00, to purchase cameras, license plate readers, and tracking devices to monitor the sources of tire dumping on vacant lots; and

THEREFORE BE IT RESOLVED, the Detroit Police Department is hereby authorized to submit a grant application to the Michigan Department of Environment, Great Lakes, and Energy for the FY 2020 Scrap Tire Regulatory Program Grant.



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

COLEMAN A. YOUNG MUNICIPAL CENTER
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Grant Application Request Form (GARF)

In order to secure the Office of Development and Grants (ODG) approval required under Section 18-4-2 of the Detroit City Charter, this form is to be filled out by City Departments as soon as possible upon learning of an opportunity that the Department would like to pursue. This form must be signed and submitted not later than 20 business days prior to the application deadline.

Please submit this form to the following ODG staff: Sajjiah Parker, Assistant Director, parkersa@detroitmi.gov and Greg Andrews, Program Analyst IV, andrewsgr@detroitmi.gov

City Department	Detroit Police Department
Date	10/18/19
Department Contact Name	Lt Rebecca McKay
Department Contact Phone	313-378-1944
Department Contact Email	mckay3398@detroitmi.gov
Grant Opportunity Title	Scrap Tire Law Enforcement Program 2020
Grant Opportunity Funding Agency	Mi Dept of Environment, Great Lakes, and Energy
Web Link to Opportunity Information	https://www.michigan.gov/egle/0,9429,7-135-3312_4123_4122-82217--,00.html
Award Amount (that Department will apply for)	\$68,105
Application Due Date	November 1, 2019
Anticipated Proposed Budget Amount	\$68,105
City Match Contribution Amount	0
Source of City Match (include Appropriation Number, Cost Center, and Object Code)	0
List of programs/services/activities to be funded and the Budget for each <i>Sample:</i> - ABC Afterschool program: \$150,000 - XYZ Youth leadership program: \$100,000 - Salary/Benefits: \$95,000 - Supplies: \$5,000	This grant will purchase cameras, license plate readers, and provide tracking devices to monitor the sources of tire dumping on vacant lots.
Brief Statement of Priorities/Purpose for the Application <i>Sample: To support expansion of promising youth development programs in MNO neighborhood.</i>	To reduce the amount of tire dumping by scrapers on vacant lots.
Key Performance Indicators to be Used to Measure the Programs/Services/Activities <i>Sample:</i> # of kids newly enrolled in ABC and XYZ % of kids from ABC who demonstrate improved educational performance	Number of arrests for illegal dumping Number of tire dealers and community leaders trained Number of cases prosecuted Decrease in annual tonnage of tires dumped

Todd Bettison

Director's Name (Please Print)

T. A. Bell

Director's Signature

10-23-2019

Date



City of Detroit
COUNCILMAN SCOTT R. BENSON

124

CITY CLERK 2019 NOV 15 4:43:50

MEMORANDUM

TO: **Council Member Raquel Castañeda-López**

FROM: **Hon. Scott Benson, City Council District 3**

CC: Hon. Janice Winfrey, City Clerk
James Craig, Chief of Police
Lawrence Garcia, Corporation Counsel
Stephanie Washington, City Council Liaison

VIA: **Hon. Brenda Jones, City Council President**

DATE: 15 November 2019

RE: **BIASED-BASED POLICING ORDINANCE PROPOSED MODIFICATIONS**

I would like to propose the following changes to the *Biased-Based Policing Ordinance*:

1. Include a list of the policing agencies that are referred to under the amended definition of *police officer*.
2. The prohibition of biased-based policing on the basis of the perception of all characteristics or descriptions listed in the ordinance, i.e. *perception of religion, perception of gender*, etc.
3. As eye witness testimony often provides descriptions upon which reasonable suspicion is based, sections referring to the basis for reasonable suspicion and probable cause should state that a public servant who is a police officer “shall not solely base.” For example, Sec. 23-8-4, sect. b should read as:
“A public servant who is a police officer shall not solely base reasonable suspicion for an investigative detention, probable cause for an arrest, or any other police action, on a person’s appearance...”
4. The inclusion of a definition for *biased-based policing*.

Please reach out to my office if you have any questions at, 313-224-1198.

SRB

City of Detroit

CITY COUNCIL


RAQUEL CASTAÑEDA-LÓPEZ
COUNCIL MEMBER
DISTRICT 6

125

MEMORANDUM

TO: David Whitaker, Director, Legislative Policy Division

THRU: Council President Brenda Jones

FROM: Council Member Raquel Castañeda-López 

DATE: November 14, 2019

RE: Resolution to Support DACA

I request that the Legislative Policy Division draft a resolution to oppose ending the Deferred Action for Childhood Arrivals program. Oral arguments were held on November 12, 2019, regarding the Trump Administration's attempt to discontinue the program, which will remove protections for about 700,000 young people brought to the U.S. as children.

Please contact my office for more information. Thank you.

Cc: Honorable Detroit City Council
Stephanie Washington, Mayor's Liaison
City Clerk

CITY CLERK 2019 NOV 14 PM 1:11

City of Detroit

CITY COUNCIL

RAQUEL CASTAÑEDA-LÓPEZ
COUNCIL MEMBER
DISTRICT 6

126

MEMORANDUM

TO: Ron Brundidge, Director, Department of Public Works

THRU: Council President Brenda Jones

FROM: Council Member Raquel Castañeda-López



DATE: November 14, 2019

RE: Garbage Pick-up Noise concerns

Residents have reached out to my office with concerns related to GFL's routine pickup of garbage in the Brush Park neighborhood between 3-6am, which disrupts residents' sleep. The current contract with GFL limits collection of refuse to between 7am and 7pm for residential homes.

Please advise whether there are there any laws, agreements, or policies in place to prevent GFL and other companies from refuse collection during these early morning times in close proximity to residential neighborhoods.

Please feel free to reach out to my office with questions at (313) 224-2450.

CITY CLERK 2019 NOV 14 PM 1:11

Cc: Honorable Detroit City Council
Stephanie Washington, City Council Liaison, Mayor Duggan's Office
City Clerk

**TESTIMONIAL
RESOLUTIONS
AND SPECIAL
PRIVILEGE**

Testimonial Resolution

Elbernita "Twinkie" Clark

WHEREAS, TWINKIE CLARK was born on November 15, 1954, in Detroit, Michigan to Pastor Elbert Clark and Dr. Mattie Moss Clark, the legendary gospel music innovator. TWINKIE has a remarkable legacy and a powerful musical gift. She is an extraordinary musician and anointed vocalist; and

WHEREAS, Her mother introduced her to the piano as an infant, and by the age of four, TWINKIE was playing full songs on the instrument. By the time she was nine, TWINKIE had switched to the organ, and by age twelve, she had made her recording debut as an organist on the Southwest Michigan State Choir's album, A Closer Walk with Thee. TWINKIE started writing songs in her teens in the 1970s. She received her formal musical training at Howard University. TWINKIE wrote and produced a couple of albums for her mother, but her best-known compositions and productions were for her longtime sibling gospel group, The Clark Sisters. The legendary ensemble also included her sisters Karen, Dorinda, and Jacky Clark. TWINKIE'S arrangements and productions were an innovative blend that literally kicked gospel into the modern era. The Clark Sisters were able to cross over to the secular charts and fill dancefloors with their 1981 gold record hit "You Brought the Sunshine." Gospel had never really sounded like this before. Some of it had to do with TWINKIE'S organ playing, which was singular and always striking, earning her the title of "Queen of the Hammond B-3" in gospel circles and beyond; and

WHEREAS, TWINKIE left the Clark Sisters officially in 1989 to devote more time to her own ministry, although she continued to add her production, songwriting, and organ expertise to various projects. TWINKIE has produced albums for several choirs and traveled the world abroad as an evangelist, workshop facilitator, music educator, singer and a powerful woman of God. She has had her compositions recorded and sampled by some of the Gospel greats and even secular artists. Amid her travels, networking and the lending of her songwriting and production expertise to others over the years, TWINKIE found the time to record and release a catalog of solo albums: Praise Belongs to God (1979), Ye Shall Receive Power (1981), Comin' Home (1982), Masterpiece (1996), Live in Charlotte (2002), Home Once Again: Live in Detroit (2004), With Humility (2011) and Live & Unplugged in 2013. TWINKIE has understood the ministerial calling on her life from a very young age and she has followed in her mother's footsteps. Musically, she has been labeled a Gospel Legend. Her mother also garnered the title for her career. Through her many seasons of life, TWINKIE has inspired peers, supporters and fans around the world with the power of her musical talents, voice and message. TWINKIE CLARK has skillfully mastered the delicate balance between music, life and ministry with resounding clarity – building a rich musical legacy that continues to exceed expectations. NOW, THEREFORE BE IT

RESOLVED, That the Detroit City Council and Council President Brenda Jones hereby present this Testimonial Resolution to TWINKIE CLARK as a gesture of admiration and respect, and in recognition of her outstanding musical achievements and dedication to her faith.

Brenda Jones

COUNCIL PRESIDENT

Mary Sheffield

COUNCIL PRESIDENT PRO TEM

Jaymy Lee

COUNCIL MEMBER

Scott B. Brown

COUNCIL MEMBER

Raquel Castañeda-Jopey

COUNCIL MEMBER

Rabe R. L.

COUNCIL MEMBER

[Signature]

COUNCIL MEMBER

Archie J. Spriggs

COUNCIL MEMBER

[Signature]

COUNCIL MEMBER

November 15, 2019

DATE

CITY CLERK 2019 NOV 15 AM 11:44

Testimonial Resolution

128

DR. ROBERT BRUMFIELD

WHEREAS, Dr. Robert Brumfield served as the Senior Pastor of Oak Grove African Methodist Episcopal Church for 19 years. Prior to his assignment to the pastorate of Oak Grove, Dr. Brumfield served as the Pastor of Bethel AME Church in Indianapolis, Indiana. He spearheaded the restoration and renovation of Bethel-Indianapolis. Organized by Bishop William Paul Quinn in 1836, Bethel is a National Historic Landmark. Additionally, Dr. Brumfield led the renovation and restoration initiatives at four other AME Churches: Bethel (Liberty, Mississippi), Allen Chapel (Meridian, Mississippi), Allen Chapel (Thibodaux, Louisiana), and Bethel (Baton Rouge, Louisiana); and

WHEREAS, Dr. Brumfield is committed to enhancing the quality of life and improving the human condition of God's people by rebuilding families and reshaping communities through discipleship, leadership, fellowship and stewardship. A passionate advocate for human, political and civil rights, Dr. Brumfield has immersed himself in the affairs of Detroit at a grassroots level. He was appointed as an advisor to former Governor Jennifer Granholm, several Detroit Mayors, and to the Detroit Chief of Police. He also is a Deputy with the Wayne County Sheriff's Department and serves as a Chaplain; and

WHEREAS, A native of New Orleans, Louisiana, Dr. Brumfield began his ministry in the Eighth Episcopal District (Louisiana and Mississippi) of the African Methodist Episcopal Church in 1980. During his pastorate at Bethel-Baton Rouge, he helped organize and sponsor the Louisiana delegation to the Million Man March in Washington, D.C. In 1984, Dr. Brumfield spearheaded the first Dr. Martin Luther King, Jr. Birthday celebration in the state of Mississippi for the city of Meridian. In 1986, he did the same thing in Lafourche Parish, Louisiana. The following year, in 1987, he organized the first Juneteenth celebration in Baton Rouge, Louisiana; and

WHEREAS, Dr. Brumfield distinguished himself in law enforcement and served on the city and state levels in Louisiana for 14 years. In 1988, the Chief Justice of the Louisiana Supreme Court appointed him as a member of the Louisiana Task Force on Racial and Ethnic Fairness in the Courts. He also has served on the NAACP State Executive Committees in Louisiana and Mississippi. Dr. Brumfield earned a Bachelor of Science Degree and a Juris Doctorate from Tulane University and holds a Doctorate in Sacred Theology from the Notre Dame Graduate School of Theology. Dr. Brumfield is a member of the National Urban League, Nu Omega Chapter of Omega Psi Phi Fraternity Inc., Corinthian Lodge #15 - Prince Hall Affiliate, the Wolverine Consistory #6 Masons, and a life member of the NAACP. He is married to the former Sharon Johnson and is the proud father of five; and

WHEREAS, Dr. Brumfield is the newly-appointed Presiding Elder of the Chicago Conference, South District of the African Methodist Episcopal Church which contains 18 churches. He has also been appointed to Governor Gretchen Whitmer's Clergy Advisory Committee and as a member of the Urban Alliance of Michigan. NOW, THEREFORE BE IT

RESOLVED, That the Detroit City Council and Council President Brenda Jones, congratulate Dr. Robert Brumfield for his tremendous achievements and express their deepest admiration, respect and gratitude to him for his dedicated service and positive contributions to the city of Detroit.

Brenda Jones

COUNCIL PRESIDENT

Mary Huffal

COUNCIL PRESIDENT PRO TEM

Janice D. Lynn

COUNCIL MEMBER

Scottie B...

COUNCIL MEMBER

Raquel Castañeda-Joppy

COUNCIL MEMBER

Robert...

COUNCIL MEMBER

...

COUNCIL MEMBER

...

COUNCIL MEMBER

...

COUNCIL MEMBER

November 12, 2019

DATE

DETROIT CITY COUNCIL

Testimonial Resolution 129

BY COUNCIL MEMBER BRENDA JONES:

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SECONDARY STREET NAME IN HONOR OF MR. WILLIE HORTON AT THE INTERSECTION OF W. CANFIELD AVENUE AND THE JOHN C. LODGE SERVICE DRIVE

- WHEREAS, The intersection of W. Canfield Avenue and the John C. Lodge Service Drive is historically significant, being the former location of the Jefferies Homes a/k/a the Jefferies Housing Projects, named for Edward J. Jefferies, where **Willie Horton** was raised during his formative years until being signed to the Detroit Tigers at the age of 17 in 1961; and
- WHEREAS, **Willie Horton** is a former left fielder and designated hitter in Major League Baseball who played 15 years of his 18 year career with the Detroit Tigers; and
- WHEREAS, **Willie Horton** is the youngest of twenty-one children of James Horton and his wife Lillian (Wattison) Horton. **Willie** hit a home run at Tiger Stadium when he was 16 years old during an all-city high school game. After winning a city championship with Detroit Northwestern High School in 1959, he signed with the Tigers in 1961, playing for the Tigers' farm team, the Duluth Dukes in Minnesota, on the shores of Lake Superior, and made his debut with the Tigers on September 10, 1963; and
- WHEREAS, In 1965, his first full season as a starter, **Willie Horton** ranked second in the American League with 104 runs batted in (RBIs) and third with 29 home runs. He was named to the All-Star team, and placed eighth in the MVP balloting. Becoming known for his tremendous strength, often hitting home runs with a one-handed swing, he again collected 100 RBIs in the 1966 season; and
- WHEREAS, During the 1967 Detroit 12th Street rebellion, he tried bravely to restore peace. He stood in his Tiger uniform on a car in the middle of the chaos, pleading for calm; and
- WHEREAS, **Horton** was selected seven-times as a member of the American League All-Star team; having played in only four in 1965, 1968, 1970 and 1973, due to injuries; and
- WHEREAS, He enjoyed his best season in 1968 with the world champion Tigers, finishing second in the American League with 36 homers, a .543 slugging average and 278 total bases. In the later years of his career, he was twice named the American Leagues' top designated hitter; and
- WHEREAS, On July 15, 2000, **Willie Horton** became just the sixth former player given the ultimate honor by the Detroit Tigers; a statue of Horton was placed in Comerica Park and his number 23 was retired; and
- WHEREAS, Since 2003, **Willie Horton** has served as a Special Assistant to Tigers President/CEP/General Manger; and
- WHEREAS, For the fifteenth consecutive year, the State of Michigan recognized one man's ability to overcome obstacles and achieve a lifetime of success when "**Willie Horton Day**" was celebrated on Thursday, October 18, 2004. **Horton** is the fourth person in Michigan history to be given a day, with the third being Rosa Parks. Over the years, **Willie Horton** has received many awards and accolades in the fields of Civil and Human Rights for his continued work in support of the military and their families; and
- WHEREAS, **Willie Horton** enjoys his retirement with his wife, Gloria. They have seven children (one deceased), twenty-one grandchildren, twenty-two great-grandchildren, and two great-great grandchildren. **NOW, THEREFORE BE IT**
- RESOLVED, That the **Detroit City Council** on behalf of **Detroit Tigers, Inc.**, assigns the secondary street name "**Willie Horton Drive**," to be located at the intersection of W. Canfield Avenue and the John C. Lodge Service Drive in celebration of his noteworthy achievements.

Brenda Jones
COUNCIL PRESIDENT

Mary Suffer
COUNCIL PRESIDENT PRO TEM

Jan D. Loggins
COUNCIL MEMBER

Scott Benson
COUNCIL MEMBER

Raquel Castañeda-López
COUNCIL MEMBER

Archie J. Spivey
COUNCIL MEMBER

[Signature]
COUNCIL MEMBER

[Signature]
COUNCIL MEMBER

[Signature]
COUNCIL MEMBER

November 14, 2019

DATE

Testimonial Resolution

130

In Memoriam

MR. JERRY LAWRENCE

WHEREAS, We, the members of the Detroit City Council, join the family and friends of Mr. Jerry Lawrence, Sr. in honoring his life and legacy. Mr. Lawrence made his heavenly transition on October 9, 2019, after a life well-lived; and

WHEREAS, JERRY LAWRENCE was born on August 7, 1953, in Pine Bluff, Arkansas. He was welcomed into the world by his loving parents, Nettie and Roosevelt Lawrence Sr. JERRY was the fourth oldest of ten children from this union. He professed the faith of Jesus Christ at an early age. JERRY graduated from Kettering High School and initially attended Wayne County Community College. He transferred to Wayne State University, where he became a member of Omega Psi Fraternity Nu Sigma Chapter; and

WHEREAS, JERRY enjoyed hiking and the outdoors which led him to become a camp counselor with the YMCA. He also traveled frequently with friends to Mexico. JERRY began his career in the area of professional sales and was employed at Honeywell, Raytheon and Kelly Services. His work in corporate America became too taxing due to the extensive traveling it required. After living coast to coast, JERRY returned to the Midwest; and

WHEREAS, JERRY always had a strong desire to help others to succeed. He started working with the Detroit Employment Solutions Corporation, the workforce agency for the city of Detroit. While there, he provided vocational training for people who wanted to work in the skilled trades industries. He also linked with a government subcontractor to obtain federal contracts for construction projects. JERRY was unwavering in his commitment to provide Detroiters with the essential skills and tools needed to enter the workforce. His most inspired work was the 4 years he served with AmeriCorps, where he worked with low-income families, senior citizens and students, providing hands-on energy assistance and education to help them understand how to lower their utility costs and become more energy efficient; and

WHEREAS, A lifelong jazz enthusiast, JERRY was involved with the Detroit Jazz Festival as a volunteer and Artist Relationship representative for more than 20 years He enjoyed his leisure activities of annual trips to the NBA All-Star weekends with his sons and volunteering with the Police Academy Junior Cadets on Saturdays at Eastern Market with his brothers. JERRY also enjoyed his acquaintance with boxing legend, Thomas Hearns and one-time interaction with rapper and actor, Common. MR. JERRY LAWRENCE leaves a legacy of strength, dignity and service. Earthly reminders of this are his sons, Isaac, Jerry Jr., and Jeffrey; eight brothers, Roosevelt, Roland Fige Bornu, Roy (Pat), Gregory (Norene), Jesse Sr., Thomas (Denise), Thaddeus (Lanette), and Cyrus; one sister, Shirley and a host of nephews, nieces, cousins, other relatives and friends. He exemplified the spirit of a true community champion and will be greatly missed. NOW, THEREFORE BE IT

RESOLVED, That the Detroit City Council and Council President Brenda Jones, join with family and friends in honoring the life and legacy of MR. JERRY LAWRENCE.

Brenda Jones
COUNCIL PRESIDENT

Mary Slubick
COUNCIL PRESIDENT PRO TEM
Janice L. ...
COUNCIL MEMBER
Scott ...
COUNCIL MEMBER
Raquel Castañeda-Josy
COUNCIL MEMBER

Debra ...
COUNCIL MEMBER
...
COUNCIL MEMBER
...
COUNCIL MEMBER
James ...
COUNCIL MEMBER

November 16, 2019
DATE

CITY CLERK 2019 NOV 15 9:11:47