

# Southgate City Council Agenda

## Council Chambers

Wednesday November 2, 2016

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### 6:30pm **Work Study Session**

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1. Halloween Contest Winner Presentation
2. Proclamation for Native American Indian Heritage Month
3. Officials Reports
4. Discussions regarding agenda items.

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### 7:00 pm **Regular Meeting**

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#### *Pledge of Allegiance*

#### **Roll Call:**

Colovos, Farrah, George, Graziani, Rauch, Rollet, Zamecki.

#### **Minutes:**

1. Work Study Session Minutes dated October 19, 2016.
2. Regular City Council Meeting Minutes dated October 19, 2016.

#### **Scheduled Persons in the Audience:**

1. Knights of Columbus Downriver Assembly No. 0475
2. Michael O'Leary, John Byers, Greg Cadieux

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#### **Consideration of Bids:**

#### **Scheduled Hearings:**

1. Letter from Hennessey Engineers; Re: Public Hearing; CDBG Program Income

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#### **Communications "A" –**

1. Letter from Hennessey Engineers; Re: Motion to add Demolition to eligible CDBG activities
2. Memo from Administrator; Re: Southgate Veteran's Memorial Library Policies
3. Letter from Mayor; Re: Purchase of Road Salt
4. Memo from Administrator; Re: Taxpayers for Michigan Constitutional Government (TMCG)

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#### **Communications "B" – (Receive and File)**

#### **Ordinances:**

1. Memo from Administrator; Re: Amendments to City Ordinances – Second Reading
2. Memo from Administrator; Re: Amendments to City Ordinances

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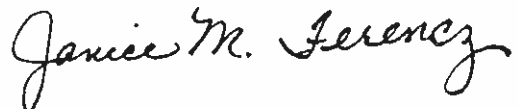
#### **Old Business:**

#### **New Business:**

#### **Unscheduled Persons in the Audience:**

**Claims & Accounts: Warrant # 1316 - \$ 840,950.80**

#### **Adjournment:**



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**Janice M. Ferencz, City Clerk**

## PROCLAMATION

**WHEREAS,** the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and

**WHEREAS,** the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

**WHEREAS,** their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

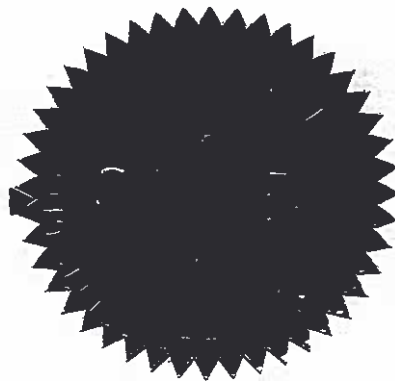
**WHEREAS,** Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

**WHEREAS,** in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational and historical activities have been planned;

**NOW THEREFORE,** I, Joseph G. Kuspa, by virtue of the authority vested in me as Mayor of the City of Southgate, Michigan do hereby proclaim November 2016 as the National American Indian Heritage Month, in the City of Southgate and urge all citizens to observe this month with appropriate programs, ceremonies and activities.

**In Witness Whereof,** I have hereunto set my hand and caused the Seal of the City of Southgate, Michigan be affixed this 2nd day of November, Two-thousand and Sixteen.

Mayor Joseph G. Kuspa





**KNIGHTS OF COLUMBUS**  
**FOURTH DEGREE**  
**MSGR. FRANCIS J. VAN ANTWERP**  
**DOWNRIVER ASSEMBLY NO. 0475**



**SK Marcos Dias, PGK**

**Faithful Navigator**

October 10, 2016

**SK Paul Sander**

**Faithful Comptroller**

Dear Mayor Joseph Kuspa and City Council Members:

The Knights of Columbus is requesting permission to have a Bucket Drive to raise funds for two Downriver Charities. We will be collecting donations for Fish and Loaves Food Bank, and The Downriver Community Food Bank. The dates that we are requesting for this charity fundraiser are December 16<sup>th</sup> and 17<sup>th</sup> between the hours of 9:00 AM to 4:00 PM, on both days. The following intersections that we are requesting to use are: Dix Rd. and Northline Rd., Dix Rd. and Eureka Rd, and Eureka Rd. and Trenton Rd. If granted permission, our team will be appropriately dressed in bright reflective vests to ensure our safety. Our goal is to raise \$12,000.00 for this great cause while ensuring the safety of our team throughout the two days.

One of the Knights of Columbus main missions is to promote "Charity" and we have been very successful for the past two years in the Southgate Community. Last year we raised \$9,800.00 for the food banks, which provided food for the less fortunate in our Downriver Communities.

Your Support was greatly appreciated for the past two years, and we thank you in advance for your consideration. We look forward to your response for this year. If you have any questions concerning this event, please feel free to contact me by email at [taylorfenceservice@gmail.com](mailto:taylorfenceservice@gmail.com) or by phone at 734-624-8848.

Sincerely,

Daniel J. Roberts

Fundraising Chairman, Assembly No. 0475



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
10/13/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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

<b>PRODUCER</b> Daly Merritt Insurance 3099 Biddle Avenue Wyandotte MI 48192		<b>CONTACT NAME:</b> Cheryl Engel <b>PHONE (AC, No, Ext):</b> (734) 283-1400 <b>FAX (AC, No):</b> (734) 283-1197 <b>E-MAIL:</b> cheryl.engel@dalymeritt.com <b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Cincinnati Insurance Co. <b>NAIC #</b> 10677 <b>INSURER B:</b> Cincinnati Spec Underwriters <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	
<b>INSURED</b> Knights of Columbus 1802, Inc. 3530 Biddle Ave Wyandotte MI 48192			

## COVERAGES

CERTIFICATE NUMBER: CL16101312062

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		EPP0134145	2/15/2016	2/15/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE <b>DED</b> <input type="checkbox"/> <b>RETENTION \$</b> <input type="checkbox"/>					EACH OCCURRENCE \$ AGGREGATE \$
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	EWC030166000	2/15/2016	2/15/2017	PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
B	<b>Liquor Liability</b>		CSU0034981	2/15/2016	2/15/2017	General Aggregate \$1,000,000 Each Occurrence \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
Evidence of Insurance for "The Bucket Drive" held December 16, 2016 and December 17, 2016.

## CERTIFICATE HOLDER

## CANCELLATION

City of Southgate  
14400 Dix-Toledo Road  
Southgate, MI 48195

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Gerald Cole/CENGEL

*Gerald P. Cole*

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: SEP 25 2014

MONSIGNOR FRANCIS J VAN ANTWERP  
ASSEMBLY 475  
C/O ARNOLD F CONNORS  
15534 THOMAS AVE  
ALLEN PARK, MI 48101

Employer Identification Number:  
23-7117090

DLN:

17053108324043

Contact Person:

CUSTOMER SERVICE

ID# 31954

Contact Telephone Number:  
(877) 829-5500

Accounting Period Ending:  
June 30

Form 990 Required:

Yes

Effective Date of Exemption:  
May 15, 2010

Contribution Deductibility:  
Yes

Addendum Applies:  
Yes

Dear Applicant:

We are pleased to inform you that upon review of your application for tax-exempt status we have determined that you are exempt from Federal income tax under section 501(c)(8) of the Internal Revenue Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

For important information about your responsibilities as a tax-exempt organization, go to [www.irs.gov/charities](http://www.irs.gov/charities). Enter "4221-NC" in the search bar to view Publication 4221-NC, Compliance Guide for Tax-Exempt Organizations (Other than 501(c)(3) Public Charities and Private Foundations), which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

*Tamara Ripporda*

Director, Exempt Organizations

Letter 948

## Request to Speak at Council Meeting

TODAY'S DATE:

10/26/16

YOUR NAME:

Michael O'Leary  
John Byers  
Greg Cadieux

PLEASE PRINT

ADDRESS:

13036 Leroy  
SOUTHGATE, MI

PHONE #:

313-610-0841

DATE OF MEETING YOU WISH TO SPEAK AT:

11/2/16

SUBJECT YOU WISH TO ADDRESS:

Status of vacant auto dealership  
for @ 10 years on corner of Leroy  
and Fort Street

\*Attach additional information if desired.

SIGNATURE:

Michael O'Leary  
John C. Byers 13024 Leroy  
Greg J. Cadieux 13612 Leroy  
Julia C. Cadieux 13012 Leroy



- ① No For Sale Signs  
② Gate open  
③ Graffiti  
④ Trucks








EMERGENCY  
SHUT-OFF

ALL  
OFF  
OURS  
6:00pm  
6:00pm  
6:00pm  
6:00pm  
6:00pm  
Sunday

*weeds  
exposed  
11/21*





- 
- 1) Roof Damage
  - (2) Is Property Insured



October 27, 2016

Mr. John Zech, City Administrator  
City of Southgate  
14400 Dix-Toledo Highway  
Southgate, Michigan 48195

**Re: CDBG Program Income  
Public Hearing to utilization of Program Income Funds for Demolition**

Dear Mr. Zech:

The City of Southgate is adding the activity of Demolition to the list of eligible CDBG activities for PY 2016/2017. The new activity will be funded with Program Income funds that the City has received from previous housing rehabilitation lien payoffs.

The introduction of Demolition will provide a funding source to Demolish residences and possibly businesses that have gone through the dangerous building ordinance but have not been demolished. Upon completion of the demolition a lien will be placed on the property for the cost of demolition, which will secure the investment in the property. When the property is sold, the lien payoff will be paid to the City as CDBG Program Income.

If you have any questions, or if additional information is necessary, please do not hesitate to call me at any time.

Very Truly Yours,

HENNESSEY ENGINEERS, INC

A handwritten signature in cursive script, reading 'Joan E. Hennessey'.

Joan E. Hennessey, CPA  
President

cc: John J. Hennessey, P.E., Vice-President, Hennessey Engineers, Inc.  
File B.3



October 27, 2016

Mr. John Zech, City Administrator  
City of Southgate  
14400 Dix-Toledo Highway  
Southgate, Michigan 48195

**Re: Request motion to add Demolition to eligible CDBG activities for PY 2016/2017**

Dear Mr. Zech:

We respectfully request that a motion is to add Demolition to the eligible CDBG activities for the Program Year 2016/2017. The new activity will be funded with Program Income funds that the City has received from previous housing rehabilitation lien payoffs.

The introduction of Demolition will provide a funding source to Demolish residences and possibly businesses that have gone through the dangerous building ordinance but have not been demolished. Upon completion of the demolition a lien will be placed on the property for the cost of demolition, which will secure the investment in the property. When the property is sold, the lien payoff will be paid to the City as CDBG Program Income.

If you have any questions, or if additional information is necessary, please do not hesitate to call me at any time.

Very Truly Yours,

HENNESSEY ENGINEERS, INC

A handwritten signature in cursive script, reading 'Joan E. Hennessey'.

Joan E. Hennessey, CPA  
President

cc: John J. Hennessey, P.E., Vice-President, Hennessey Engineers, Inc.  
File B.3



JOSEPH G. KUSPA  
Mayor

JANICE M. FERENCZ  
City Clerk

JAMES E. DALLOS  
Treasurer



**City of Southgate**  
NORMA J. WURMLINGER  
MUNICIPAL BUILDING

- CITY COUNCIL -

JOHN CRAZIANI  
Council President

KAREN E. GEORGE

MARK FARRAH

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

**Memorandum**

**To:** Honorable City Council Members

**From:** John J. Zech, City Administrator

**Re:** Southgate Veteran's Memorial Library Policies

**Date:** October 26, 2016

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The attached policies have been prepared and approved by the Library Commission. In addition, they have been reviewed by the City Attorney. Therefore, we are respectfully requesting you approve these changes the Library's Policies.

If you have any questions please contact me.

**Cc:** Mayor Joseph G. Kuspa

# Public Relations Policy

The purpose of this policy is to ensure that the public receives consistent and accurate information about library policies, procedures, programs and services, and to ensure that the best possible image of the library is presented to the public.

## Media Contact

Contacts with the media will be arranged for the library by the **City Administrator**. Any contacts from the media with the library will be directed to the library director or his/her designated representative, **who will direct them to the City Administrator**.

Any letters to the editor from library staff designed to speak for library will not be submitted without the prior approval of the **City Administrator**.

In the event of an emergency or inclement weather the **City Administrator** will contact the media about closings and late openings.

## Speaking Engagements

Speaking engagements made by library staff on behalf of the library must be coordinated through the director, **who will coordinate with the City Administrator**.

## Promotional Library Materials

Promotional and informational materials [e.g., handouts, brochures] designed to be disseminated to the public will meet the highest standards of quality and must be approved by the library director.

## Public Inquiries

Any questions by the public referring to the policies, procedures, programs and services of the library should be answered with complete accuracy. **Further inquiries should go to the City Administrator.**

## **SOUTHGATE VETERANS MEMORIAL LIBRARY ACCESSIBILITY**

### **ADA Statement**

The Southgate Veterans Memorial Library affirms its support of equal access for persons with disabilities and will comply with the Americans with Disabilities Act. The Southgate Veterans Memorial Library seeks to make its services, facilities, and programs accessible to the public.

### **Service Accessibility**

The Southgate Library has policies, practices, procedures, and routines that govern our operation. When those policies, practices, procedures, or routines create a barrier to persons with disabilities, the Library must make "reasonable accommodations" to allow library patrons with disabilities to have the same access to the Library's services, programs, and activities as patrons without disabilities. Accommodations will be reviewed with the library user to find the best approach. Most accommodations can be made easily at the staff level and involve minor adjustments in procedures or providing extra assistance to a library user. Other accommodations may require more detailed discussions with the library user, depending on the disability, and may need to involve the City Administration.

### **Requesting an Accommodation**

To request an accommodation, alternative format of communication, and/or modification of policies and procedures in order to access and benefit from a Library program, service and activity, a library patron must submit a request for reasonable accommodation. The Request for Reasonable Accommodation Form is available at the Library. The request for reasonable accommodation must be submitted at least five business days before the scheduled event. If a patron submits a request for reasonable accommodation less than five business days before the event, but the accommodation can still be made before the event begins, library staff will make good faith efforts to provide the accommodation. For questions on a particular accommodation request or for further information on requesting a reasonable accommodation, please contact the Library at 734.258.3002 or by email: [farkas@southgate.lib.mi.us](mailto:farkas@southgate.lib.mi.us) or [dpriest@southgate.lib.mi.us](mailto:dpriest@southgate.lib.mi.us).



### **Complaints about Accessibility**

Any person who believes that he or she or any other program beneficiary has been subjected to unequal treatment or discrimination in the receipt of benefits or services from the City because of a person's disability may file a complaint with the City Administrator. The Complaint of ADA Non Compliance Form is available at the Library.

### **Informal Resolution**

Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal meeting(s) between the Library Director, City staff, or other affected persons may be utilized for resolution. If informal resolution is not successful or the complainant wishes to proceed with a formal investigation, then the complainant may appeal the matter to the City Administrator who shall proceed with a formal investigation.

**SOUTHGATE VETERANS MEMORIAL LIBRARY  
COMPLAINT OF ADA NON COMPLIANCE FORM**

**Contact Information**

Date: \_\_\_\_\_

Name: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone (day): \_\_\_\_\_ (evening): \_\_\_\_\_

Email: \_\_\_\_\_

Preferred Method of Contact: \_\_\_\_\_

**Allegation of ADA Noncompliance**

1. Please describe the problem you encountered: \_\_\_\_\_
2. Date the alleged violation occurred: \_\_\_\_\_
3. Location where the alleged violation occurred: \_\_\_\_\_
4. Please provide the names, if known, of any individuals at the City involved in the problem you encountered: \_\_\_\_\_
5. What change would you wish to see that would be helpful in solving this problem: \_\_\_\_\_

To include more information, please attach additional pages as needed.  
Thank you for completing this form. Please return the completed form to:

Southgate Veterans Memorial  
14680 Dix-Toledo Rd  
Southgate, MI 48195

Your complaint will be acknowledged within 5 business days and you will be notified of the steps that will be taken to address your complaint.  
Should you be unsatisfied with the response to your request you may appeal to the City Administrator at 734.2583021/ (TDD) ???-???-????.

## REQUEST FOR REASONABLE ACCOMMODATION FORM

The Southgate Veterans Memorial Library seeks to make its services, facilities, and programs as accessible as possible to the public, including those who have disabilities. If a disability prevents you from fully using our facility or enjoying our services and programs, we would like your ideas on how we can try to serve you better.

### Contact Information

Date: \_\_\_\_\_

Name: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone (day): \_\_\_\_\_ (evening): \_\_\_\_\_

Email: \_\_\_\_\_

Preferred Method of Contact: \_\_\_\_\_

### Accommodation Request

Please specify the reasons you are requesting accommodation (check all that apply).

☐ to allow me to participate in a program or activity offered by the Library. Please specify the program or activity:

☐ to ask for an exception to a rule, policy or procedure. Please specify the rule, policy, or procedure:

☐ Other reasons, please specify (for example, the way the Library communicates with you):

Describe the accommodation you are requesting.

Describe how this accommodation will assist you. (Please attach additional pages as needed)

Thank you for completing this form. Please submit it to the

Southgate Veterans Memorial Library  
14680 Dix-Toledo Rd  
Southgate, MI 48195

at least five business days in advance of the scheduled event for which the accommodation is being requested.

Should you be unsatisfied with the response to your request you may appeal to the City Administrator at 734.258.3021/ (TDD) ???-???-???



JOSEPH G. KUSPA  
Mayor

JANICE M. FERENCZ  
City Clerk

JAMES E. DALLOS  
Treasurer



## City of Southgate

NORMA J. WURLINGER  
MUNICIPAL BUILDING

- CITY COUNCIL -

JOHN GRAZIANI  
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DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

October 26, 2016

To the Honorable  
City Council  
Southgate, Michigan 48195

Re: Bid for Purchase of Road Salt

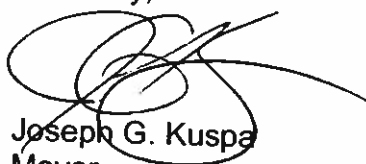
Ladies and Gentlemen:

The contract for the Purchase of Road Salt was received and reviewed by the administration. It is recommended by DPS Director and I concur, that our contract be extended for one year through the DCC, at a new unit quantity amount, with Detroit Salt Company, in the amount of \$50.98 per ton, which is a reduction of \$3.00 per ton.

Sufficient funds are available in the Department of Public Services budget for this contract.

Your favorable consideration of this matter is requested.

Sincerely,



Joseph G. Kuspa  
Mayor

JGK/law

**JOSEPH G. KUSPA**  
*Mayor*

**JANICE M. FERENCZ**  
*City Clerk*

**JAMES E. DALLOS**  
*Treasurer*



**City of Southgate**  
NORMA J. WURMLINGER  
MUNICIPAL BUILDING

- CITY COUNCIL -

**JOHN GRAZIANI**  
*Council President*

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**MARK FARRAH**

**BILL COLOVOS**


**DALE W. ZAMECKI**

**PHILLIP J. RAUCH**

**CHRISTOPHER P. ROLLET**

## **MEMORANDUM**

**TO:** The Honorable Mayor and City Council

**FROM:** David Angileri, Assistant City/Finance Director 


**DATE:** October 26, 2016

**RE:** Recommendation for Road Salt

I have reviewed the above with the DPS Director and concur with his recommendation to award this contract through DCC Consortium to Detroit Salt Company, Detroit, Michigan in the amount of \$50.98/ton for 2016/2017. This was a bid through the DCC Public Workers Services Collaborative four years ago, and this is a one year extension of that bid with a new unit quantity amount at a lower rate per ton than last year.

Adequate funds are available in the Public Service Department Budget for this contract.

---

From the Desk of   
Bob Tarabula  
Deputy Director, D.P.S.  
October 26, 2016

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To: David Angileri  
Finance Director

Re: Bid Recommendation for Salt

After reviewing the proposal submitted by Detroit Salt Co. to the Downriver Community Conference Consortium for the purchase of Bulk Treated Road Salt. I believe it is in the best interest of the City to accept the purchase agreement between the Downriver Community Conference Consortium and the Detroit Salt Co.

- They meet the bid specifications
- They are our current supplier

Therefore, I recommend that the proposal until May 31, 2017 be awarded to:

<p>Detroit Salt Company 12841 Sanders Street Detroit, MI 48217 (313) 841-5144</p>
---

If you have any questions, please contact me.

BT/sb

(D/Bids-A: F4 Bid Recommendation: Salt)



**DOWNRIVER COMMUNITY CONFERENCE  
PUBLIC WORKS/SERVICES COLLABORATIVE  
2016/2017 Salt Purchasing Agreement**

This purchasing agreement is between the Downriver Community Conference Public Works/Services Collaborative (referred as: DCC-PW/S) and Detroit Salt Company (referred as: DSC) for the supply of salt for the 2016/2017 winter season. This agreement will be in effect from the date of the last signature and continue in full effect until May 31, 2017.

The following DCC-PW/S communities have committed to the purchase of salt from DSC for the 2016/2017 winter season:

Brownstown Twp	1,400 T	City of Gibraltar/Schools	500 T
City of Lincoln Park	2,000 T	City of Rockwood	150 T
City of Southgate	1,600 T	City of Trenton	1,800 T
City of Taylor	1,300 T	City of Ecorse	200 T
City of Melvindale	500 T		
		<b>TOTAL COMMITTED</b>	<b>9,450 T</b>

DSC agrees to supply 9,450 ton in aggregate to these participating units as a total for the complete season at a per tonnage cost of \$50.98 (trucking included). Orders will be submitted by fax or e-mail.


The DCC-PW/S agrees to a minimum purchase volume of 70% or 6,615 Ton of the seasonal aggregate with the understanding that DSC will also provide an overage allowance of 30% or 2,835 ton of the seasonal aggregate. This would increase the total seasonal aggregate to 12,285 ton.

It is agreed that one unit may agree to allow some of its volume to be earmarked to another community. In an instance of this nature the unit "allowing" will submit the order to DSC and specify a delivery point to the earmarked unit. This will assure that DSC is not in the middle of any sharing issues or disputes. These amounts will total into the aggregate amount of 9,450 T or the overage allowance of 12,285 T whichever is lesser.

DSC agrees to begin delivery within 3 – 5 business days of receiving the faxed or e-mailed order.

This agreement does not reflect any agreements that DSC may agree to with any of the other DCC-PW/S communities that did not participate in this commitment.

For: Detroit Salt Company

  
Signature

President


Title

E. Manos 08/17/16

Printed Name

Date

For: DCC Public Works/Services Collaborative

  
Signature

DCC - PW/S Chairman  
Title

Mark Gahry 8/22/16  
Printed Name Date

JOSEPH G. KUSPA  
Mayor

JANICE M. TERENCZ  
City Clerk

JAMES E. DALLOS  
Treasurer



## City of Southgate

NORMA J. WURMLINGER  
MUNICIPAL BUILDING

- CITY COUNCIL -

JOHN GRAZIANI  
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DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

### Memorandum

**To:** Mayor and City Council

**From:** John J. Zech, City Administrator *JJZ*

**Date:** October 27, 2016

**Re:** Taxpayers for Michigan Constitutional Government (TMCG)

The City of Southgate has been asked by TMCG to consider passing a resolution in support of its lawsuit against the State of Michigan for violating the Headlee Amendment of the State Constitution in terms of Constitutional Revenue Sharing Payments to local units of government. In addition, TMCG is asking for a one time contribution of \$1,500.00 from the City to be used for advocacy services, research and arranging for expert testimony.

The following local units of government have passed the resolution in support of this effort:

- City of Eastpointe
- City of Centerline
- City of Mt. Clemens
- City of New Baltimore
- City of Richmond
- City of Roseville
- City of Utica
- City of Warren
- City of Hazel Park
- City of Harper Woods
- City of Grosse Pointe Woods
- City of Grosse Pointe Shores
- City of Auburn
- City of Rockwood
- City of Auburn Hills
- Township of Clinton

If you have any questions please contact me.

Cc: Mayor Joseph G. Kuspa

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## **Resolution**

### **Resolution in Support of Taxpayers for Michigan Constitutional Government's lawsuit against the State of Michigan for violations of the Headlee Amendment**

**Whereas** the residents of the State of Michigan voted to adopt the Headlee Amendment to the State Constitution in 1978;

**Whereas** the Headlee Amendment protects the people by capping property taxes and, per the 1989 amendment of the Headlee Amendment, the municipalities that serve them by guaranteeing a minimum payment of 48.97 percent of State revenues to be paid to local governments to counteract the cap on property taxes;

**Whereas** Michigan municipal governments, which are the governments closest to residents and have the most impact of the daily lives of residents, and which receive the majority of their revenue from property taxes and State shared revenue, have faced significant losses to property tax revenue and State shared revenue since 2008;

**Whereas** the damages to municipalities suffering losses from property tax revenues were compounded by significant cuts to State shared revenue, causing real and lasting damages;

**Whereas** the State of Michigan has continually and intentionally miscalculated the minimum percentage payment to local governments as required by the Headlee Amendment by including in the calculation of the minimum payment funds that violated the terms of the Headlee Amendment, including monies paid to local governments to perform obligations of the State, funds paid to charter schools, and Proposal A revenues;

**Whereas** the shortfall in payments to local governments resulting from these accounting maneuvers has exceeds \$2.5 billion;

**Whereas** the financial crisis facing local governments the resulting suffering it has brought upon Michigan residents has been widely and repeatedly reported to the State of Michigan;

**Whereas** the State of Michigan has continually ignored the pleas of Michigan residents, local government officials, mayors, councils and State Representatives;

**Whereas** Taxpayers for Michigan Constitutional Government has brought together a bi-partisan and cohesive team of taxpayers, local officials, lawyers to file suit against the State for Violations of the Headlee Amendment;

**Whereas** the State of Michigan and the Governor's Office has continually violated the State Constitution by refusing to produce and provide a report to residents on revenue spending;

**Now therefore be it resolved**, on this 2<sup>nd</sup> day of November 2016 that the City of Southgate adopts this resolution in support of Taxpayers for Michigan Constitutional Government's lawsuit against the State of Michigan for violating the Headlee Amendment of the State Constitution and authorizes a one-time contribution fee of \$1500.00 to assist with advocacy services, research and expert testimony directly related to the aforementioned lawsuit.

Motioned by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

\_\_\_\_\_  
Joseph G. Kuspa - Mayor

\_\_\_\_\_  
Janice M. Ferencz - City Clerk

## MICHIGAN CONSTITUTIONAL GOVERNMENT

## Headlee Lawsuit Facts

- The Michigan Constitution's revenue sharing requirement was established by the Headlee Amendment in 1978.
- The minimum percentage payment may not include State payments resulting from a tax shift, payments made to local agencies that are not political subdivisions of the State, or payments made to local governments to perform obligations of the State.
- The State is including all three of these prohibited payments in the calculation of the minimum percentage payment.
- The State's violation has meant a shortfall in payments to local government in excess of \$3 billion annually.
- This is not the first time the State has included prohibited payments in the calculation of the minimum percentage payment.
- In 1989 the Michigan Court of Appeals ruled that the State was violating the Constitution by including Department of Mental Health funds in the calculation of the minimum percentage payment.
- The original minimum payment percentage was set at 41.6 percent. The 1989 Court of Appeals ruling increased it to 48.97 percent.
- By deducting tax shift funding resulting from Proposal A, the State paid well under 48.97 percent to local governments in 2013. This percentage falls even further when monies paid to Charter Schools and to maintain local trunk lines are deducted from the calculation.
- In 2013 alone the State included \$1 Billion in payments to charter schools in the calculation of the minimum percentage payment.

## 2002/03 to 2013/14 Cumulative Revenue Sharing Losses in Major Michigan Cities

City	Cumulative Loss	City	Cumulative Loss
Flint	\$54.8 Million	Marquette	\$6.9 Million
Grand Rapids	\$72.8 Million	Novi	\$11.8 Million
Lansing	\$55.7 Million	Warren	\$45.9 Million

*Taxpayers for Michigan Constitutional Government as a Michigan non-profit tax exempt organization. For more information contact John Mogk at (313) 204-6635 or Steve Duchane at (586) 524-6927.*

TAXPAYERS FOR MICHIGAN CONSTITUTIONAL GOVERNMENT

President John Mogk | Treasurer Steve Duchane | Secretary Nick Gutman



Contact: John Mogk  
Tel: (313) 204-6635  
Email: [jmogk@michcongov.org](mailto:jmogk@michcongov.org)  
Website: [michcongov.org](http://michcongov.org)

FOR IMMEDIATE RELEASE  
SEPTEMBER 7, 2016



## Taxpayers sue the State of Michigan

TMCG is suing the State for withholding billions in payments to local communities

DETROIT — Taxpayers for Michigan Constitutional Government (TMCG) filed a lawsuit against the State of Michigan this morning with the Michigan Court of Appeals in Detroit. TMCG is suing the State for withholding billions of dollars of Constitutional Payments to local units of government during the past two decades.

The lawsuit is centered around the State's failure to meet the requirements of the Headlee Amendment, which stipulates that the State pay 48.97 percent of revenues to local units of government. The State has some discretion over the allocation of the payments, but the Headlee Amendment lists certain types of payments that are prohibited from inclusion in satisfying the 48.97 percent requirement.

By including prohibited payments in the calculation of the minimum percentage payment, the State has continually failed to meet the required 48.97 percent payment to local governments and in doing so has jeopardized communities throughout Michigan.

"The shortfall in payments has been extreme in some years," said John Mogk, president of TMCG and professor at the Wayne State School of Law.

"As a result, local governments, like Flint, have been required to reduce services, work force, pay levels, pensions and, in some cases, turn over local control to the State."

The Michigan Department of Technology Management and Budget is tasked with calculating the constitutional payments made to local governments. Their miscalculation has hurt municipalities and allowed Constitutional Payments to be kept by the State and redirected for other purposes.



Photo from: Statewide Finance Quarterly Report, 2014-2015, showing  
Patrick McQuinn, President of TMCG, speaking at a meeting with  
State officials. (Photo credit: TMCG)

-MORE-

The DTMB has included in the calculation of the minimum percentage requirement four types of prohibited payments:

Payments made to local units of government to maintain major trunklines, prohibited from inclusion under Article 9, Section 30, which prohibits payments made to local units of government to perform obligations of the State;

Payments resulting from Proposal A, prohibited from inclusion under Article 9, Section 25, which prohibits a tax shift placing a tax burden on local governments;

Payments made to public school academies, prohibited from inclusion under Article 9, Section 33, which prohibits payments made to agencies that are not political subdivisions of the State, and

Payments made to local units of governments to fund obligations imposed upon them by the state.

"The purpose of the Headlee Amendment was to establish a balanced fiscal policy framework for local governments, limiting their ability to increase revenues from local property taxes on one hand, but protecting local governments from State actions that would undermine their fiscal integrity, on the other," said TMCG Attorney John Philo.

"The DTMB's miscalculations have completely undermined the balanced fiscal policy framework that was established when the people of Michigan voted to adopt the Headlee Amendment."

The DTMB's miscalculations has put strain on all municipalities everywhere and wreaked havoc on many of the communities that were hardest hit by the economic recession.

"The symptoms of underfunding municipalities are clear," said TMCG Treasurer and Eastpointe City Manager Steve Duchane. "Unsafe water, fewer police officers, fewer firefighters, the list goes on, we've talked about it before, but we are done talking about it now, now we are taking action, we are sick and tired of struggling while money that rightfully belongs to us gets spent on select legislative pet projects."

The lawsuit seeks a declaration that the use of funds raised through Proposal A, spending on public school academies, spending on the maintenance of major trunk lines and payments to fund state obligations cannot be included in the calculation of the minimum mandatory payment; an injunction barring the State from including funds from these areas in the minimum percentage payment calculation and monetary relief to local governments to recover shortfalls in State spending.

Taxpayers for Michigan Constitutional Government is a non-partisan, Michigan non-profit organization. TMCG can be found online at [michcongov.org](http://michcongov.org). For more information please call John Mogk at (313) 204-6635 or Steve Duchane at (586) 524-6927.

###

TAXPAYERS FOR MICHIGAN CONSTITUTIONAL GOVERNMENT

President John Mogk    Treasurer Steve Duchane    Secretary Nick Guttman

10745 Lakeside Ave. Eastpointe, MI 48021

JOSEPH G. KUSPA  
Mayor

JANICE M. FERENCZ  
City Clerk

JAMES E. DALLOS  
Treasurer



**City of Southgate**  
NORMA J. WURLINGER  
MUNICIPAL BUILDING

- CITY COUNCIL -

JOHN GRAZIANI  
Council President

KAREN E. GEORGE

MARK FARRAH

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

**Memorandum**

**To:** Honorable City Council Members

**From:** John J. Zech, City Administrator

*JJZ*

**Re:** Amendments to City Ordinances – Second Reading

**Date:** October 26, 2016

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We respectfully request that you approve through a second reading our recommendations to amend the following Ordinances:

660.15  
1060.04 (c)(1)  
1060.05  
1060.08 (f) (g) (h)  
1060.16  
1422.02 Section 302.4  
1422.02 Section 602.13.

If you have any questions please contact me.

**Cc:** Mayor Joseph G. Kuspa

**660.15 RESPONSIBILITY FOR MAINTENANCE OF DWELLINGS.**

Every building or portion thereof which is being used as a dwelling, home or residence shall be kept by the owner or landlord thereof in a clean, neat and habitable condition in order to prevent the premises from becoming a nuisance. No owner or landlord shall allow a dwelling to become dilapidated, permit weeds or other vegetation to grow higher than ten inches in height or allow trash, rubbish or refuse to accumulate on the property to such an extent that a nuisance is created which is injurious to the health, safety or welfare of the occupants of the dwelling or of the inhabitants of the City. Storage of wood piles for burning purposes shall be elevated a minimum of twelve inches ~~from grade~~ off the ground.

If the owner has leased or rented the dwelling to another person and the duty to keep the premises in a proper condition rests upon such renter, tenant or lessee, then the obligations of this chapter shall fall upon such renter, tenant or lessee. A D D \*

(1974 Code §9.17; Ord. 344. Passed 7-1-81.)

\* However, if the renter, tenant or lessee neglects their duty, the responsibility reverts to the owner or landlord to keep the dwelling, home or residence clean, neat and in a habitable condition in order to prevent the premises from becoming a nuisance.

waste, the Department of Public Services may remove or may contract for the removal of such waste and shall charge the cost thereof to such person, firm or corporation. In the event payment therefore is not made when billed, the expense of disposing of such excess waste will be charged to the owner of the real estate by adding it to the tax rolls, with interest and costs to be included. Apartment buildings shall constitute commercial activities for the purposes of collection of waste.

(c) Storage. Between collections of solid waste and recyclable materials by the City or a licensed waste hauler hired by the City or authorized to do work within the City, each person who is an owner, lessee or occupant of any site of generation shall store such materials as follows:

- (1) Solid waste shall be stored in containers constructed of either rigid <sup>plastic or</sup> ~~or plastic~~, with tightly fitting covers which are rodent-proof, ~~or in plastic bags which must be securely tied when placed outside and which must be vermin proof~~, of not less than 20-gallon capacity. Rigid containers must be kept tightly covered, except when opened for deposit or removal of solid waste. ~~Plastic bags used as storage containers must be kept in a clean and sanitary condition and cannot be left outside except on the day of pick-up.~~ An owner, occupant, tenant or lessee receiving single-family refuse collection shall be required to restore the container to an acceptable storage condition not later than 8:00 a.m. the following day after refuse collection takes place.
- (2) Recyclable materials (other than yard waste) shall be stored in containers adequate to contain such recyclable materials therein.
- (3) Every owner, occupant, tenant or lessee using any building, house or structure for any purpose whatsoever where refuse accumulates, shall provide and maintain standard refuse containers of sufficient number and size, as herein specified, in order to store such refuse tending to accumulate on said premises. Refuse containers that deteriorate or otherwise fail to meet the requirements of this chapter may be claimed as refuse, and after five days' written notice to the party or parties responsible or in possession of such container, such containers shall be collected as refuse by the Department of Public Services or the City's authorized refuse collectors. (Ord. 530. Passed 5-19-93; Ord. 806. Passed 6-1-05; Ord. 14-970. Passed 11-5-14.)

#### 1060.05 PLACEMENT OF CONTAINERS; TAMPERING; SANITARY CONDITIONS.

Except as otherwise provided in Section 1060.04, containers for the storage of solid waste and recyclable materials shall be placed at the rear or side of buildings, at a place which is reasonably inconspicuous from streets and places occupied by other persons. ~~Bags used as storage bags, and not as liners for rigid containers, must be kept tightly sealed and located, prior to placement for collection, in a place not readily accessible to animals, children or the elements of nature.~~ No person, firm, corporation or other legal entity shall disturb the contents of waste receptacles or bundles, nor shall persons leave receptacles or the contents thereof in a condition other than is provided for in this chapter. All receptacles must be maintained in a sanitary condition. (Ord. 530. Passed 5-19-93.)



~~(f) Approved Incinerator Use. Rubbish may be burned in an approved incinerator located in a building.~~

~~(f) (g) Open Burning. Open burning of garbage, rubbish and refuse is hereby prohibited. However, a permit for the disposal of waste from building operations and land clearing, and for the disposal of other large accumulations of waste, may be obtained from the Fire Chief or his or her duly designated representative, which permit shall state the terms and conditions under which the authority granted under such permit may be exercised. Such terms and conditions shall be at the discretion of the Fire Chief or his or her duly designated representative.~~

~~(g) (h) Open-Type Storage Receptacles. The use of roll-off, open-type containers of twenty yards or more for trash and refuse storage is hereby prohibited, except at construction sites. (Ord. 572. Passed 3-22-95.)~~

#### 1060.09 WASTE HAULER'S LICENSES.

(a) Required. No person shall engage in the business of collecting, transporting, delivering or disposing of solid waste or recyclable materials generated within the City without first obtaining a waste hauler's license pursuant to this chapter. Waste hauler's licenses shall be issued upon application to the City Clerk on forms provided therefor and upon payment of the annual license fee as provided in this section.

(b) Issuance. The Department of Public Services may, after approval by both the Mayor and Council, issue an annual license to any person, firm or corporation to collect and transport solid waste and recyclable materials, provided that all of the rules and regulations applicable thereto are strictly observed.

(c) Conditions of Licenses. It shall be an express condition of obtaining a waste hauler's license that the waste hauler shall:

- (1) Comply with all provisions of this chapter;
- (2) Comply with all applicable Federal, State, County and local laws, statutes, rules and regulations, including, but not limited to, those pertaining to the collection, transportation, delivery and disposal of solid waste, recyclable materials and yard waste.
- (3) Comply with all applicable provisions of an agreement and of the rules and regulations adopted from time to time by the City for the use, administration and operation of the facilities described herein.
- (4) Pay an annual license fee of two hundred fifty dollars (\$250.00) per year to be paid between June 1 and June 30 of each year.  
(Ord. 530. Passed 5-19-93.)

#### 1060.10 COLLECTION OF UNACCEPTABLE WASTE BY WASTE HAULERS.

A waste hauler shall not knowingly collect or deliver unacceptable waste to any facility.  
(Ord. 530. Passed 5-19-93.)

~~1060.16 CURBSIDE RECYCLING FEE.~~

~~Effective June 1, 1994, each single family residence shall pay a monthly curbside recycling fee of two dollars (\$2.00), which charge shall be placed on the bimonthly water/sewer/utility bill for each individual residence.~~  
(Ord. 560. Passed 6-1-94.)

1060.17 UNLAWFUL USE OF DUMPSTERS OR RECEPTACLES.

No person shall make use of any garbage can, dumpster or trash receptacle belonging to another person or business entity in the City without first receiving the express written consent of such person or business entity. For purposes of this section, "use" includes the dumping, unloading, disposing or placing of rubbish in such receptacle. (Ord. 566. Passed 10-5-94.)

1060.18 UNLAWFUL TAMPERING WITH GARBAGE RECEPTACLES.

No person shall open, dump, tamper with or remove the contents of any garbage can, dumpster or trash receptacle belonging to another person or business entity in the City. This section shall not apply to licensed trash and waste haulers performing services in the ordinary course of business.  
(Ord. 823. Passed 4-5-06.)

1060.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

**1422.02 AMENDMENTS.**

The International Property Maintenance Code adopted in Section 1422.01 is hereby amended and revised in the following respects:

**Section 101.1**

Insert: "City of Southgate" for "[NAME OF JURISDICTION]";

**Section 103.5**

Insert: "See Chapter 1444 of the Southgate City Code, Fee Schedule" for "[APPROPRIATE SCHEDULE]";

**Section 112.4**

Insert: "\$1.00" for the first reference to "[DOLLAR AMOUNT]" and "\$500.00" for the second reference to "[DOLLAR AMOUNT]";

**Section 302.4**

Insert: "~~10~~ 8 inches" for "[HEIGHT IN INCHES]"; Grass Clippings shall be removed from all paved surfaces both in the right-of-way and on the private property.

**Section 304.14**

Insert: "April 1" for the first reference to "[DATE]" and "November 30" for the second reference to "[DATE]";

**Section ~~602.15~~ 602.3**

Insert: "September 15" for the first reference to "[DATE]" and "May 15" for the second reference to "[DATE]";

**Section 602.4**

Insert: "September 15" for the first reference to "[DATE]" and "May 15" for the second reference to "[DATE]".

(Ord. 899. Passed 3-3-10; Ord. 959. Passed 5-1-13.)

**1422.03 CERTIFICATES OF OCCUPANCY REQUIRED; CONDITIONS FOR ISSUANCE.**

(a) No person shall hereafter occupy or reoccupy, and no owner or agent thereof shall permit the occupation or reoccupation of any building or addition thereto or part thereof, for any purpose, until a certificate of occupancy has been issued by the Building Department. The certificate of occupancy so issued shall state that the occupancy complies with this chapter.

(b) An application for such a certificate, together with the fee as set forth in Chapter 1444, for each residential, commercial or industrial unit occupied, shall be filed with the Building Department. Upon receipt of such application and fee, the Department shall inspect the premises within three days of such application, and, if approved, shall issue a certificate of occupancy therefor.

JOSEPH G. KUSPA  
Mayor

JANICE M. FERENCZ  
City Clerk

JAMES E. DALLOS  
Treasurer



## City of Southgate

NORMA J. WURMLINGER  
MUNICIPAL BUILDING

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CHRISTOPHER P. ROLLET

### Memorandum

To: Honorable City Council Members

From: John J. Zech, City Administrator

Re: Amendments to City Ordinances

Date: October 26, 2016

---

Jeff Meussner, Jeff Smith, Bob Casanova, David Angileri and I have met to review various ordinances that we feel need amending. They are as follows:

Ord. 468.02(a) (1)	Parking During Snow Storms
Ord. 468.03	Special Permit Stickers
Ord. 468.99(a)	Penalty
Ord. 468.99(e)	Fines

These meetings were the result of our efforts to deal with the rodent issue. However, as we met, we uncovered some other areas that needed to be addressed.

We respectfully ask that you consider these items for a first reading.

If you have any questions please contact me.

Cc: Mayor Joseph G. Kuspa

**468.02 PARKING DURING SNOW EMERGENCIES.**

(a) A snow emergency shall be in effect in the City whenever a notice of a storm warning is declared by one or both of the following: Director of Public Service or

(1) The Mayor, upon the advice and consent of the Chief of Police (or a designee), or the Superintendent of the Department of Public Service (or a designee); and/or

(2) The National Weather Service.

(b) "Notice" for purposes of this section, shall be given via community-wide broadcast on television, radio, cable television, telephone and/or personal announcement.

(c) "Appreciable snow accumulation," for purposes of this section, means an amount of snow that would normally necessitate removal by the Department of Public Service in order to insure safe and efficient traffic flow and/or parking.

(d) During a snow emergency, no person shall park, nor shall any owner of a motor vehicle leave, a motor vehicle, trailer, boat or implement on any street in the City where there is an appreciable snow accumulation one hour following the issuance of a notice of a snow emergency and until such time as the emergency is lifted.

(e) The provisions of this section shall be posted by appropriate signage throughout the City.

(f) Any vehicle, trailer, boat or implement found to be parked in violation of this section may be impounded by a City-approved towing service at the direction of the police as follows:

(1) Immediate removal, if such vehicle, trailer, boat or implement is parked in such a manner so as to violate any relevant provision of Section 2.5 of the Uniform Traffic Code for Cities, Townships, and Villages.

(2) Within twenty-four hours after declaration of a snow emergency. No warning citation ordering removal within twenty-four hours need be issued.

(3) Any vehicle, trailer, boat or implement towed and impounded under this section shall be towed and impounded at the owner's expense.

(Ord. 687. Passed 12-8-99.)

**468.03 SPECIAL PERMIT STICKERS.**

There shall be made available through the Traffic and Safety Division of the Police Department, a special permit sticker to be utilized in the case of extreme hardship to provide an exemption from the parking restrictions of Sections 468.01 and 468.02.

Such special permit sticker shall be issued pursuant to guidelines established by the Division. Such sticker is nontransferable and must be affixed to the appropriate motor vehicle in conformity with Police Department guidelines.  
(Ord. 394. Passed 3-4-87.)



terms of this section at the time of the application; ceasing to be eligible during the term of the permit; failing to comply with or violating any condition imposed on the issuance of a permit; or failing to comply with or violating the requirements of this section or any related law or regulation. Written notification shall be given to the permittee stating grounds for revocation and requesting surrender of the permit. Except as set forth below, the permit shall be considered void on the sixth day after the date of notification. Any person whose permit has been revoked shall not be issued a new permit without reapplication and establishing eligibility pursuant to this section to the reasonable satisfaction of the Permit Parking Administrator. Anyone wishing to contest a revocation must do so, in writing, and cause it to be filed with the Permit Parking Administrator within five days of the date of the notification of revocation, setting forth all the facts which the permit holder wishes the Permit Parking Administrator to consider, and a decision thereon shall be made within fifteen days of receipt. If such a contest is timely filed, revocation shall be stayed until the Permit Parking Administrator's decision is made.

(o) Violations and Penalties. The following violations of this section shall be fined an amount established by Violations Bureau of the 28th District Court:

- (1) Parking on a preferential parking street between the specified, posted hours without display of a valid preferential parking permit, guest permit or guest pass for that street.
- (2) Copying, producing, creating or displaying a facsimile or a counterfeit preferential parking permit.
- (3) Falsely representing one's self as eligible for a preferential parking permit or wilfully furnishing false information in an application therefor.
- (4) Using a revoked permit.
- (5) Use of a preferential parking permit by a non-eligible vehicle.

(Ord. 792. Passed 6-30-04.)

#### 468.99 PENALTY.

(a) Whoever violates Section 468.01 is responsible for a civil infraction and shall be fined ten dollars (\$10.00) for a first offense and twenty-five dollars (\$25.00) for a second offense, and fifty dollars (\$50.00) for the third offense and all subsequent offenses. This (Ord. 833. Passed 10-4-06.) shall reset on January 1st of each year.

(b) Whoever violates Section 468.02 is responsible for a civil infraction and shall be fined twenty-five dollars (\$25.00). (Ord. 394. Passed 3-4-87.)

(c) Whoever violates Section 468.04 is responsible for a civil infraction and shall be fined an amount established by the Violations Bureau of the 28th District Court. (Ord. 409. Passed 4-17-85.)

(c) Unless otherwise specifically provided by this code or any ordinance for a particular municipal civil infraction violation, the increased fine for repeat offenses shall be as follows:

- (1) The fine for any offense which is a second offense, or which is a continuing daily offense occurring for a second consecutive day, shall be twice that of the first offense, plus costs of ten dollars (\$10.00);
- (2) The fine for any offense which is a third repeat offense or for a third or more consecutive day offense, shall be four times that of the first offense, plus costs of ten dollars (\$10.00).

(d) The fines which may be imposed by the district court for municipal civil infractions citations shall be twice those set forth above and shall additionally be subject to the assessment of court costs in an amount to be determined at the discretion of the court.

(e) Fines.

	<u>Offense</u>	<u>Civil Infraction Fine</u>			<u>Court Fine Cost</u>
		<u>1<sup>ST</sup></u>	<u>2<sup>ND</sup></u>	<u>3<sup>RD</sup></u>	
468.01	Parking on Trash Days	10.00	25	50	20.00
1022.11	Removal of Sidewalk Snow	10.00			25.00
1060.04(a)	Residential Trash Collection	<del>10.00</del>	20.00		25.00
1060.04(b)	Commercial Trash Collection	<del>25.00</del>	50.00		50.00
1422.03(a)	Certificate of Occupancy (existing buildings)	<del>100.00</del>	200.00		140.00
1422.03(e)	Certificate of Occupancy	<del>100.00</del>	200.00		140.00
1461.01	Excavation, removal and filling of land	<del>50.00</del>	100.00		70.00
1298.05	Recreational Vehicles	25.00			50.00
1298.14(a)	Fence permits	<del>25.00</del>	50.00		35.00
1298.14(b)	Construction materials (maintain fences)	<del>25.00</del>	50.00		35.00
1298.18	Sign permits	<del>50.00</del>	100.00		70.00
1298.18(b) (15)	Signs shall be kept in workable order	<del>50.00</del>	100.00		70.00

	<u>Offense</u>	<u>Civil Infraction Fine</u>	<u>Court Fine</u> Cost
1298.18(j)	Portable signs	50.00	70.00
1298.21(b)	Security bars (interfere with egress)	<del>50.00</del> 100.00	70.00
1298.21(d)(1)	A, B, C, D Residential dwellings (security bars)	<del>50.00</del> 100.00	70.00
1298.21(d)(2)	A, B Commercial building (security bars)	<del>50.00</del> 100.00	70.00
1298.10(a)(c)(d)(f)	Exterior Lighting	<del>50.00</del> 100.00	70.00
1298.12	Obstruction at street intersections	25.00	35.00
1298.09(d)	Exterior equipment and trash receptacle screens	<del>25.00</del> 50.00	35.00
1298.13(a)	Walls and earth berms (maintain)	<del>25.00</del> 50.00	35.00
1298.17	Nonresidential buildings (exterior wall materials)	<del>50.00</del> 100.00	70.00
1268.04(a)(3)	Dwelling units (exterior wall materials)	<del>25.00</del> 50.00	35.00
1268.04	Residential (landscape and maintenance)	25.00	35.00
1274.04(b)	RO District (outdoor storage)	<del>50.00</del> 100.00	70.00
1276.04(b)	C-1 District (all business shall be conducted within the building)	<del>50.00</del> 100.00	70.00
1278.04(b)	C-2 District (all business shall be conducted within the building)	<del>50.00</del> 100.00	70.00
1292.01(h)	Off-street parking lots (no storage, sales or repairing vehicles)	<del>50.00</del> 100.00	70.00

	<u>Offense</u>	<u>Civil Infraction Fine</u>	<u>Court Fine</u> <u>Cost</u>
<u>Michigan Building Code</u>			
110.1	Certificate of occupancy (new construction)	100.00	140.00
105.1	Failure to secure permits	100.00	140.00
106.4	Amended construction documents (noncompliance with approved plans)	50.00	70.00
114.2	Notice to owner	50.00	70.00
<u>Michigan Residential Code</u>			
110.1	Use and occupancy (Certificate of Occupancy)	100.00	140.00
105.1	Required (permits)	100.00	140.00
106.4	Amended construction documents (noncompliance with approved plans)	50.00	70.00
114.1	Notice to owner (stop work)	100.00	140.00
114.2	Unlawful continuance (stop work)	100.00	140.00
<u>Property Maintenance Code</u>			
301.3	Vacant structures and land	<del>50.00</del> 100.00	70.00
302.1	Sanitation	<del>50.00</del> 100.00	70.00
302.2	Grading	<del>25.00</del> 50.00	35.00
302.3	Sidewalks and driveways	<del>25.00</del> 50.00	35.00
302.4	Weeds	<del>25.00</del> 50.00	35.00
302.5	Rodent harborage	<del>25.00</del> 50.00	35.00
302.6	Exhaust vents (discharging to adjacent property)	<del>25.00</del> 50.00	35.00

	<u>Offense</u>	<u>Civil Infraction Fine</u>	<u>Court Fine Cost</u>
303.1	Swimming pools	<del>50.00</del> 100.00	70.00
302.8	Motor vehicles	<del>25.00</del> 50.00	35.00
302.9	Defacement of property	<del>50.00</del> 100.00	70.00
304.2	Protective treatment	<del>25.00</del> 50.00	35.00
304.3	Premises identification	<del>25.00</del> 50.00	35.00
304.4	Structural members	<del>50.00</del> 100.00	70.00
304.5	Foundation walls	<del>50.00</del> 100.00	70.00
304.6	Exterior walls	<del>25.00</del> 50.00	35.00
304.7	Roof and drainage	<del>25.00</del> 50.00	35.00
304.8	Decorative features	<del>25.00</del> 50.00	35.00
304.9	Overhang extensions	<del>25.00</del> 50.00	35.00
304.10	Stairways, decks, porches and balconies	<del>50.00</del> 100.00	70.00
304.11	Chimneys and towers	<del>25.00</del> 50.00	35.00
304.12	Handrails and guards	<del>50.00</del> 100.00	70.00
304.13	Windows, skylights and door frames	<del>25.00</del> 50.00	35.00
304.13.1	Glazing	<del>25.00</del> 50.00	35.00
304.14	Insect screens	<del>25.00</del> 50.00	35.00
304.15	Doors	<del>25.00</del> 50.00	35.00
304.16	Basement hatchways	<del>25.00</del> 50.00	35.00
305.1	General	<del>25.00</del> 50.00	35.00
305.2	Structural members	<del>50.00</del> 100.00	70.00



	<u>Offense</u>	<u>Civil Infraction Fine</u>	<u>Court Fine</u> <u>Cost</u>
305.3	Interior surfaces	<del>25.00</del> 50.00	35.00
305.4	Stairs and walking surfaces	<del>50.00</del> 100.00	70.00
305.5	Handrail and guards	<del>50.00</del> 100.00	70.00
305.6	Interior doors	<del>25.00</del> 50.00	35.00
308.1	Accumulation of rubbish or garbage	<del>25.00</del> 50.00	35.00
308.2	Disposal of rubbish	<del>25.00</del> 50.00	35.00
308.2.1	Rubbish storage facility	<del>25.00</del> 50.00	35.00
308.3	Disposal of garbage	<del>25.00</del> 50.00	35.00
308.3.1	Garbage facilities (amend)	<del>25.00</del> 50.00	35.00
308.3.2	Containers (garbage)	<del>25.00</del> 50.00	35.00
309.2	Owner (rental owner responsible for extermination)	<del>25.00</del> 50.00	35.00
309.3	Single occupant (single family owner responsible for extermination)	<del>25.00</del> 50.00	35.00
309.4	Multiple occupancy (owner responsible for extermination)	<del>25.00</del> 50.00	35.00
309.5	Occupant (responsible to keep structure rodent free)	<del>25.00</del> 50.00	35.00
403.2	Bathrooms and toilet rooms (ventilation)	<del>25.00</del> 50.00	35.00
403.4	Process ventilation	<del>25.00</del> 50.00	35.00
403.5	Clothes dryer exhaust	<del>25.00</del> 50.00	35.00
504.1	General (plumbing fixtures maintained)	<del>25.00</del> 50.00	35.00

	<u>Offense</u>	<u>Civil Infraction Fine</u>	<u>Court Fine</u> <u>Cost</u>
602.1	Facilities required (heating facilities required)	<del>50.00</del> 100.00	70.00
603.1	Mechanical appliances (maintained and safe)	<del>50.00</del> 100.00	70.00
605.1	Installation (electrical maintained and safe)	<del>50.00</del> 100.00	70.00
702.1	General (means of egress safe)	<del>50.00</del> 100.00	70.00
702.2	Aisles (required width)	<del>50.00</del> 100.00	70.00
702.3	Locked doors	<del>50.00</del> 100.00	70.00
702.4	Emergency escape openings	<del>50.00</del> 100.00	70.00
703.1	Fire resistance rated assemblies	<del>100.00</del> 200.00	140.00
703.2	Opening protective	<del>100.00</del> 200.00	140.00
704.1	Smoke detectors	<del>50.00</del> 100.00	70.00
678.01	Abandoned refrigerators and airtight containers	<del>25.00</del> 50.00	35.00
678.02	Spitting	<del>10.00</del> 50.00	<del>25.00</del> 35.00
678.04	Littering	<del>25.00</del> 50.00	35.00
678.05	Vermin or trash in yards	<del>50.00</del> 100.00	70.00
610.04	Dog at large unlicensed dog	50.00	70.00
610.15	Disposal of animal	<del>50.00</del> 100.00	70.00
610.20	Leash law	50.00	70.00

(Ord. 764. Passed 11-6-02; Ord. 774. Passed 5-7-03; Ord. 775. Passed 5-7-03; Ord. 938. Passed 11-16-11; Ord. 939. Passed 12-21-11.)