



AGENDA
Committee on General Services
Monday, June 10, 2019 @ 8:00 a.m.
City Council Conference Room, City Hall 10th Floor

Councilmember Jody Washington, Chair
Councilmember Brian T. Jackson, Vice Chair
Councilmember Carol Wood, Member

1. Call to Order

2. Approval of Minutes:

- May 13, 2019

3. Public Comment on Agenda Items

4. Discussion/Action:

- A.) RESOLUTION – Fire Works Display License; Great Lakes Fireworks; City of Lansing Independence Day Celebration**
- B.) RESOLUTION – Community Funding Application; Friends of Lansing Historic Cemeteries & ENO; 60 Markers**
- C.) RESOLUTION – Claim Appeal #1680; Jeffrey Anzaldua; 1737 Robertson Street; \$4,172.00**
- D.) RESOLUTION – Set Public Hearing; Noise Waiver 8:00 a.m. – 8:00 p.m.; Miller Road (Cedar to Aurelius) July 8, 2019 – August 4, 2019; Turner Street (Douglas to Randolph) July 15, 2019 – August 18, 2019**
- E.) RESOLUTION – Re-Set Public Hearing; Noise Waiver; MODT Rehab of Martin Luther King Jr. Blvd. from Pleasant Grove north to 550 ft. south of Victor Avenue; Weekends and Weekdays during 2019 Construction Season**
- F.) DISCUSSION/ORDINANCE AMENDMENT – Fireworks Regulations and PA 256**
- G.) DISCUSSION – Code Compliance Refuse Contractor**

5. Other

- Michigan Liquor Control Commission; Transfer License with Sunday Sales, Outdoor Service, Catering Bars and Dance-Entertainment from 7786 E. US 10, Walhalla to 419 Spring Street, Lansing. Transfer Governmental Unit from Branch Twp., Mason County to Lansing City, Ingham County **(Pending Application)**

[illegible]

- Michigan Liquor Control Commission; Transfer Ownership of a 2018 Class C and SDM Licensed Business w/Sunday Sales, Dance-Entertainment Permit and Outdoor Service from Leo's Outpost, Inc. located at 600 S. Pennsylvania, Lansing, MI 48912 **(Pending Application)**
- Michigan Liquor Control Commission; Transfer Ownership of an escrowed 2018 Class C Licensed Business w/Dance Entertainment Permit from Tini Bikinis-Lansing, LLC; transfer location from 511 East Hazel., Lansing; cancel existing Outdoor Service and request new Sunday Sale to Bar Mitena, LLC 2001 East Michigan Avenue **(Pending Application)**
- Michigan Liquor Control Commission; Transfer Stock Interest through Transfer of Stock from Corporation to New & Existing Stockholders for Mash Mavericks at 523 E. Shiawassee Street**(Pending Application)**
- Michigan Liquor Control Commission; Transfer Ownership of an escrowed 2019 with Sunday Sales Permit (PM) Only from Elioun, Inc., transfer location from 1908 E Michigan Avenue Suite A to 600 E. Michigan, Lansing to be held with SDM License**(Pending Application)**
- Michigan Liquor Control Commission; Transfer of an SDM and SDD License with Sunday Sales (AM & PM) Permit for Mahi 4405, Inc. located at 4405 S. Martin Luther King Jr. Blvd. Suite D & E, Lansing Michigan 48910 **(Pending Application)**
- Michigan Liquor Control Commission; Transfer Ownership of an escrowed 2019 SDM Licensed Business with Sunday Sales Permit (AM) from Ren Inc. located at 1700 S. Washington Avenue, Lansing, MI 48910

6. Place On File

7. Adjourn

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MINUTES
Committee on General Services
Monday, May 13, 2019 @ 8:00 a.m.
City Council Conference Room, City Hall 10th Floor

CALL TO ORDER

The meeting called to order at 8:00 a.m.

ROLL CALL

Council Member Jody Washington, Chair
Council Member Brian T. Jackson, Vice Chair
Council Member Carol Wood, Member

OTHERS PRESENT

Sherrie Boak, Council Office Manager
Eric Brewer, Internal Auditor
Lisa Hagen, Assistant City Attorney
Scott Sanford, Code Compliance
Andrew Brewer, Men Making a Difference
Scott Koehn

Minutes

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM APRIL 22, 2019 AS PRESENTED. MOTION CARRIED 3-0.

Public Comment on Agenda Items

No comments at this time.

Discussion/Action:

Council Member Washington amended the agenda since the only agenda applicant present was for Claim # 1677.

RESOLUTION – Claim Appeal #1677; 640 E. Jolly Road; Scott Koehn; \$440.00

Scott read the staff report in the packet highlighting the dates and concluded by stating their recommendation for denial of the claim. Mr. Brewer informed the Committee that the Claims Review Committee met on March 20, 2019, and after reviewing the information on the violation and notifications, determined they would deny the claim in full.

Mr. Koehn confirmed he was new to living in the City and was not aware of the ordinances, but when the violation occurred he was out of town, and ironically because of the weather and

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timing asked his son to move the furniture to the front porch until he got home. It wasn't until he got home did he get the violation notice and realized it was an actual violation. He encouraged the Committee to consider changing the policy to post the notification on the residence in addition to mailing it out. Council Member Washington acknowledged that the owner probably thought moving it to the porch addressed the violation, but indoor furniture cannot be anywhere outside. Council Member Wood pointed out that the owner did admit it was at the curb and sidewalk and that is what the notice was written for, and it appears there was proper notification. She informed the owner there is a minimum charge, via contract with the contractor to pick up the items, and there is a minimum administrative fee also. Mr. Koehn offered to pay the \$175 for the contractor fee if the Committee would consider his claim. Committee members explained the process of the claim, the set administrative fees and the goal to have the items removed. Mr. Koehn then informed them of other neighbors who have not mowed their yard yet this year and have yards full of trash, stating his opinion that it appeared Code was only focusing on him. Council Member Jackson supported the suggesting of posting a notice on the property and that the fees appeared high. He noted that ignorance is not an excuse.

MOTION BY COUNCIL MEMBER WOOD TO DENY THE CLAIM FOR \$440 AT 640 E. JOLLY ROAD IN CONCURRENCE WITH THE CLAIMS REVIEW COMMITTEE. MOTION CARRIED 3-0.

Mr. Koehn asked if he hired an attorney to appeal his claim would that help, and Council Member Wood informed him that if the Council denies it at their meeting tonight, he can take the claim to circuit court.

Mr. Sanford stated he would send a Code Officer out to the 600 block of E. Jolly today.

RESOLUTION – Community Funding Application; Men Making a Difference, Family Community Cookout

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION FOR COMMUNITY FUNDING IN THE AMOUNT OF \$1,000.00 FOR MEN MAKING A DIFFERENCE FOR THE 2019 FAMILY COMMUNITY COOKOUT. MOTION CARRIED 3-0.

The applicants acknowledged Council and Committee Members for their commitment to the community.

RESOLUTION - Noise Waiver Permit; Mt. Hope Avenue; Capitol Avenue; Saturday and Sunday work; June 1, 2019 to August 30, 2019

No representatives present from Public Service.

Council Staff noted that the hearing is scheduled for tonight, May 13th and up for passage at Council on May 20, 2019. Since the Committee will not meet again before May 20th, the request is up for action today in anticipation there will be no public comments tonight that will affect the decision.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE NOISE WAIVER PERMIT FOR THE CAPITOL AVENUE AND MT. HOPE AVENUE STREET PROJECTS FROM JUNE 1, 2019 TO AUGUST 30, 2019. MOTION CARRIED 3-0.

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RESOLUTION – Set Public Hearing; Noise Waiver; Rehab of Martin Luther King Jr. Blvd. from Pleasant Grove north to 550 ft. south of Victor Avenue; Weekends and Weekdays during 2019 Construction Season

No representatives were present from Public Service.

Council Staff noted if this was approved at Committee, it is on the Council agenda tonight for a hearing on June 10th, allowing the department 30 days to provide notice. She then provided them with a brief overview of the project provided by MDOT. Council Member Wood read into the record that the project will perform pavement repairs and preventative maintenance on M99 (MLK Jr. Blvd) between Edgewood/Pleasant Grove and Victor. The traffic will be maintained during the project and one lane will be open in both directions with a center lane during daytime hours and most evenings. Some night time activity will require closing the center left turn lane.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR JUNE 10, 2019 FOR THE MDOT PROJECT ON MLK HR. DURING THE 2019 CONSTRUCTION SEASON.

Other

- Michigan Liquor Control Commission; Transfer License with Sunday Sales, Outdoor Service, Catering Bars and Dance-Entertainment from 7786 E. US 10, Walhalla to 419 Spring Street, Lansing. Transfer Governmental Unit from Branch Twp., Mason County to Lansing City, Ingham County **(Pending Application)**
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- Michigan Liquor Control Commission; Transfer Stock Interest through Transfer of Stock from Corporation to New & Existing Stockholders for Mash Mavericks at 523 E. Shiawassee Street**(Pending Application)**

Place on File

- a. Michigan Liquor Control Commission; New SDM License Issued under MCL436.1533(5)(b)(i) & Sunday Sales Permit (AM) for Meijer Inc. at 600 E. Michigan Avenue

Adjourned

Adjourned at 8:24 a.m.

Submitted by Sherrie Boak,

Office Manager,

Lansing City Council

Approved by the Committee on _____



Chris Swope
Lansing City Clerk

Fireworks Display License Application

(City Codified Ordinances - Chapter 1615.01 - 1615.06)

<http://mi-lansing.civicplus.com/171/Business-Licenses>

Applicant Checklist:

(Ensure All Items Completed)

Payment: ☒

Bond and/or Insurance: ☐

Copies of ID's: ☒

Treasury Form Completed: ☒

Application Completed: ☒

ANNUAL NON-REFUNDABLE LICENSE FEE: \$150.00

Additional Requirements:

- Proof of a bond, an insurance policy naming the City as co-insured, or a combination of both, available for the payment of any damages arising out of an act or omission of the licensee or his agents, employees, or subcontractors, covering the following: (a) At least \$500,000.00 for property damage; and (b) at least \$500,000.00 for injury to one person and \$1,000,000.00 for injury to two or more persons resulting from the same occurrence.
- Copies of State issued identification for each person who will operate the display.
- If the applicant is a nonresident person, written appointment of a resident agent to serve as legal representative upon whom all process in an action or proceeding against the person may be served

Business Name	Business Phone Number
Great Lakes Fireworks, LLC	989-726-5040

Business Address	City	State, Zip
3275 W. M-76	West Branch	MI 48661

Business Owner	Owner Phone Number
Barry J. Beltz, Member	

Owner Address	City	State, Zip
24805 Marine	Eastpointe	MI 48021

Owner Email Address	
glfpyro@sbcglobal.net	

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 • 517-377-0068 FAX
www.lansingmi.gov/clerk • city.clerk@lansingmi.gov

Same as above:

☒

Applicant Name		Applicant Phone Number	
Applicant Address	City	State, Zip	
Applicant Email Address		Applicant DOB (MM/DD/YY)	

Bonded By (Bond to be filed with City)	
Bond Expiration Date	Bond Amount

↑ AND/OR ↓

Insured By (Policy to be filed with city) Allied Specialty Insurance	
Expiration Date 01/15/2020	Insured Amount 5,000,000.00

Date of Display July 4, 2019	Time of Display Approx. 10:00 pm
Exact Location of Display Oak Park, 601 Lesher Place, Lansing, MI	
Type and Quantity of Fireworks to be used in Display (attach listing if available) See Attached	
Manner and location of the storage of the fireworks prior to the display Stored at federally licensed facility until date of display.	

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 • 517-377-0088 FAX
www.lansingmi.gov/clerk • city.clerk@lansingmi.gov

List All Persons Who Will Operate the Display:

Name	Age	Description of Relevant Experience
Barry Beltz		1,000 displays throughout MI; APA trained
Scott Baranoski		20+ displays as lead pyro; APA trained

Has the applicant, any person with an ownership interest in the applicant, or any person who will operate the display had any citation or conviction for, or guilty plea to, a violation of the laws of the United States, any State or any local unit of government regulating the sale, use, or possession of fireworks?

☐ Yes

☒ No

If yes, disclose details:

I certify that neither the Applicant nor any person with ownership interest is in default to the City of Lansing.

By my signature, I swear (or affirm) that all information provided in this application is true.


 APPLICANT'S SIGNATURE

Lansing City Clerk's Office
 Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1685
 517-483-4131 • 517-377-0068 FAX
www.lansingmi.gov/clerk • city.clerk@lansingmi.gov

GREAT LAKES FIREWORKS

P.O. Box 276 • West Branch, MI 48661 • Office: 989.726.5040 • Fax: 989.726.5041 • greatlakesfireworks.com

June 5, 2019

RE: Fireworks Type and Quantity: Lansing Fireworks, July 4, 2019

190 3" shells
349 4" shells
334 5" shells
160 6" shells

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):

City of Lansing and all its elected and appointed officials, employees, volunteers, board, commissions and/or other authorities but as respects the negligence of the named insured only.

Display Date: 07/04/19

Rain Date: 07/05/19

Location of Display: Oak Park, Lansing MI

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
 2. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

OFFICIAL USE ONLY

Approvals:

Sgt. Monica Ford ^{1st} 3/22/19
Police Department Date

Sgt. Cheryl Fox ^{deputy} 3/22/19
City Treasurer Date

Fire Marshal Date

City Attorney Date

OFFICIAL USE

Amount paid: \$ 150.00
Date paid: 3/27/19
License #: 4297

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 • 517-377-0088 FAX
www.lansingmi.gov/clerk • city.clerk@lansingmi.gov

OFFICIAL USE ONLY

Approvals:			
_____	_____	<i>Dep. Sec.</i> <i>Chung</i>	<i>3-21-11</i>
Police Department	Date	City Treasurer	Date
_____	_____	_____	_____
Fire Marshal	Date	City Attorney	Date

<u>OFFICIAL USE</u>
Amount paid: _____
Date paid: _____
License #: _____

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517-483-4131 • 517-377-0068 FAX
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OFFICIAL USE ONLY

Approvals:

Officer Monica 3/22/19
Police Department #007

Date

City Treasurer

Date

Fire Marshal

Date

City Attorney

Date

OFFICIAL USE

Amount paid: _____

Date paid: _____

License #: _____

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www.lansingmi.gov/clerk • city.clerk@lansing.mi.gov

OFFICIAL USE ONLY

Approvals:

Police Department

Date

Marshall Blake 4/30/19

Fire Marshal

Date

City Treasurer

Date

City Attorney

Date

OFFICIAL USE

Amount paid: _____

Date paid: _____

License #: _____

Lansing City Clerk's Office
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www.lansingmi.gov/clerk • city.clerk@lansing.mi.gov

GREAT LAKES FIREWORKS

3275 W. M-76 • West Branch, MI 48661 • Office: 989.726.5040 • Fax: 989.726.5041 • greatlakesfireworks.com

March 20, 2019

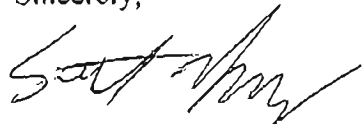
City of Lansing
City Clerk's Office – 9th Floor
124 W. Michigan Avenue
Lansing, MI 48933

Dear Sir or Madam:

Please find enclosed our check no. 6364 in the amount of \$150.00 to cover the fireworks permit fee for the City of Lansing firework display scheduled for July 4, 2019. We have submitted the applicable paperwork directly to Chris Swope in your office via email.

If you have any questions in regard to this matter, please do not hesitate to contact the undersigned. Thank you for choosing Great Lakes Fireworks! We look forward to visiting Lansing this summer.

Sincerely,



Scott Merrow
Office Manager

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Clerk has forwarded an application for a City License, which has been routinely processed without objection, and is ready for final action by this Council; and,

WHEREAS, all required signatures have been obtained supporting the application for a fireworks display license;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the application for a City License as follows:

FIREWORKS DISPLAY LICENSE:

Great Lakes Fireworks for a public display of fireworks in the City of Lansing at 601 Leshar Pl, Lansing, MI 48912 to be held on July 4, 2019 with a rain date of July 5, 2019.

Application for Community Funding

09-30-13

Organization Name: Friends of Lansing's Historic Cemeteries + ENO

Tax Id#: FOLHC 70349F ENO 37-8485277

Mailing Address: FOLHC 546 Armstrong Rd
ENO 430 N Fairview Ave

City, State, Zip: Lansing MI 48911 FOLHC
Lansing MI 48912 ENO

Contact Person(s) and Title(s): Loretta Hanaway FOLHC Pres. Nancy Mahlow ENO Pres.
517-648-5730 FOLHC

Daytime Phone: 517-372-3249 ENO

Fax Number: _____

E-mail Address: lanscemfriends@aol.com FOLHC
nmahlow2012@gmail.com ENO

Amount Requested: \$1000.00

Event Title & Type: BTS markers for 60 unmarked graves

Reason for Request: (check all that apply)

Defray costs for Rental of Facility _____ Defray costs for Set Up _____

Defray costs for Rental of the Showmobile _____ Defray costs for Misc. Rental _____

Defray costs for Other X Please Explain: city charges for grave
marker cuts 60 markers X \$50 = \$3000.00

Facility Requested For Event and or Equipment (please check)

City Park _____ City Building _____ Oldsmobile Park _____

Lansing Center _____ Showmobile (mobile stage unit) _____ Other Equipment _____

What is the expected rental rate for the facility requested and or equipment? _____

Date(s) and Time(s) of Event: _____

Total Estimated Attendance: _____

Estimated Lansing Residents in Attendance: _____

If your organization has applied for other City funding for this event, please list each

Department and amount requested: NA

Please list all other organizations that are sponsoring or participating in your event: _____

Eastside Neighborhood Organization (ENO)

If your organization received funding from the Lansing City Council previously please list

the amount, year, and purpose: NA

Total amount of funds and sources granted by the City this year: NA

Total amount of funds and sources granted by the City in the previous year: NA

Please list any admission fee or registration fee for this event: NA

ALONG WITH THIS COMPLETED FORM YOU MUST ATTACH THE FOLLOWING:

(Please check after each is completed and attach)

- A BUDGET FOR YOUR EVENT _____
- A LIST OF POTENTIAL FUNDING SOURCES AND HOW EACH FUNDING
SOURCE WILL BE USED TOWARDS THE EVENT _____
- LIST OF YOUR ORGANIZATION=S OFFICERS _____
- A COPY OF COMPLETED RESERVATION FORM OR CONTRACT FOR FACILITY
FOR THE EVENT NA

If your request is granted, you must provide an accounting of how the funds received were spent and a written analysis of the event to the City Council within 60 days after the event. Attached please find a Community Funding Reporting Statement - it must be completed and returned along with the written analysis after the event has taken place to be eligible for Community Funding for the next fiscal or future fiscal years.

SIGNED: Loisetta S. Stanaway

DATE: 6/3/19

DO NOT WRITE BELOW THIS LINE

Approved by the Committee on General Services and City Council

Date Approved _____ Resolution # _____ Signature _____

FOLHC Application Community Funding for BTS markers 2019

Grave markers for 60 unmarked graves at the Boys Training School burial sites in Mt. Hope Cemetery

Cost: markers, engraved and with foundations and installation \$18,000

City charge for marker cuts \$3,000

TOTAL cost of project \$21,000

Funding Sources: donations via fundraiser: \$19,137 to date

Shortfall: \$1,863

FOLHC Organization Officers: Loretta S. Stanaway, president
Diane L. Clark, vice president
Renee Russell, secretary/treasurer
Jennie Russell, Race Director

ENO Organization Officers: Nancy Mahlow, president
Jody Washington, vice president
Cheryl Risner, treasurer
Secretary, Julee Boughner

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Friends of Lansing Historic Cemeteries and ENO requested \$1,000.00 to defray costs for engraved markers for Boys Training School burial sites in Mt. Hope Cemetery; and

WHEREAS, the maximum total amount of Community Funding Account to be awarded to an organization in one fiscal year is \$500.00; and

WHEREAS, the Committee on General Services met on June 10, 2019, reviewed the request and approved \$_____.

THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby approves an allocation from Community Funding Account to Friends of Lansing Historic Cemeteries and ENO in the amount of \$_____ to defray costs associated burial markers in Mt. Hope Cemetery for Boys Training School burials.

BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging \$_____ to the Council Community Promotion Account – 101.112101.741289.0.

BE IT RESOLVED that Friends of Lansing Historic Cemeteries and ENO shall submit a written analysis of the event, including information regarding the number of attendees, a detailed account as to contributors, funds received, expended and residual funds to the Lansing City Council within 60 days after the event.

Claim #1680

1737 Robertson St.

\$4172.00

Incident Date (per claim application) – Not filled in by Claimant

Incident Date (per Code Report) – 9/6/2017

Taxes – Applied to 2018 Winter Taxes

Filed Claim – 09/14/2018

Claims Review Committee Hearing – N/A claim exceeds \$2500.00

Claims Review Committee Letter – N/A claim exceeds \$2500.00

Referred to City Council – March 29, 2019

Referred to Committee on General Services – 4/22/2019

RECEIVED MAR 20 2019

DATE: 3/15/2019

PPN: 33-01-01-08-201-531
 DATE SUBMITTED: 2/06/2019
 ADDRESS OF VIOLATION: 1737 Robertson Street
 LISTED TAXPAYER OF RECORD: Anzaldua, Jeffrey R.
 OTHER TAXPAYER OF RECORD:
 CLAIMANT: Anzaldua, Jeffrey R.
 CLAIMANT'S ADDRESS: P.O. Box 27495
 Lansing, MI 48909-0495

TYPE OF ACTIONS CONTESTED: Trash Removal
 VIOLATION DATE: 9/06/2017
 NOTIFICATION DATE: 9/06/2017
 2ND NOTICE ASSESSMENT DATE:
 AMOUNT OF ASSESSMENT: \$4,172.00
 CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 17-T040 10/06/2017
 AMOUNT OF CLAIM: \$4,172.00

ADDITIONAL ACTIONS CONTESTED:
 VIOLATION DATE:
 NOTIFICATION DATE:
 2ND NOTICE ASSESSMENT DATE:
 AMOUNT OF ASSESSMENT:
 CONTRACTOR NAME - INVOICE NO. - DATE:
 AMOUNT OF CLAIM:
 MEMO DATE - INVOICE NO.:

HISTORY:	Trash Violation 9/06/2017	Grass Violation 9/06/2017
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CITATIONS IN PREVIOUS YEAR:

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: This property was cited for a trash violation on 9/16/2017 with a compliance due date of 9/13/2017. The owner did call the officer and was granted 3 extensions on the violations however his final compliance due date was 10/02/2017. The officer did not recheck the property until 10/05/2017 and since no significant progress had been made the property was submitted to the contractor to be cleaned. The contractor arrived on 10/06/2017 and found the property to still be in violation and a rather large cleanup was performed. On 9/25/2017 the owner was told that no further extensions would be given on the violation without supervisor approval as three extensions are the maximum the officer is allowed to provide. The claimant back in 2017 was stating he was given yet another extension which our office had no record of at the time the officer had his phone log and went thru his book and could not find where the owner had called again. The owner did call on 9/25/2017 as he is stating but a week extension would have been 10/02/2017 the property was

ZD 9-14-17: Spoke with Jeff (974 5395) He had an accident on a dirt bike and has not been able to maintain the property. I told him to get the debris piled near the garage out of there along with the dilapidated trampoline then we will focus on the brush and concrete. I granted 1 week ext.

ZD 9-20-17: Jeff called saying he is still recovering from his injury and that he wants to leave the trampoline where it is. He requested more time. I told him he could put the trampoline up and that we will deal with that last. I told him I would call him after my recheck so I may see his progress.

ZD 9-25-17: Spoke with Jeff. I granted 1 more extension of 1 week. Anything further than that, he will have to speak with my supervisor. I clarified that the brush, metal, and concrete need to be removed.

ZD 10-6-17: Jeff left a message stating that he was on his way to the property to clean it when I had already submitted the violations. I returned a call stating that I granted 1 final week extension. He said I granted an extension through October 6. I told him I do not recall granting such.

17-T040

12/11/2018-owner called today wanted to file a claim I told him how to file and that he needed to file within 30 days of the taxes being due. He indicated that he was going to file that only 60 pounds of metal was removed that he was taking to recycle and that juveniles scattered the bricks everywhere and the crew just stacked them. I did not run thru the pictures with him as there was a lot of brush and tree limb work that was done as well/Imp

10/19/2017-i received a voice mail message from Jeff Anzaldua stating he spoke with Zack and he wanted to know how to file a claim/he is stating there is a miscommunication between the two of them and he thought he had a one week extension from 9/28/2017 however prior he was telling Zack that he had been granted yet another extension from this one which is incorrect a one week extension given on 9/25/2017 brought the recheck date to 10/02/2016 officer entered into system to recheck on 10/03/2017 the contractor arrived on 10/06/2017. The owner initially stated he was given yet another extension and when Zack said he had no records of this (phone log) being requested the owner is now stating that Zack admitted he made a mistake (which he did not) extensions are given in one week increments and the owner is stating on now on 9/25/2017 he was given until 10/06/2017/Imp

: RECEIVED FEB 06 2019



City of Lansing

OFFICE OF THE CITY ATTORNEY

1680

Claims Review Committee Form

(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

NAME: Jeffrey B. Anzaldúa DATE: 1-24-19
MAILING ADDRESS: P.O. box 27495 EMAIL: jeffanb-2000@yahoo.com
CITY: Lansing STATE: MI ZIP CODE: 48909-0495
TELEPHONE: Home (517 974 5395) Work ()

Please provide the following information on the incident(s) for which you are filing a claim. WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW.

ADDRESS: 1737 Robertson Ave PARCEL NO. 33 01 01 08 201531
DATE OF INCIDENT: _____ AMOUNT YOU WERE BILLED: \$4172.00
TOTAL AMOUNT YOU ARE CONTESTING: \$4172.00
TYPE OF ASSESMENT: Trash Removal

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

see attached

A description of the claims review process is available on our website at: <https://lansingmi.gov/349/Claims-Review-Process>

I received a grass/weeds correction notice on 9/06/17, with a due date of 9/13/17. Which surprised me, due to the fact that I had hired my neighbor to keep up the property. So my wife and I prepared to go and correct the yard that following weekend. However, I was in a motorcycle accident on 9/9/17, and wound up at Hays Green Beech Hospital in Charlotte. I was very fortunate, as I had no broken bones, but I did bruise several ribs, and my leg and foot got pretty tore up, too. This made practically any movement extremely difficult. I called Zachary Driver about this, but he only gave me a one week extension! Tonya and I went to the property to at least try to comply, as we knew that I wouldn't be healed in one week, and my ribs and leg confirmed this! However, we did not finish, but we did accomplish a fair amount. I then spent a couple of days in amplified pain for my efforts. I talked with Zach again, and told him that I was trying to finish the yard, but the pain was intense. He said that I could have another week. I believe that was the 25th of September. I stayed in touch with him and called him on the 29th and told him I wasn't fully healed up yet. He said okay one more week. I, unfortunately, though he meant a week from our communication, which was the 29th, giving me until 10/6, but he meant from the last due date, which was 9/25. So this simple mis-communication resulted in this rather

large mess. We showed up on the 6th of October to finish the job, (we waited as long as possible, due to my condition), and the city crew was already there. We would like to go before a judge to plead our case, Thank You.

Jeff Anzaldua



Mayor Virg Bernero

Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

ANZALDUA JEFFREY RAY or Current Occupant
PO BOX 27495
LANSING, MI 48909-0495

Violation Date: 09/06/2017
Violation Location: 1737 ROBERTSON AVE
Parcel No: 33-01-01-08-201-531
Compliance Due Date: September 13, 2017

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

AREA: Entire Exterior
Violation: Deteriorated furniture

Violation: Brush & Tree Limb debris

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice. The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year. If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Code Officer: Zachary Driver (517) 702 4750 Zachary.Driver@lansingmi.gov

"Equal Opportunity Employer"

Taxpayer's Copy



CITY OF LANSING

215 N. CAPITAL SUTTE CP

Lansing, MI 48933

Ph: (517) 483-4161

Fax: (517) 277-5100

Bill To:

ABZALOOD JEFFREY RAY

PO BOX 27495

LANSING, MI 48909-0495

DOE DATE 11/10/2017

INVOICE

10/15/2017

TOTAL AMOUNT DUE

\$ 4,172.00



Invoice Number	Record No.	Address	Amount Due
00102186	ED 09487	1737 ROBERTSON AVE	\$4172.00
10/11/2017			
Trash - Admin Fee			
Trash - Contractor Charge			

TOTAL DUE: \$4172.00

Questions regarding this invoice: Contact CODE COMPLIANCE at 517.483.4361

Payment Information:

Make checks payable to: City of Lansing

Mail payments or pay in person at:

City of Lansing Treasurers Office

124 W Michigan Ave 1st Fl

Lansing MI 48933

In order to assure proper credit, please send the top portion of this bill along with your payment.

Payment in full is due within 30 days from the billing date

Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:

If you intend to appeal this nuisance fee, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney's Office and the City of Lansing's web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

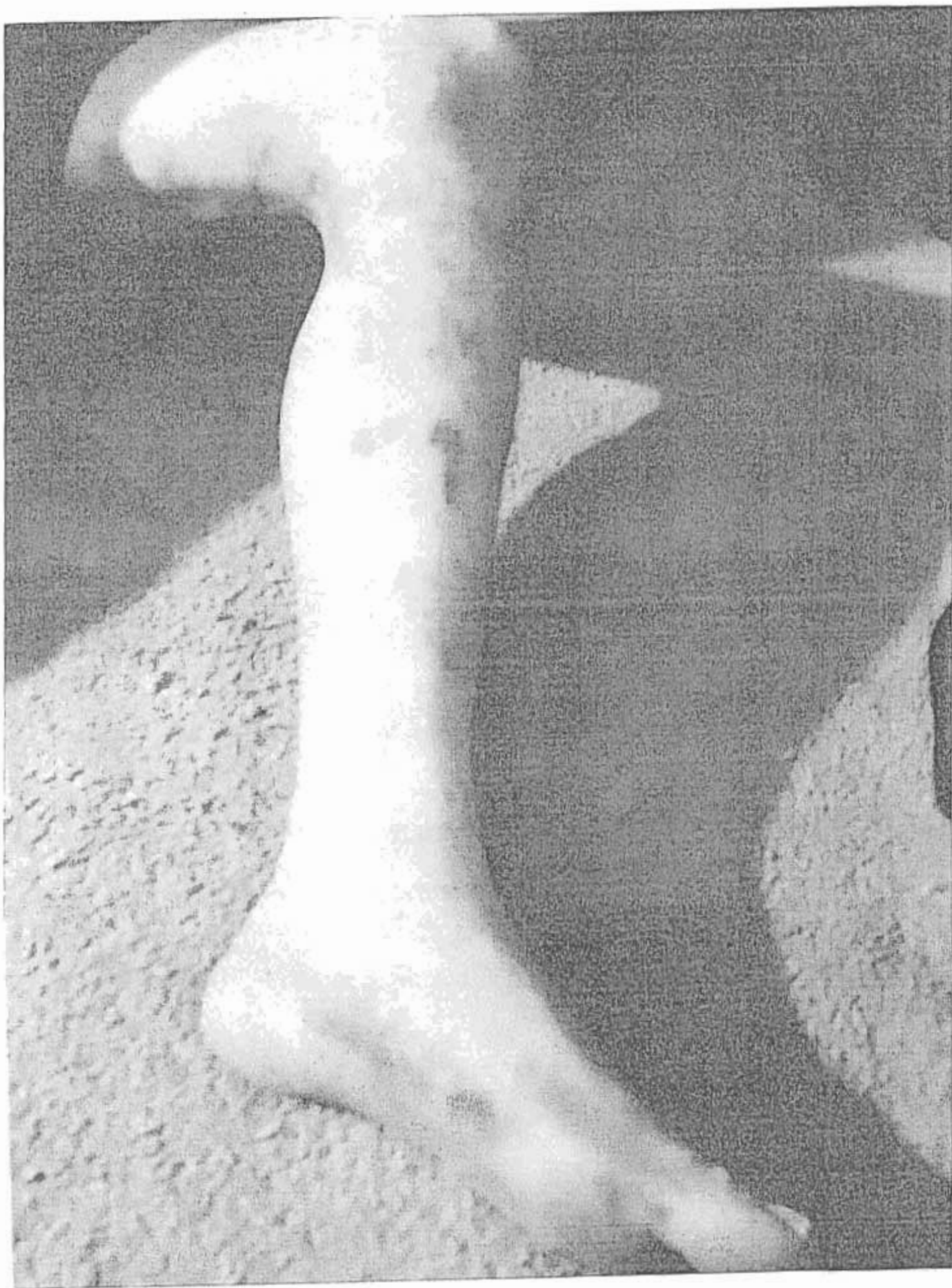
Other Information:

July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.

For Red Tag Monitoring Fees Only -- invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04

Payments may be made online or in person Monday thru Thursday 8:00 a.m. - 4:30 p.m. at the above address or by mail





CITY OF LANSING
316 N. CAPITOL SUITE C2
Lansing, MI 48933
Ph: (517) 483-4361
Fax: (517) 377-0100

Invoice No.: 00102186

Date: 10/11/2017

Record: E17-09487

ANZALDUA JEFFREY RAY

PO BOX 27495

LANSING, MI 48909-0495

TOTAL AMOUNT DUE

\$4,172.00

Item Category	Item Description	Amount Due
Code Compliance	Trash - Admin Fee	\$265.00
Code Compliance	Trash - Contractor Charge	\$3,907.00
Total Amount Due		\$4,172.00

Erio's Refuse LLC
P.O. Box 16035
Lansing, MI 48901 US
ericsrefuse@hotmail.com

INVOICE

BILL TO

Lansing Fire Department
316 N Capitol, Ste. C-1
Lansing, MI 48933-1238

INVOICE # 1129

DATE 10/08/2017

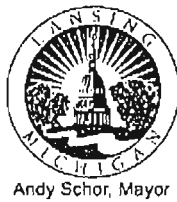
PROPERTY ADDRESS
1737 Robertson AVE

PARCEL NUMBER
33-01-01-08-201-531

ACTIVITY	QTY	RATE	AMOUNT
city:1hour 3 yards	1	175.00	175.00
first hour and 3 cubic yards			
city:add hours	15	150.00	2,250.00
any hours after 1			
city:class 2	57	26.00	1,482.00
construction material after 3			

BALANCE DUE

\$3,907.00



ECONOMIC DEVELOPMENT & PLANNING CODE ENFORCEMENT OFFICE

10/19/2017-i received a voice mail message from Jeff Anzaldua stating he spoke with Zack and he wanted to know how to file a claim/he is stating there is a miscommunication between the two of them and he thought he had a one week extension from 9/28/2017 however prior he was telling Zack that he had been granted yet another extension from this one which is incorrect a one week extension given on 9/25/2017 brought the recheck date to 10/02/2016 officer entered into system to recheck on 10/03/2017 the contractor arrived on 10/06/2017. The owner initially stated he was given yet another extension and when zack said he had no records of this (phone log) being requested the owner is now stating that Zack admitted he made a mistake (which he did not) extensions are given in one week increments and the owner is stating on now on 9/25/2017 he was given until 10/06/2017/lmp



Andy Schor, Mayor

ECONOMIC DEVELOPMENT & PLANNING CODE ENFORCEMENT OFFICE

ZD 9-14-17: Spoke with Jeff (974 5395) He had an accident on a dirt bike and has not been able to maintain the property. I told him to get the debris piled near the garage out of there along with the dilapidated trampoline then we will focus on the brush and concrete. I granted 1 week ext.

ZD 9-20-17: Jeff called saying he is still recovering from his injury and that he wants to leave the trampoline where it is. He requested more time. I told him he could put the trampoline up and that we will deal with that last. I told him I would call him after my recheck so I may see his progress.

ZD 9-25-17: Spoke with Jeff. I granted 1 more extension of 1 week. Anything further than that, he will have to speak with my supervisor. I clarified that the brush, metal, and concrete need to be removed.

ZD 10-6-17: Jeff left a message stating that he was on his way to the property to clean it when I had already

submitted the violations. I returned a call stating that I granted 1 final week extension. He said I granted an extension through October 6. I told him I do not recall granting such.

17-T040

12/11/2018-owner called today wanted to file a claim I told him how to file and that he needed to file within 30 days of the taxes being due. He indicated that he was going to file that only 60 pounds of metal was removed that he was taking to recycle and that juveniles scattered the bricks everywhere and the crew just stacked them. I did not run thru the pictures with him as there was alot of brush and tree limb work that was done as well/lmp



Mayor Virg Bernero

**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

ANZALDUA JEFFREY RAY or Current Occupant
PO BOX 27495
LANSING, MI 48909-0495

Violation Date: 09/06/2017
Violation Location: 1737 ROBERTSON AVE
Parcel No: 33-01-01-08-201-531
Compliance Due Date: September 13, 2017

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

AREA: Entire Exterior
Violation: Deteriorated furniture

Violation: Brush & Tree Limb debris

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice. The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year. If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Code Officer: Zachary Driver (517) 702 4750 Zachary.Driver@lansingmi.gov

"Equal Opportunity Employer"

Taxpayer's Copy



Mayor Virg Bernero

**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**
316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

TRASH AND DEBRIS CORRECTION NOTICE

Occupant or Current Occupant
1737 ROBERTSON AVE
LANSING, MI 48915

Violation Date: 09/06/2017
Violation Location: 1737 ROBERTSON AVE
Parcel No: 33-01-01-08-201-531
Compliance Due Date: September 13, 2017

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

AREA: Entire Exterior
Violation: Deteriorated furniture

Violation: Brush & Tree Limb debris

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice. The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year. If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 105.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Code Officer: Zachary Driver (517) 702 4750 Zachary.Driver@lansingmi.gov

"Equal Opportunity Employer"

Taxpayer's Copy



**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

Trash Authorization Form

Submitted to: Eric Crutcher on 10/05/2017

TAXPAYER: ANZALDUA JEFFREY RAY, PO BOX 27495 LANSING, MI 48909-0495

Location of Work:

Enf Num: E17-09487

Address: 1737 ROBERTSON AVE

Lot No:

Description:

Parcel No: 33-01-01-08-201-531

Remove Trash and Debris

Work Authorized:

AREA: Entire Exterior

Violation: Deteriorated furniture

Violation: Brush & Tree Limb debris

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 2

Authorized Cubic Yards: 15

Warning Comment:

Remove all tree limbs that can be safely removed (some are leaning against structures).

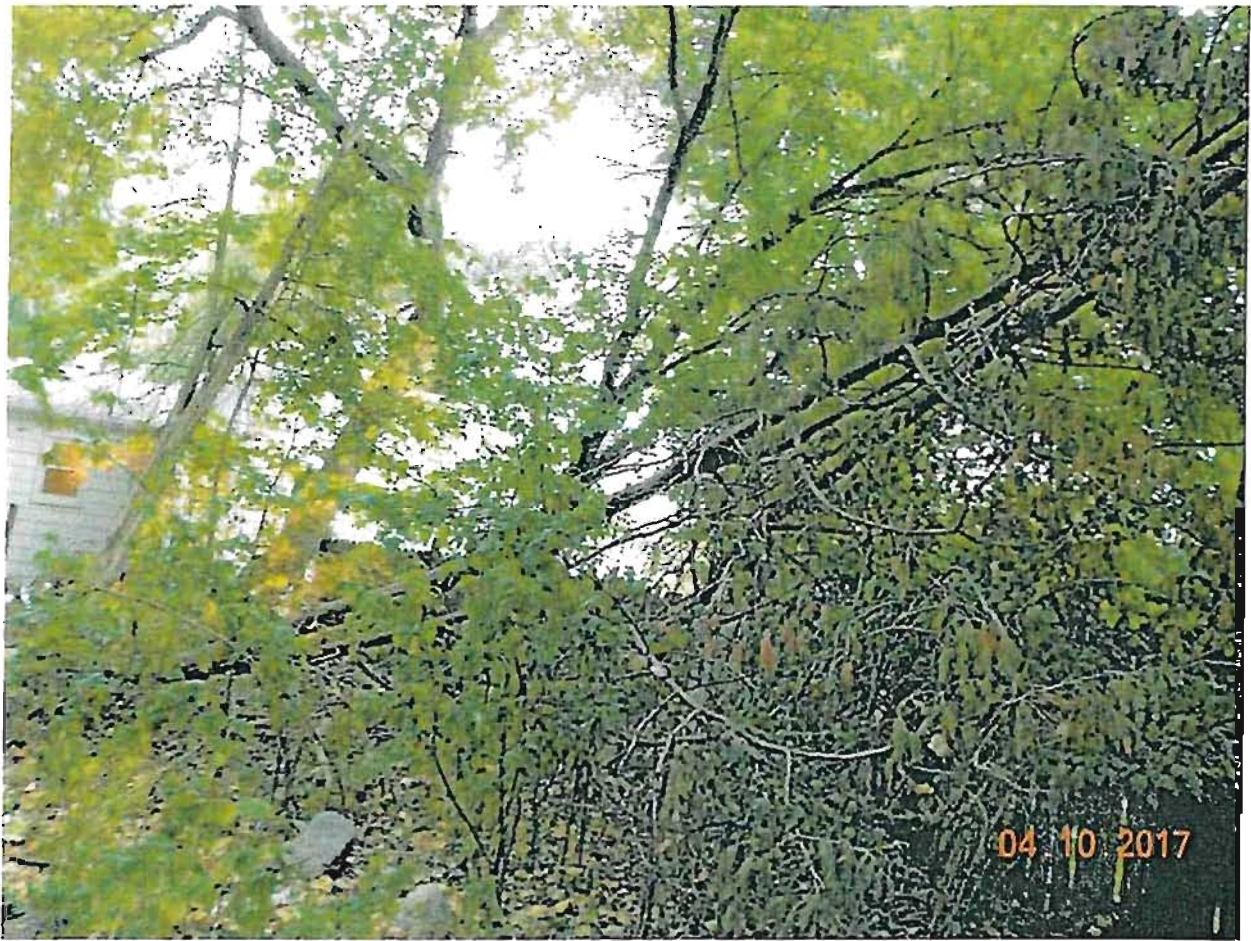
Remove all metal and concrete as well.

Submitted By: Zachary Driver (517) 702 4750

This action is authorized by the Manager of Code Compliance

























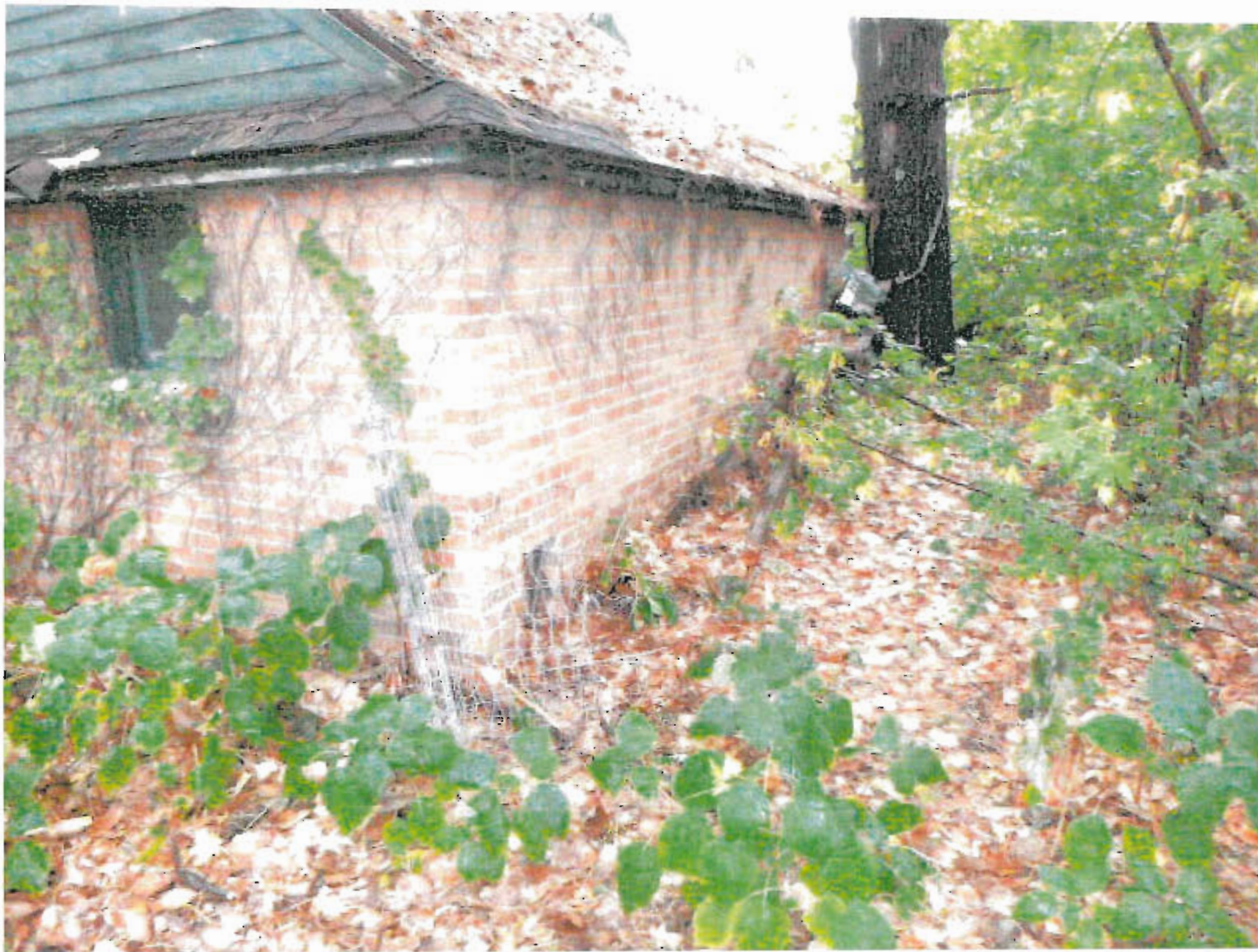




































































1737 ROBERTSON AVE LANSING, MI 48915 (Property Address)

Parcel Number: 33-01-01-08-201-531



Item 1 of 3

[1 Image / 2 Sketches](#)**Property Owner: ANZALDUA JEFFREY RAY****Summary Information**

- > Residential Building Summary
 - Year Built: 1939
 - Full Baths: 1
 - Sq. Feet: 825
 - Bedrooms: 0
 - Half Baths: 0
 - Acres: 0.212
- > Assessed Value: \$26,900 | Taxable Value: \$25,691
- > Property Tax information found
- > 12 Building Department records found

Owner and Taxpayer Information

Owner	ANZALDUA JEFFREY RAY PO BOX 27495 LANSING, MI 48909-0495	Taxpayer	SEE OWNER INFORMATION
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General Information for Tax Year 2019

Property Class	RESIDENTIAL – IMPROVED	Unit	33 CITY OF LANSING - INGHAM
School District	LANSING	Assessed Value	\$26,900
MAP #	P -2080 -0087	Taxable Value	\$25,691
TOP TEN	Not Available	State Equalized Value	\$26,900
NEW PERMITS	Not Available	Date of Last Name Change	11/15/1999
USER ALPHA 3	Not Available	Notes	Not Available
Historical District	Not Available	Census Block Group	Not Available
TYPE CODE	Not Available	Exemption	No Data to Display

Principal Residence Exemption Information**Homestead Date** 12/30/1997

Principal Residence Exemption	June 1st	Final
2019	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2018	\$27,600	\$27,600	\$25,089
2017	\$26,900	\$26,900	\$24,573
2016	\$26,500	\$26,500	\$24,354

Land Information

Zoning Code	Not Available	Total Acres	0.212
Land Value	\$14,400	Land Improvements	\$0
Renaissance Zone	No	Renaissance Zone Expiration Date	No Data to Display
ECF Neighborhood	22C	Mortgage Code	No Data to Display
Lot Dimensions/Comments	No Data to Display	Neighborhood Enterprise Zone	No

Lot(s)	Frontage	Depth
Lot 1	70.00 ft	132.00 ft
Total Frontage: 70.00 ft		Average Depth: 132.00 ft

Legal Description

LOTS 70 & 71 NORTH HIGHLAND SUB

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
No sales history found.						

Building Information - 825 sq ft 1 1/4 STY (Residential)

General

Floor Area	825 sq ft	Estimated TCV	Not Available
Garage Area	324 sq ft	Basement Area	660 sq ft
Foundation Size	660 sq ft		
Year Built	1939	Year Remodeled	Not Available
Occupancy	Single Family	Class	CD
Effective Age	80 yrs	Tri-Level	No
Percent Complete	100%	Heat	Forced Air w/ Ducts
AC w/Separate Ducts	No	Wood Stove Add-on	No
Basement Rooms	0	Water	Not Available
1st Floor Rooms	0	Sewer	Not Available
2nd Floor Rooms	0	Style	1 1/4 STY
Bedrooms	0		

Area Detail - Basic Building Areas

Height	Foundation	Exterior	Area	Heated
1.25 Story	Basement	Siding	660 sq ft	1.25 Story

Basement Finish

Recreation	520 sq ft	Recreation % Good	0%
Living Area	0 sq ft	Living Area % Good	0%
Walk Out Doors	0	No Concrete Floor Area	0 sq ft

Plumbing Information

3 Fixture Bath	1
----------------	---

Built-In Information

Garbage Disposal	1
------------------	---

Garage Information

Area	324 sq ft	Exterior	Siding
Foundation	18 Inch	Common Wall	Detached
Year Built	1942	Finished	No
Auto Doors	0	Mech Doors	0

Porch Information

CCP (1 Story)	25 sq ft	Foundation	Standard
WGEP (1 Story)	98 sq ft	Foundation	Standard

****Disclaimer:** BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

1737 ROBERTSON AVE LANSING, MI 48915 (Property Address)

Parcel Number: 33-01-01-08-201-531



Item 1 of 3 1 Image / 2 Sketches

Property Owner: ANZALDUA JEFFREY RAY

Summary Information

- > Residential Building Summary

- Year Built: 1939

- Full Baths: 1

- Sq. Feet: 825

- Bedrooms: 0

- Half Baths: 0

- Acres: 0.212
- > Assessed Value: \$26,900 | Taxable Value: \$25,691

> Property Tax information found

> 12 Building Department records found

Owner and Taxpayer Information

Owner	ANZALDUA JEFFREY RAY PO BOX 27495 LANSING, MI 48909-0495	Taxpayer	SEE OWNER INFORMATION
-------	--	----------	-----------------------

Legal Description

LOTS 70 & 71 NORTH HIGHLAND SUB

Recalculate amounts using a different Payment Date

You can change your anticipated payment date in order to recalculate amounts due as of the specified date for this property.

Enter a Payment Date

4/24/2019

Recalculate

Tax History

⊕ ****Note:** On March 1 at 12:00 AM, Summer and Winter local taxes become ineligible for payment at the local unit.

Year	Season	Total Amount	Total Paid	Last Paid	Total Due	
2018	Winter	\$4,650.60	\$353.44	02/06/2019	\$4,297.16	** Read Note(s) Above

General Information for 2018 Winter Taxes

School District	33020	PRE/MBT	0.0000%
Taxable Value	\$25,089	S.E.V.	\$27,600
Property Class	401 - RESIDENTIAL	Assessed Value	\$27,600
Tax Bill Number	No Data to Display	Last Receipt Number	00025082
Last Payment Date	02/06/2019	Number of Payments	1
Base Tax	\$4,522.99	Base Paid	\$350.99
Admin Fees	\$2.45	Admin Fees Paid	\$2.45
Interest Fees	\$125.16	Interest Fees Paid	\$0.00
Total Tax & Fees	\$4,650.60	Total Paid	\$353.44
Renaissance Zone	Not Available	Mortgage Code	Not Available

Tax Bill Breakdown for 2018 Winter

Taxing Authority	Millage Rate	Amount	Amount Paid
INGHAM COUNTY	4.130000	\$103.61	\$103.61
AIRPORT AUTH.	0.699000	\$17.53	\$17.53
CATA	3.007000	\$75.44	\$75.44
CADL-LIBRARY	1.560000	\$39.13	\$39.13
	9.806000	\$4,650.60	\$353.44

Taxing Authority	Millage Rate	Amount	Amount Paid
ZOO MILLAGE	0.410000	\$10.28	\$10.28
TRASH REMOVAL	0.000000	\$4,172.00	\$0.00
RCYCL/YARD	0.000000	\$105.00	\$105.00
Admin Fees		\$2.45	\$2.45
Interest Fees		\$125.16	\$0.00
	9.806000	\$4,650.60	\$353.44

[Click here for a printer friendly version of Winter 2018 Tax information](#)

2018	Summer	\$1,609.45	\$1,609.45	09/04/2018	\$0.00	
2017	Winter	\$320.75	\$320.75	01/08/2018	\$0.00	
2017	Summer	\$1,568.18	\$1,568.18	08/30/2017	\$0.00	
2016	Winter	\$314.60	\$314.60	12/15/2016	\$0.00	
2016	Summer	\$1,553.50	\$1,553.50	08/31/2016	\$0.00	
2015	Winter	\$308.99	\$308.99	12/28/2015	\$0.00	
2015	Summer	\$1,530.63	\$1,530.63	08/31/2015	\$0.00	
2014	Winter	\$308.80	\$308.80	01/28/2015	\$0.00	
2014	Summer	\$1,505.11	\$1,505.11	09/02/2014	\$0.00	

Load More Years

****Disclaimer:** BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

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BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jeffrey R. Anzaldua sought to eliminate a special assessment of \$4,172.00 for trash removal fees, and all associated penalties and interest, on the property tax bill for 1737 Robertson Street (Tax ID #33-01-01-08-201-531); and

WHEREAS, upon filing a claim to the Committee on General Services, the Committee met on June 10, 2019 and _____ the claim in the amount of \$ _____ .00.

THEREFORE, BE IT RESOLVED, the City Council, hereby, _____ the claim in the amount of \$ _____ .00 for the trash removal fees, and all associated penalties and interest on the property tax bill for 1737 Robertson Street (Tax ID #33-01-01-08-201-531).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

RESOLUTION #

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Department of Public Service will be resurfacing Miller Road from Cedar Street to Aurelius Road and Turner Street from Douglas Avenue to Randolph Street during the 2019 construction season; and

WHEREAS, on Miller Road, for the period of four weeks between July 8, 2019, through August 4, 2019, City of Lansing Public Service Department, has requested a waiver of the noise ordinance on Saturdays from 8:00 AM to 8:00 PM; and

WHEREAS, on Turner Street, for the period of five weeks between July 15, 2019, through August 18, 2019, the City of Lansing Public Service Department, has requested a waiver of the noise ordinance on Saturdays from 8:00 AM to 8:00 PM

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to keep the project on-schedule and minimize traffic impacts.

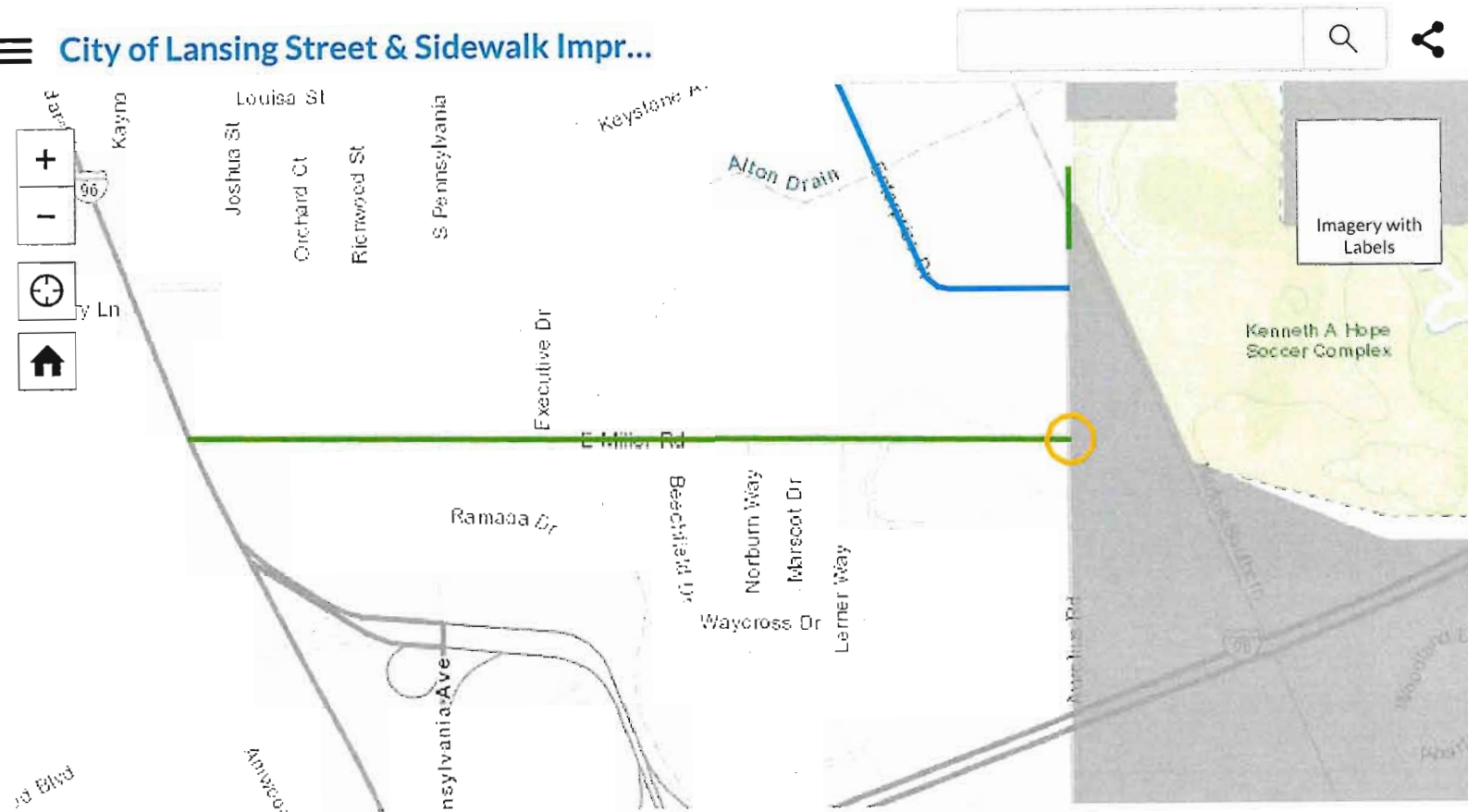
NOW THEREFORE BE IT RESOLVED that City Council Approves granting a noise waiver for Capitol Avenue and Mt. Hope Avenue as requested by the City of Lansing Public Service Department.

WHEREAS, Notice of the public meeting was mailed to all residential properties within 500 feet of these projects.

WHEREAS, A public hearing was held on **Monday, June 24, 2018, at 7:00 PM** in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for granting a waiver of the noise ordinance.

WHEREAS, Public Services Committee reviews and concludes with the City of Lansing Public Service Department request for a waiver of the noise ordinance.

City of Lansing Street & Sidewalk Impr...



Miller from Cedar Street to Aurelius



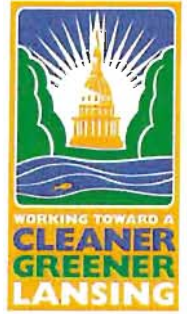
Turner from Randolph to Douglas



Andy Schor, Mayor

PUBLIC SERVICE DEPARTMENT

7th Floor City Hall
124 West Michigan Avenue
Lansing, Michigan 48933
(517) 483-4455
FAX: (517) 483-6082
www.lansingmi.gov/pubserv



June 6, 2019

Subject: Turner Street Resurfacing: Douglas Avenue to Randolph Street

Dear Resident/Property Owner:

The City of Lansing will be resurfacing Turner Street, from Douglas Avenue to Randolph Street, beginning in mid-July. The project includes the reconstruction of sidewalk ramps, milling and resurfacing of the roadway, and spot curb and gutter replacement.

A construction notice will be put out to all residents 3-5 days prior to the start of construction. For updated information, please visit <https://www.facebook.com/LansingPublicService/>, [Twitter.com/LansingPubServ](https://twitter.com/LansingPubServ), and Lansingmi.gov/pubserv. In addition if you would like to be added to an email list during the project; please provide your preferred email address to ann.parry@lansingmi.gov

Additional Project Information

Turner Street will be utilizing lane closures for concrete replacement then a road closure for the asphalt removal and replacement work. Local traffic will be provided access for the duration of the project. The project is expected to begin in mid-July and take about 6 weeks to complete. The closure will require through traffic to detour to Martin Luther King, Jr. Boulevard. Please visit the Construction Projects Map located at the City of Lansing website (<https://www.lansingmi.gov/450/Construction-Projects>) for more information. Access to properties will be maintained to the extent possible. Trash pick-up and mail service will continue during construction.

PLEASE DRIVE SLOWLY AND WITH CAUTION THROUGH THE CONSTRUCTION AREA

Thank you for your patience and cooperation while we improve the City's roads. Contact me with questions regarding this project at (517) 483-4454 or ann.parry@lansingmi.gov.

Sincerely,

A handwritten signature in blue ink that reads "Ann M. Parry". The signature is fluid and cursive, with the first name "Ann" and last name "Parry" clearly visible.

Ann M. Parry, P.E.
Project Engineer

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on May 13, 2019 the City Council approved Resolution 2019-157 to set the required public hearing for issuance of a waiver of the noise ordinance on June 10, 2019, to permit MDOT's contractors to work extended hours in the area of Martin Luther King, Jr. Blvd. from Pleasant Grove Road to south of Victor Avenue, from July 5 to November 31, 2019; and

WHEREAS, the applicant Michigan Department of Transportation requested a delay of the hearing for 14 days.

THEREFORE, BE IT RESOLVED the City Council of the City of Lansing will set a new public hearing date of Monday, June 24, 2019, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan for the purpose of approving and/or opposing the waiver of the noise ordinance for milling and paving operations in the area of M-99/MLK from Pleasant Grove Road north to 550 feet south of Victor Avenue.

CHAPTER 1615. - FIREWORKS ORDINANCE

1615.01. - Definitions.

For purposes of this Chapter, any term defined by the Michigan Fireworks Safety Act, MCL 28.451 et seq., has the definition given in that Act. The City presumes that the Michigan Fireworks Safety Act uses the terms "agricultural or wildlife fireworks" and "agricultural and wildlife fireworks" interchangeably. The City further presumes that the Michigan Fireworks Safety Act uses the terms "special effects manufactured for outdoor pest control or agricultural purposes" and "special effects" interchangeably.

(Ord. No. 1182, § 1, 12-10-12)

1615.02. - Prohibitions

- (a) Fireworks shall not be manufactured in the City.
- (b) Consumer fireworks shall not be used in the City without a license:
 - (1) On any day except the day preceeding, day of, or day after a national holiday.
 - (2) Between the hours of 12:00 midnight and 8:00 a.m. on the day preceeding, day of, or day after a national holiday, or between the hours of 1:00 a.m. and 8:00 a.m. on New Year's Day.

(Ord. No. 1182, § 1, 12-10-12; Ord. No. 1185, § 1, 7-29-13)

1615.03. - Display licenses.

- (a) No person shall use or conduct a display of agricultural and wildlife fireworks, articles pyrotechnic, display fireworks, special effects, or consumer fireworks without obtaining a license to do so. However, consumer fireworks may be used on any day on which State law preempts local regulation of the use of consumer fireworks.
- (b) Council shall establish, by resolution, a fee for licenses issued under this section.
- (c) Application for a license required by this section shall be made in writing to the City Clerk at least 30 business days before the proposed date of the use or display unless application within a shorter period of time is approved by the Fire Marshal. The application shall include the following:
 - (1) A nonrefundable license fee in the amount set by Council resolution;
 - (2) Proof of an insurance policy naming the City as an additional insured party and covering damages arising out of the licensed activities in the amount of \$1 million each for property damage and personal injury;
 - (3) If the applicant is not a resident of the State of Michigan, written appointment of a resident agent upon whom all process in an action against

the applicant may be served.

- (d) The application shall be made on forms provided by the State Department of Licensing and Regulatory Affairs. However, if the State Department of Licensing and Regulatory Affairs does not provide any such forms, the City Clerk may develop and require submission of an application that contains all of the following:
 - (1) The applicant's name, address, phone number, and email address;
 - (2) The name of each individual who will operate a display, their ages, descriptions of their relevant experience, and copies of their state-issued identifications;
 - (3) The proposed date, time, and location of the use or display;
 - (4) A description of the type and quantity of agricultural and wildlife fireworks, articles pyrotechnic, display fireworks, special effects, and consumer fireworks to be used in the display;
 - (5) The manner and location of the storage of the agricultural and wildlife fireworks, articles pyrotechnic, display fireworks, special effects, and consumer fireworks prior to the use or display;
 - (6) Disclosure of any conviction for or guilty plea to a violation of any Federal, State, or local law regulating the sale, use, or possession of agricultural and wildlife fireworks, articles pyrotechnic, display fireworks, special effects, or consumer fireworks by the applicant, any person with an ownership interest in the applicant, or any individual who will operate a display;
 - (7) An affidavit that neither the applicant nor any person with an ownership interest in the applicant is in default to the City;
 - (8) Any other item or information deemed necessary by the City Clerk, the Fire Marshal, the City Attorney, or the Police Department to complete an investigation of the application.
- (e) The City Clerk shall refer the application to the City Attorney, the Fire Marshal, the Police Department, and the City Treasurer for approval.
- (f) Before approving the application, the Fire Marshal shall:
 - (1) Inspect the location of the proposed use or display to confirm that it is a safe and proper location;
 - (2) Confirm that the time and all other aspects of the use or display are adequate to ensure the safety of persons and property and are otherwise in accordance with NFPA 1123 and NFPA 1126;
 - (3) Examine the agricultural and wildlife fireworks, articles pyrotechnic, display fireworks, special effects, and consumer fireworks proposed to be used;
 - (4) Confirm that the applicant is not under the age of 18 and that any person who will operate a display is not under the age of 18 and is otherwise competent to operate a display in a safe manner.
- (g) The Fire Marshal may impose additional reasonable limitations or requirements on the license to satisfy the requirements of NFPA 1123 and NFPA 1126.
- (h) If every person and department listed in subsection (d) approves the application in writing, the application shall be referred to City Council for

approval.

- (i) The Fire Marshal or his or her designee may be present at any use or display for which this section requires a license and may terminate any use or display that (1) is not conducted in strict compliance with any representation made on the license application or any provision of the license; or (2) is otherwise unsafe.
- (j) No license issued under this section may be transferred to any other person.
- (k) A licensee shall report any change in the information required to be contained on an application to the City Clerk, but no such changes may be made within one business day of the date for which the license was issued unless the Fire Marshal or his or her designee consents. The City Clerk shall forward any information received pursuant to this subsection to the City Attorney, the Fire Marshal, and the Police Department.
- (l) A license issued pursuant to this section may be denied on any of the following bases:
 - (1) Commission of fraud or misrepresentation or the making of a false statement during the application process;
 - (2) A conviction for or guilty plea to any Federal, State, or local law regulating the sale, use, or possession of agricultural and wildlife fireworks, articles pyrotechnic, display fireworks, special effects, or consumer fireworks by the applicant, any person with an ownership interest in the applicant, or any person who will operate a display;
 - (3) A default to the City of the applicant or any person with an ownership interest in the applicant.

(Ord. No. 1182, § 1, 12-10-12)

1615.04. - Enforcement.

The Fire Marshal and all fire inspectors are authorized to enforce this Chapter and issue citations for violations of this Chapter.

(Ord. No. 1182, § 1, 12-10-12)

1615.05. - Storage costs.

The City may seek to recover the actual costs of storage and disposal of fireworks it seizes pursuant to the Michigan Fireworks Safety Act.

(Ord. No. 1182, § 1, 12-10-12)

1615.06. - Penalty.

Unless otherwise provided by law, any person who violates any provision of this Chapter or a provision of any license issued under this Chapter is responsible for a municipal civil infraction and subject to a fine not exceeding \$500.00, plus costs of prosecution, for each violation.

(Ord. No. 1182, § 1, 12-10-12)

PA. 250

New firework rules for the city of Jackson



By Elissa Kedziorek | Posted: Thu 11:53 AM, May 23, 2019 | Updated: Thu 6:25 PM, May 23, 2019

JACKSON, MI (WILX) -- If you live in the city of Jackson and you're planning on letting off fireworks this Memorial Day weekend, you might want to be aware of some new changes.

To reflect new state firework laws put into place by former Gov. Rick Snyder in December of 2018, the Jackson City Council changed the city of Jackson's firework ordinance in April.

The biggest change focuses on the number of days that the public can use consumer fireworks, or large-scale aerial fireworks that shoot into the sky for a large, visual effect.

Before, residents were allowed to use consumer fireworks the day before, the day of and the day after national holidays. Now, the city of Jackson only allows the use of consumer fireworks on the following dates and times:

From 11 a.m. on Dec. 31 until 1 a.m. on Jan 1.

From 11 a.m. until 11:45 p.m. on June 29 through July 4.

July 5, if that date is a Friday or Saturday, from 11 a.m. to 11:45 p.m.

From 11 a.m. until 11:45 p.m. on the Saturday and Sunday before Labor day.

However, because July 5 is taking place on a Friday this year, consumer fireworks will be allowed on that day.

These new changes mean consumer fireworks will not be allowed on Memorial Day or Labor Day.

The state of Michigan said that because consumer fireworks cause so much noise, the changes are necessary in order to not disturb people who have to return to work the next morning.

These new changes also bring an increase in a civil fine from \$500 to \$1,000 for violation of the fireworks ordinance.

The use of low-impact fireworks like ground fireworks and hand-held sparkling devices are not effected by these changes.

If you have questions about fireworks usage, you can call the Jackson Police Department at 517-788-4100.

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Changes in the Fireworks
Safety Act

PA 256 Amended Dec 31,
2018

MICHIGAN FIREWORKS SAFETY ACT PA 256

LAW CHANGES SEC 7 (1,2)

- (1) Except as provided in this act, a local unit of government shall not enact or enforce an ordinance, code, or regulation pertaining to or in any manner regulating the sale, display, storage, transportation, or distribution of fireworks regulated under this act.
- (2) A local unit of government may enact an ordinance regulating the ignition, discharge, and use of consumer fireworks, including, but not limited to, an ordinance prescribing the hours of the day or night during which a person may ignite, discharge, or use consumer fireworks. If a local unit of government enacts an ordinance under this subsection, the ordinance shall not regulate the ignition, discharge, or use of consumer fireworks on the following days after 11 a.m.:
 - (a) December 31 until 1 a.m. on January 1.
 - (b) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
 - (c) June 29 to July 4 until 11:45 p.m. on each of those days.
 - (d) July 5, if that date is a Friday or Saturday, until 11:45 p.m.
 - (e) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

LAW CHANGES SEC 7 (3)

- (3) An ordinance under subsection (2) shall impose a civil fine of \$1,000.00 for each violation of the ordinance and no other fine or sanction. The ordinance must provide for the remittance of \$500.00 of the fine collected under the ordinance to the local law enforcement agency responsible for enforcing the ordinance.

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LAW CHANGES
SEC 12 (1)
USE ON PROPERTY OF OTHERS

- (1) A person shall not ignite, discharge, or use consumer fireworks on public property, school property, church property, or the property of another person without that organization's or person's express permission to use those fireworks on those premises. Except as otherwise provided in this section, a person that violates this subsection is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$500.00.

Act No. 634
Public Acts of 2018
Approved by the Governor
December 28, 2018
Filed with the Secretary of State
December 28, 2018
EFFECTIVE DATE: December 28, 2018

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Reps. Lilly, Farrington, Pagan, Vaupel, Lucido, Chirkun, Yaroach, Howell, Hornberger, Victory, Crawford, Miller, Kelly, Lasinski, VanderWall, Hammoud and Hoadley

ENROLLED HOUSE BILL No. 5939

AN ACT to amend 2011 PA 256, entitled “An act to revise, consolidate, and codify the laws relating to certain fireworks; to regulate the purchase, possession, sale, and use of certain fireworks; to establish a fireworks safety fund; to establish a fireworks safety fee; to provide for the transfer and expenditure of funds; to prescribe the powers and duties of certain state agencies; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending sections 2, 4, 5, 6, 8, 10, 11, 12, 14, 15, 16, 17, 17a, 18a, 18b, and 18c (MCL 28.452, 28.454, 28.455, 28.456, 28.458, 28.460, 28.461, 28.462, 28.464, 28.465, 28.466, 28.467, 28.467a, 28.468a, 28.468b, and 28.468c), sections 2, 8, and 17 as amended and sections 17a, 18b, and 18c as added by 2012 PA 257, sections 4, 5, 10, 12, and 18a as amended by 2013 PA 65, and section 11 as amended by 2017 PA 145; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

Sec. 2. As used in this act:

(a) “Agricultural and wildlife fireworks” means fireworks devices distributed to farmers, ranchers, and growers through a wildlife management program administered by the United States Department of the Interior or the department of natural resources of this state.

(b) “APA Standard 87-1” means the “APA Standard 87-1, Standard for Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics”, 2001 edition, published by the American Pyrotechnics Association of Bethesda, Maryland.

(c) “Articles pyrotechnic” means pyrotechnic devices for professional use that are similar to consumer fireworks in chemical composition and construction but not intended for consumer use, that meet the weight limits for consumer fireworks but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 CFR 172.101.

(d) “Citation” means that term as described in section 17a.

(e) “Commercial manufacturer” means a person engaged in the manufacture of consumer fireworks.

(f) “Consumer fireworks” means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507, and that are listed in APA Standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.

(g) “Consumer fireworks certificate” means a certificate issued under section 4.

(h) “Department” means the department of licensing and regulatory affairs.

(i) “Display fireworks” means large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation, as provided in 27 CFR 555.11, 49 CFR 172, and APA Standard 87-1, 4.1.

(j) “Firework” or “fireworks” means any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks, homemade fireworks, and special effects.

(k) “Fireworks safety fund” means the fireworks safety fund created in section 11.

(l) “Homemade fireworks” means any composition or device designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation that is not produced by a commercial manufacturer and does not comply with the construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507.

(m) “Local unit of government” means a city, village, or township.

(n) “Low-impact fireworks” means ground and handheld sparkling devices as that phrase is defined under APA Standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

(o) “Minor” means an individual who is less than 18 years of age.

(p) “NFPA” means the National Fire Protection Association headquartered at 1 Batterymarch Park, Quincy, Massachusetts.

(q) “NFPA 1” means the “Uniform Fire Code”, 2006 edition, developed by NFPA.

(r) “NFPA 72” means the “National Fire Alarm Code”, 2002 edition, developed by NFPA.

(s) “NFPA 101” means the “Life Safety Code”, 2009 edition, developed by NFPA.

(t) “NFPA 1123” means the “Code for Fireworks Display”, 2010 edition, developed by NFPA.

(u) “NFPA 1124” means the “Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles”, 2006 edition, developed by NFPA.

(v) “NFPA 1126” means the “Standard for the Use of Pyrotechnics Before a Proximate Audience”, 2011 edition, developed by NFPA.

(w) “Novelties” means that term as defined under APA Standard 87-1, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.5 and all of the following:

(i) Toy plastic or paper caps for toy pistols in sheets, strips, rolls, or individual caps containing not more than .25 of a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cap.

(ii) Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in subparagraph (i) are used, that are constructed so that the hand cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion.

(iii) Flitter sparklers in paper tubes not exceeding 1/8 inch in diameter.

(iv) Toy snakes not containing mercury, if packed in cardboard boxes with not more than 12 pieces per box for retail sale and if the manufacturer’s name and the quantity contained in each box are printed on the box, and toy smoke devices.

(x) “Permanent building or structure” is a building or structure that is affixed to a foundation on a site that has fixed utility connections and that is intended to remain on the site for more than 180 consecutive calendar days.

(y) “Person” means an individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

(z) “Retailer” means a person that sells consumer fireworks or low-impact fireworks for resale to an individual for ultimate use.

(aa) “Retail location” means a facility listed under NFPA 1124, 7.1.2.

(bb) “Rule” means a rule, as that term is defined in section 7 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207, promulgated by the department.

(cc) “Serious impairment of a body function” means that term as defined in section 58c of the Michigan vehicle code, 1949 PA 300, MCL 257.58c.

(dd) “Serious violation” means a violation of this act, an order issued under this act, or a rule promulgated or adopted by reference under this act for which a substantial probability exists that death or serious impairment of a body function to an individual other than the violator may result unless the violator did not and could not, with the exercise of reasonable diligence, know of the presence of the violation.

(ee) “Special effects” means a combination of chemical elements or chemical compounds capable of burning independently of the oxygen of the atmosphere and designed and intended to produce an audible, visual, mechanical, or thermal effect as an integral part of a motion picture, radio, television, theatrical, or opera production or live entertainment.

(ff) "State fire marshal" means the state fire marshal appointed under section 1b of the fire prevention code, 1941 PA 207, MCL 29.1b.

(gg) "Warehouse" means a permanent building or structure used primarily for the storage of consumer fireworks or low-impact fireworks.

(hh) "Wholesaler" means a person that sells consumer fireworks or low-impact fireworks to a retailer or any other person for resale. Wholesaler does not include a person that sells only display fireworks or special effects.

Sec. 4. (1) A person shall not sell consumer fireworks unless the person annually obtains and maintains a consumer fireworks certificate from the department under this section.

(2) A person that fails or neglects to comply with subsection (1) is responsible for a civil fine as follows:

(a) For a first violation, not more than \$5,000.00. The department shall determine the amount of the fine imposed under this subdivision by applying a scale, as developed by the department, that reflects the severity of the violation.

(b) For a second violation, not more than \$20,000.00.

(c) For a third or subsequent violation, not more than \$40,000.00.

(3) An applicant for a consumer fireworks certificate shall do all of the following:

(a) Submit an application no later than April 1 of each year in which the applicant will sell consumer fireworks.

(b) Include on the application the name and address of each retail location from which the applicant will sell consumer fireworks.

(c) Submit with the application all of the following, as applicable:

(i) A nonrefundable consumer fireworks certificate fee of \$1,250.00 for each retail location that is a permanent building or structure or \$1,000.00 for each retail location that is not a permanent building or structure. If the application includes 10 or more retail locations that are not permanent buildings or structures, the fee described in this subdivision shall be \$700.00 for each of those locations.

(ii) For an applicant who applies for a consumer fireworks certificate for a retail location that is not a permanent building or structure and who does not hold a consumer fireworks certificate for a permanent building or structure, a bond in the amount of \$5,000.00 to secure the collection of estimated sales tax and fireworks safety fees.

(iii) A copy of the applicant's current sales tax license, including the applicant's account number, issued by the department of treasury for each retail location where the applicant will sell consumer fireworks.

(iv) Any other document required by the department.

(4) The department shall not issue an initial consumer fireworks certificate to an applicant until the department of treasury has confirmed to the department that each sales tax license submitted by the applicant is current and valid, and that the applicant is otherwise eligible to obtain a consumer fireworks certificate under this act.

(5) A consumer fireworks certificate issued under this section is valid from the date of issue until April 30 of the year following the year in which it is issued. A person may renew a consumer fireworks certificate for a retail location by making application on a form prescribed by the department certifying that all information on file with the department is true and correct, that the person's sales tax license for the retail location is current and valid, and that the person has properly remitted all required fireworks safety fees for the preceding year. The department may deny the renewal of a consumer fireworks certificate if the department determines that the applicant did not properly remit all of the required fireworks safety fees for all preceding years, or sales tax for any of the preceding 5 years, during which the applicant held a consumer fireworks certificate. The department shall provide to the department of treasury the sales tax license information received from the applicant and any additional information as may be necessary to allow the department of treasury to confirm that each sales tax license submitted by the applicant is current and valid. The department shall enter into an agreement with the department of treasury under section 28(1) of 1941 PA 122, MCL 205.28, that will allow the department of treasury to provide that information to the department.

(6) Not more than 30 days after an application and all required supporting documentation and fees are submitted to the department under this section, the department shall issue a consumer fireworks certificate to the applicant or deny the application. If the department denies the application, the department shall indicate to the applicant the reason for denial.

(7) If the department denies an application for a consumer fireworks certificate under this section, the applicant may cure any defect in the application within 45 days after the denial without paying an additional fee. The department shall not unreasonably delay or deny an application.

(8) A consumer fireworks certificate is transferable upon approval by the department and the payment of a \$250.00 transfer fee. The department shall approve the transfer of a consumer fireworks certificate unless the transferee does not satisfy the eligibility requirements for an original consumer fireworks certificate under this act. The department shall not process a request for a transfer of location between June 1 and July 31.

(9) The holder of a consumer fireworks certificate shall prominently display the original certificate or a copy of the certificate in the each retail location to which the certificate applies. A person that violates this subsection is responsible for a civil fine of \$200.00.

(10) The department shall not issue a consumer fireworks certificate to either of the following:

(a) A person that is ineligible under this act.

(b) A person that has an outstanding fine issued under this act not currently under appeal.

(11) The face of the consumer fireworks certificate must indicate the location or address for which it was issued.

(12) Fees collected under this section shall be deposited in the fireworks safety fund.

Sec. 5. (1) A person shall not sell consumer fireworks from a retail location unless all of the following conditions are met:

(a) Except as provided in subdivision (b), the retail location and any adjacent or directly associated retail storage satisfies the applicable requirements of NFPA 101 and NFPA 1124 for consumer and low-impact fireworks that are not in conflict with this act and the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531. Any provision of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531, that is inconsistent with the applicable requirements of NFPA 101 and NFPA 1124 is superseded to the extent of the inconsistency or conflict.

(b) If the retail location is a permanent building or structure, the building or structure is equipped with a fire suppression system in compliance with NFPA 1124. Beginning on the effective date of the 2018 act that added this sentence and notwithstanding the NFPA 1124 requirements regarding automatic sprinkler systems, if the retail location is in a permanent multitenant building or structure, the building or structure must be equipped with an automatic sprinkler system. The requirement for an automatic sprinkler system described in this subdivision does not apply to the retail location of a person that held a consumer fireworks certificate for a retail location of the same address in a permanent building or structure during the calendar year before the effective date of the 2018 act that added this sentence.

(c) The retailer at that retail location is licensed under section 3 of the general sales tax act, 1933 PA 167, MCL 205.53.

(d) The retailer has a valid federal taxpayer identification number. This requirement does not apply to a retailer that is a sole proprietorship.

(2) A person that fails or neglects to comply with subsection (1) is responsible for a civil fine of not more than \$2,500.00 for each violation. The department shall determine the amount of the fine imposed under this subsection by applying a scale, as developed by the department, that reflects the severity of the violation. Each day that a person is in noncompliance is a separate violation.

(3) During any period of time in which a person is selling consumer fireworks, the person shall add as an additional insured, or obtain and maintain public liability and product liability insurance coverage for, each retail location at which the person is selling consumer fireworks, in an amount not less than \$10,000,000.00 per occurrence. If the department determines that a person has failed or neglected to comply with this subsection, the department shall order the person to immediately cease operations and pay a civil fine of not more than \$5,000.00.

(4) A retailer shall provide with every purchase of consumer fireworks a notice listing the dates and times permitted under this act for the ignition, discharge, and use of consumer fireworks. The notice shall begin with the following statement: "State law permits, under MCL 28.457, the ignition, discharge, and use of consumer fireworks at the following times:". The retailer may provide the notice in a form and manner determined by the retailer, including, but not limited to, printing or stamping the notice on, or affixing the notice to, a receipt, bag, or the product being purchased, or a printed handout provided at the time of purchase. Posting the notice on a wall, window, display, or otherwise, at the retail location, does not satisfy the requirements of this subsection. A retailer who fails to provide the notice required by this subsection is responsible for a civil fine of \$100.00 for each day on which 1 or more violations occur. The department shall provide for the remittance of the fine collected under this subsection to the local law enforcement agency responsible for enforcing the notice requirement.

(5) A person shall not engage in the retail sale of consumer fireworks over the telephone, internet, or other like manner unless the consumer fireworks are picked up or shipped from a permanent location for which the person holds a valid consumer fireworks certificate.

Sec. 6. (1) The department shall establish and maintain, or cause to be established and maintained, an internet website that has as its purpose the protection of the residents of this state who purchase, use, or transport fireworks. The website must include, but is not limited to, both of the following:

(a) A list of every person that is issued a consumer fireworks certificate under section 4.

(b) A low-impact fireworks retail registry.

(2) A person shall not sell low-impact fireworks unless that person registers with the low-impact fireworks retail registry not less than 10 days before selling the fireworks in each calendar year and pays a \$50.00 registry application fee for each retail location registered. For a person with multiple retail locations, the registry application fees in total shall not exceed \$1,000.00. A person that holds a valid consumer fireworks certificate issued under section 4 is not required to register with the low-impact fireworks retail registry.

(3) If the department determines that a person that sells low-impact fireworks at retail has failed to register as described in this section, the department shall order the person to immediately cease the sale of low-impact fireworks until the person complies with subsection (2) and pay a civil fine of not more than \$1,000.00. For a first violation of this section, if a person complies with subsection (2) within 30 days of receiving a notice of violation, the department shall waive the civil fine described in this subsection.

Sec. 8. (1) A user fee, known as the fireworks safety fee, is imposed on retail transactions made in this state for consumer fireworks and low-impact fireworks as provided in section 9.

(2) A person that acquires consumer fireworks or low-impact fireworks in a retail transaction is liable for the fireworks safety fee on the transaction and, except as otherwise provided in this act, shall pay the fireworks safety fee to the retailer as a separate added amount to the consideration in the transaction. The retailer shall collect the fireworks safety fee as an agent for the state.

(3) The fireworks safety fee shall be deposited in the fireworks safety fund.

(4) A person that fails to collect a fireworks safety fee as required under this section is responsible for a civil fine as follows:

(a) For a first violation, not more than \$5,000.00. If the person is a retailer of low-impact fireworks and, within 30 days of receiving a notice of violation, the person remits to the department the estimated equivalent of the amount the person should have collected under this section, the department shall waive the civil fine described in this subdivision.

(b) For a second violation, not more than \$20,000.00.

(c) For a third or subsequent violation, not more than \$40,000.00.

Sec. 10. (1) A person that holds a consumer fireworks certificate or that is a retailer of low-impact fireworks is responsible for remitting all fireworks safety fees, as described in section 9, to the department. The person shall remit the fees collected with a form provided and in a manner prescribed by the department. The person shall hold in trust for the state the fees collected until those fees are remitted to the state. An individual who holds a consumer fireworks certificate or who is a retailer of low-impact fireworks is personally liable for the payment of the fees collected.

(2) The department may refer for collection to the department of treasury past due amounts of the fireworks safety fee consistent with section 13 of 1941 PA 122, MCL 205.13 or may initiate subrogation for collection within the department.

(3) A person that is responsible for remitting the collected fireworks safety fees under subsection (1) shall remit those fees no later than 20 days after the end of each preceding month. A person that operates 25 or more retail locations in this state that are permanent buildings or structures may remit the collected fees in an aggregate filing under 1 common identification number as determined by the department.

(4) A person that fails to remit the collected fireworks safety fees, as described in subsection (1), is responsible for a civil fine as follows:

(a) For a first violation, not more than \$5,000.00. If the person is a retailer of low-impact fireworks and, within 30 days of receiving a notice of violation, the person remits to the department the collected fees that are the subject of the violation, the department shall waive the civil fine described in this subdivision.

(b) For a second violation, not more than \$20,000.00.

(c) For a third or subsequent violation, not more than \$40,000.00.

Sec. 11. (1) The fireworks safety fund is created within the department of treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(4) The department shall expend money deposited in the fund as follows:

(a) One hundred percent of the money received from fireworks safety fees under section 8 to be used for the training of firefighters under the direction and approval of the firefighters training council established under the firefighters training council act, 1966 PA 291, MCL 29.361 to 29.377.

(b) One hundred percent of the money received from consumer fireworks certificate fees under section 4 to administer this act and to pay the costs of delegating inspections under this act to local units of government under subsection (5).

(c) One hundred percent of the money received from the fees collected under section 11 of the firefighters training council act, 1966 PA 291, MCL 29.371, to be used for the training of firefighters under the direction and approval of the firefighters training council established under the firefighters training council act, 1966 PA 291, MCL 29.361 to 29.377.

(5) The department may establish a program for delegating inspection duties under this act to 1 or more local units of government. If a local unit of government agrees to carry out inspections, the department shall pay 50% of the consumer fireworks certificate fee paid by each retail location inspected by the local unit of government and retain the remaining 50% of that fee. If a local unit of government declines to participate in the program described in this subsection, the department shall retain its inspection duties under this act.

Sec. 12. (1) A person shall not ignite, discharge, or use consumer fireworks on public property, school property, church property, or the property of another person without that organization's or person's express permission to use those fireworks on those premises. Except as otherwise provided in this section, a person that violates this subsection is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$500.00.

(2) A person shall not sell consumer fireworks to a minor. A person that violates this subsection shall be ordered to pay a civil fine of not more than \$1,000.00, or, for a second or subsequent violation of this subsection, a civil fine of not more than \$2,500.00. For a second or subsequent violation, the department shall suspend the person's consumer fireworks certificate for 90 days beginning on the date a civil fine is ordered. The age of an individual purchasing consumer fireworks shall be verified by any of the following:

(a) An operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

(b) An official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300.

(c) An enhanced driver license or enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.

(d) A military identification card.

(e) A passport.

(f) Any other bona fide photograph identification that establishes the identity and age of the individual.

(3) An individual shall not discharge, ignite, or use consumer fireworks or low-impact fireworks while under the influence of alcoholic liquor, a controlled substance, or a combination of alcoholic liquor and a controlled substance. A person that violates this subsection is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$1,000.00. As used in this subsection:

(a) "Alcoholic liquor" means that term as defined in section 1d of the Michigan vehicle code, 1949 PA 300, MCL 257.1d.

(b) "Controlled substance" means that term as defined in section 8b of the Michigan vehicle code, 1949 PA 300, MCL 257.8b.

(4) An individual who violates the smoking prohibition described in NFPA 1124, 7.3.11.1, regardless of the type or quantity of consumer or low-impact fireworks present, is responsible for a civil fine of \$1,000.00.

(5) Signage stating the smoking prohibition described in subsection (4) satisfies the requirements of NFPA 1124.

(6) A person shall not ignite, discharge, or use consumer fireworks or low-impact fireworks in a manner that is intended to harass, scare, or injure livestock. As used in this subsection, "livestock" means that term as defined in section 5 of the animal industry act, 1988 PA 466, MCL 287.705.

Sec. 14. (1) A governmental or law enforcement agency that identifies a firework that is in violation of this act shall secure the firework and immediately notify the department of the alleged violation. The department or law enforcement agency shall investigate the alleged violation for compliance with this act.

(2) If the department or law enforcement agency determines through its investigation under subsection (1) that a violation of this act has occurred, except for a violation of section 6(2), the department or law enforcement agency may seize the firework as evidence of the violation. The department or law enforcement agency shall store, or cause to be stored, the evidence seized under this section pending disposition of any criminal or civil proceedings arising from the violation. If the person subject to criminal or civil proceedings under this section is found guilty, responsible, or liable for the violation, the person shall be required to pay the storage expense for the evidence seized.

Sec. 15. (1) Fireworks seized for an alleged violation of this act shall be stored in compliance with this act and the rules promulgated under this act.

(2) Following a final disposition of an appeal of a conviction under this act that affirms the conviction, the department may dispose of or destroy any fireworks retained as evidence in that prosecution.

(3) A person from whom fireworks are seized under this act shall pay the actual costs of storage and disposal of the seized fireworks if found guilty, responsible, or liable for a violation under this act.

(4) The department may use fireworks described in subsection (2) for training purposes.

Sec. 16. (1) The legislative body of a city, village, or township, upon application in writing on forms provided by the department on the department's website and payment of a fee set by the legislative body, if any, may grant a permit for the use of agricultural or wildlife fireworks, articles pyrotechnic, display fireworks, consumer fireworks, or special effects manufactured for outdoor pest control or agricultural purposes, or for public or private display within the city, village, or township by municipalities, fair associations, amusement parks, or other organizations or individuals approved by the city, village, or township authority, if the applicable provisions of this act are met. After a permit has been granted, a permit holder may sell, possess, or transport fireworks for only the purposes described in the permit. A permit granted under this subsection is not transferable and shall not be issued to a minor.

(2) Before a permit for articles pyrotechnic or a display fireworks ignition is issued, the person applying for the permit shall furnish proof of financial responsibility by a bond or insurance in an amount, character, and form deemed necessary by the local governing authority to protect the public and to satisfy claims for damages to property or personal injuries arising out of an act or omission on the part of the person or an agent or employee of the person.

(3) The department shall not issue under this act a permit to a nonresident person for ignition of articles pyrotechnic or display fireworks in this state until the person has appointed in writing a resident member of the bar of this state or a resident agent to be the legal representative upon whom all process in an action or proceeding against the person may be served.

(4) Before granting a permit under this act, the local governing authority shall rule on the competency and qualifications of an articles pyrotechnic and display fireworks operator, as furnished by the operator on the operator's application form, in accordance with the requirements provided under NFPA 1123, and on the time, place, and safety aspects of the display of articles pyrotechnic or display fireworks.

(5) A local unit of government that charges and collects a fee to issue a permit under this section shall retain the collected fee.

Sec. 17. Except as otherwise provided in this act, this act does not prohibit any of the following:

(a) A wholesaler, retailer, commercial manufacturer, or importer from selling, storing, using, transporting, or distributing consumer fireworks or low-impact fireworks.

(b) The use of fireworks by railroads or other transportation agencies or law enforcement agencies for signal purposes or illumination.

(c) The use of agricultural or wildlife fireworks.

(d) The sale or use of blank cartridges for any of the following:

(i) A show or play.

(ii) Signal or ceremonial purposes in athletics or sports.

(iii) Use by military organizations.

(iv) Use by law enforcement agencies.

(e) The possession, sale, or disposal of fireworks incidental to the public display of fireworks by wholesalers or other persons who possess a permit to possess, store, or sell explosives from the bureau of alcohol, tobacco, firearms, and explosives of the United States Department of Justice.

(f) Interstate wholesalers from selling, storing, using, transporting, or distributing fireworks.

(g) A person from parking a motor vehicle, or trailer, that is not being used for the storage of consumer fireworks, within 10 feet of a permanent building or structure used in the retail sale of consumer fireworks.

Sec. 17a. (1) If, as a result of an inspection or investigation, the state fire marshal or the state fire marshal's designee believes that a person has violated this act, an order issued under this act, or a rule promulgated under this act, the state fire marshal or the state fire marshal's designee shall issue a citation not more than 90 days after the completion of the physical inspection or investigation.

(2) The state fire marshal or the state fire marshal's designee shall issue the citation described in subsection (1) to the holder of the consumer fireworks certificate for, or to a person conducting or directing the sale of consumer fireworks without a consumer fireworks certificate at, the retail location that is the subject of the inspection or investigation. A holder of a consumer fireworks certificate, or a person conducting or directing the sale of consumer fireworks without a consumer fireworks certificate, as described in this subsection, is responsible for the acts or omissions of an individual under that person's employ or control.

(3) Except as otherwise provided in this act, upon issuance of a citation, the state fire marshal may immediately suspend the consumer fireworks certificate of the person receiving the citation.

(4) Upon a proper petition, a court of competent jurisdiction may enjoin a violation of this act.

(5) All of the following apply to a citation issued by the state fire marshal or the state fire marshal's designee under this act:

(a) It shall be in writing.

(b) It shall state on its face that it is an allegation of a violation of this act, describe with particularity the nature of the violation, and include a reference to the provision, rule, or order alleged to be violated.

(c) It shall contain all of the following:

(i) The date of the citation.

(ii) The name and title of the individual who issued the citation.

(iii) The name and address of the person receiving the citation.

(iv) The actions necessary to bring the person receiving the citation into compliance, including the payment of a fine.

(v) A space for the signature of the person receiving the citation indicating that the person has received the citation.

(vi) A space where the person receiving the citation may accept the citation and agree to comply or, in the alternative, indicate the person's intent to contest the citation.

(vii) A notice that the person receiving the citation must accept or reject the terms of the citation in writing within 15 days of the receipt of the citation.

(viii) A brief description of the administrative hearing process and the process for settlement as provided for by rule.

(d) A citation may either be mailed to the person receiving the citation by certified mail, return receipt requested, or delivered in person by the state fire marshal, or the state fire marshal's designee who issued the citation.

Sec. 18a. (1) Except as otherwise provided in this section, a person that receives a citation for a serious violation, an order issued under this act, or a rule promulgated under this act shall be assessed a civil fine of not more than \$1,000.00 for each violation.

(2) Except as otherwise provided in this section, a person that receives a citation for a violation of this act that is not a serious violation may be assessed a civil fine of not more than \$500.00 for each violation.

(3) Subsections (1) and (2) do not apply to violations for which a specific civil fine is provided by this act.

(4) The state fire marshal may request that the prosecuting attorney for the county in which a violation of this act occurred issue a complaint and request a warrant for the prosecution of an individual who commits a criminal violation of this act.

(5) A civil fine ordered under this act shall be paid to the department within 15 working days after the date the civil fine is ordered, not subject to further review, and credited to the fireworks safety fund.

(6) The department of treasury shall institute proceedings to collect any civil fines ordered but not paid under this act.

Sec. 18b. (1) The department shall not issue, and an individual is ineligible to be issued, a consumer fireworks certificate if, as verified by the internet criminal history access tool (ICHAT) maintained by the department of state police, the individual was convicted of a felony involving theft, fraud, or arson.

(2) If due to a criminal conviction an individual will be ineligible for a consumer fireworks certificate on April 30 of the year following the year for which the individual currently holds a consumer fireworks certificate, the department shall revoke the current consumer fireworks certificate for the balance of the current year.

Sec. 18c. (1) A person that is found responsible for any of the following is ineligible, beginning on the date of the finding, to obtain a consumer fireworks certificate for the period of time indicated:

(a) A second violation of section 4(1), 5 years.

(b) A third or subsequent violation of section 4(1), 10 years.

(c) A first violation of section 8(4), 1 year.

(d) A second violation of section 8(4), 5 years.

(e) A third or subsequent violation of section 8(4), 10 years.

(f) A violation subject to section 18(1)(b), 1 year.

(g) A violation subject to section 18(1)(c), permanently.

(h) A violation subject to section 18(1)(d), permanently.

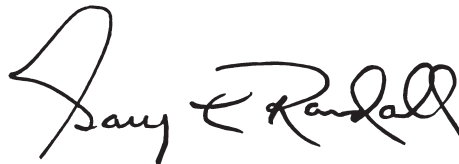
(2) A sanction imposed under subsection (1) shall be imposed in addition to any other penalty or sanction imposed for a violation of this act.

Enacting section 1. Section 13 of the Michigan fireworks safety act, 2011 PA 256, MCL 28.463, is repealed.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 99th Legislature are enacted into law:

- (a) House Bill No. 5940.
- (b) House Bill No. 5941.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 5939 (Substitute H-3 as passed by the House)
House Bill 5940 (Substitute H-3 as passed by the House)
House Bill 5941 (Substitute H-3 as passed by the House)
Sponsor: Representative Jim Lilly (H.B. 5939 & 5941)
Representative John Chirkun (H.B. 5940)
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform

Date Completed: 12-12-18

CONTENT

House Bill 5939 (H-3) would amend the Michigan Fireworks Safety Act to do the following:

- Specify that a person who sold consumer fireworks and failed to obtain and maintain a consumer fireworks certificate would be responsible for a civil fine.
- Increase the fees an applicant would have to pay to obtain a certificate.
- Require an applicant to submit a bond to secure the collection of estimated sales tax and fireworks safety fees, under certain circumstances.
- Prohibit the Department of Licensing and Regulatory Affairs (LARA) from issuing an initial certificate until the Department of Treasury had confirmed to LARA that each sales tax license submitted by the applicant was current and valid.
- Allow LARA to deny a certificate renewal if the applicant had not paid all of the required fees for all preceding years, or sales tax for any of the preceding five years.
- Increase the civil fine for failing to prominently display a certificate at each retail location the certificate applied.
- Require a retailer to provide with every purchase of consumer fireworks a notice listing the dates and times permitted under the Act for the ignition, discharge, and use of consumer fireworks, and require a notice to contain certain language.
- Specify that a retailer who failed to provide the notice would be responsible for a civil fine for each day on which one or more violations occurred.
- Prohibit a person from selling at retail consumer fireworks over the phone, internet, or other like manner unless the fireworks were picked up or shipped from a permanent location for which the person held a valid certificate.
- Specify that a person who failed to pay a fireworks safety fee would be responsible for a civil fine.
- Increase the civil fine for a person who sold consumer fireworks to a minor in violation of the Act.
- Specify that an individual who discharged, ignited, or used consumer fireworks or low-impact fireworks while under the influence would be responsible for a civil fine.
- Specify that a person from whom fireworks were seized would have to pay the actual costs for the storage and disposal of the seized firework if the person were found guilty, responsible, or liable for a violation of the Act.
- Specify that LARA could use the disposal or destruction of a seized firework for training purposes.

- **Specify that LARA could not issue, and an individual would not be eligible to be issued, a certificate if he or she had ever been convicted of a felony involving theft, fraud, or arson.**

The bill also would repeal Section 13 of the Act, which requires a wholesaler of consumer fireworks or low-impact fireworks to maintain a resident agent.

House Bill 5940 (H-3) would amend the Act to modify when a local unit of government could not enact an ordinance to regulate the ignition, discharge, or use of consumer fireworks, and to allow a local unit that met certain population thresholds to enact or enforce an ordinance that regulated the use of a temporary structure.

House Bill 5941 (H-3) would amend the Fire Prevention Code to do the following:

- **Grant the commanding officer of the fire department of a city, village, township, or county the authority to enforce a no-burning restriction if the environment concerns based on the Department of Natural Resources (DNR) Fire Division criteria were elevated to extreme fire conditions, or if the environmental concerns were elevated to "very high" for 72 consecutive hours.**
- **Allow the Governor, the DNR, or the State Fire Marshal to enforce a statewide no-burning restriction.**
- **Require a commanding officer to life a ban and inform the public that the ban was lifted, nor more than 24 hours after the fire condition had been downgraded.**

House Bill 5939 (H-3)

Consumer Fireworks Certificate

The Act prohibits a person from selling consumer fireworks unless he or she obtains and maintains a consumer fireworks certificate from LARA.

Failure to Obtain a Certificate. A person who knows, or should know, that he or she is required to obtain and maintain a certificate, and who fails or neglects to do so is guilty of a misdemeanor punishable by up to two years' imprisonment or a fine, with the fines as follows:

- For a first violation, not more than \$5,000.
- For a second violation, not more than \$20,000.
- For a third or subsequent violation, not more than \$40,000.

Under the bill, a person who failed or neglected to obtain and maintain a certificate would be responsible for one of the civil fines currently specified in the Act. For a first violation, LARA would have to determine the amount of the fine imposed by applying a scale, as developed by the Department, that reflected the severity of the violation.

Application Fees. An applicant for a consumer fireworks certificate must submit with his or her application the following:

- A copy of the applicant's current sales tax license for each retail location where the applicant will sell consumer fireworks.
- A \$1,000 fee for a certificate for each retail location that is a permanent building or structure, or a \$600 fee for each retail location that is not a permanent building or structure.

The bill would prescribe a \$1,250 nonrefundable certificate fee for each retail location that was a permanent building or structure, and a \$1,000 nonrefundable certificate fee for each retail location that was not a permanent building or structure. If an application included 10 or more retail locations that were not permanent buildings or structures, the fee would be \$700 for each of those locations.

The bill also would require an applicant to submit the following with his or her application:

- A \$5,000 bond to secure the collection of estimated sales tax and fireworks safety fees, for an applicant who applied for a certificate for a retail location that was not a permanent building or structure and who did not hold a certificate for a permanent building or structure.
- Any other document required by LARA.

The Department could not issue an initial certificate to an applicant until the Department of Treasury had confirmed to LARA that each sales tax license submitted by the applicant was current and valid, and that the applicant was otherwise eligible to obtain a certificate.

Renewal. A person may renew a consumer fireworks certificate for a retail location by making an application. The bill would require a renewal application to be on a form prescribed by the Department certifying that all the information on file with LARA was true and correct, that the person's sales tax license for the retail location was current and valid, and that the person had properly paid all required fireworks safety fees for the preceding year.

Under the Act, the Department may not issue a certificate renewal unless it determines that the applicant properly paid all of the required fireworks safety fees required to be paid in the preceding bill. Under the bill, the Department *could* deny a certificate renewal if the applicant had not paid all of the required fees for all preceding years, or sales tax for any of the preceding five years, during which the applicant held a certificate.

Issuance & Denial. Not more than 30 days after an application is submitted, LARA must issue a certificate or deny an application. Under the bill, not more than 30 days after an application was submitted and all required supporting documentation and fees were submitted, the Department would have to issue a certificate or deny an application.

The Act prohibits the Department from issuing a certificate to a person that is ineligible under the Act. Under the bill, LARA also could not issue a certificate to a person that had an outstanding fine issued under the Act not currently under appeal.

Certificate Transfer. A certificate is transferable upon LARA's approval and the payment of a \$25 transfer fee. Under the bill, the transfer fee would be \$250. Also, the Department could not process a request for a transfer of location between June 1 and July 31.

Display. The holder of a certificate must prominently display the original certificate or a copy in each retail location to which the certificate applies. A person that violates this provision is responsible for a \$100 civil fine. Each day that the certificate is not displayed is a separate violation. The bill would delete this provision. Also, under the bill, the civil fine would be \$200.

Sale of Consumer Fireworks

Under the Act, a person may not sell consumer fireworks unless certain conditions are met (described below).

The retailer must be licensed under the General Sales Tax Act, and must have a valid Federal taxpayer identification number.

The Act requires a retail location to satisfy all applicable requirements of National Fire Protection Association (NFPA) 101 and NFPA 112. Under the bill, this provision would apply to a retail location and any adjacent or directly associated retail space.

Under the Act, if the retail location is a permanent building or structure, it must be equipped with a fire suppression system in compliance with NFPA 1124. Under the bill, beginning on the bill's effective date, and notwithstanding the requirements of NFPA 1124 regarding automatic sprinklers, if the retail location were a permanent multitenant building or structure, it would have to be equipped with an automatic sprinkler system. This requirement would not apply to the retail location of a person that held a consumer fireworks certificate for a retail location of the same address in a permanent building or structure during the calendar year before the bill's effective date.

The Act specifies that a person that knows, or should know, that he or she is required to comply with the above provisions, and who fails or neglects to comply with these requirements, is responsible for a civil fine of \$2,500 for each violation. Under the bill, a person that failed or neglected to comply with those requirements would be responsible for a civil fine of *not more than* \$2,500 for each violation. The Department would have to determine the amount of the fine imposed by applying a scale, as developed by the LARA, that reflected the severity of the violation.

During any period of time in which a person is selling consumer fireworks, the person must add as an additional insured, or obtain and maintain public liability and product liability insurance coverage for, each retail location at which the person is selling consumer fireworks, in an amount of at least \$10.0 million per occurrence. A person that knows, or should know, that he or she is required to comply with those requirements and who fails or neglects to do so is liable for a civil fine of not more than \$5,000. Instead, under the bill, if the Department determined that a person had failed or neglected to comply with those requirements, it would have to order the person to *cease operations immediately and* pay a civil fine of not more than \$5,000.

Additionally, the bill would require a retailer to provide with every purchase of consumer fireworks a notice listing the dates and times permitted under the Act for the ignition, discharge, and use of consumer fireworks. The notice would have to begin with the following statement: "State law permits, under MCL 28.457, the ignition, discharge, and use of consumer fireworks at the following times:". The retailer could provide the notice in a form and manner determined by the retailer, including printing or stamping the notice on, or affixing it to, a receipt, bag, or the product being purchased, or a printed handout provided at the time of purchase. A retailer who failed to provide the notice would be responsible for a civil fine of \$100 for each day on which one or more violations occurred. The Department would have to provide for the payment of a fine collected for a violation to the local law enforcement agency responsible for enforcing the notice requirement.

A person could not engage in the retail sale of consumer fireworks over the telephone, internet, or other like manner unless the fireworks were picked up or shipped from a permanent location for which the person held a valid consumer fireworks certificate.

Registry

The Act requires LARA to establish and maintain an internet website that includes, among other things, a low-impact fireworks retail registry. All of the following apply to the online

registry: a) it must be maintained and operated at no cost to the user; b) the cost of maintenance and operation must be paid with funds from the Fireworks Safety Fund; and c) it must provide for instant registry without condition. The bill would delete this provision.

Under the Act, a person may not sell low-impact fireworks unless he or she registers with the registry at least 10 days before selling the fireworks. The bill also would require the person to pay a \$100 registry application fee for each retail location registered. For a person with multiple retail locations, the registry application fees in total could not exceed \$1,000. A person that held a valid consumer fireworks certificate would not be required to register.

The Act specifies that if a person that sells low-impact fireworks at retail and fails to register, the Department must order the person to cease the sale of low-impact fireworks immediately until the person registered. Under the bill, the Department also would have to order the person to pay a civil fine of not more than \$1,000.

Past Due Fees

Under the Act, LARA may refer for collection to the Department of Treasury any past due fireworks safety fees. The bill also could allow LARA to initiate subrogation for collection within the Department.

The bill would delete a provisions requiring the Department to investigate any fees reported, but not paid, by a retailer no later than September 30 of each year.

Under the bill, a person that failed to pay a fireworks safety fee would be responsible for a civil fine as follows:

- For a first violation, not more than \$10,000.
- For a second violation, not more than \$20,000.
- For a third or subsequent violation, not more than \$40,000.

Prohibitions

Sale to Minor. The Act prohibits a person from selling consumer fireworks to a minor. A person that violates this provision must pay a civil fine of not more than \$500, or, for a second or subsequent violation, \$1,000. Under the bill, the civil fine for a first violation would be \$1,000, and, for a second or subsequent violation, \$2,500.

Under the Influence. Under the Act, an individual may not discharge, ignite, or use consumer fireworks or low-impact fireworks while under the influence of alcoholic liquor, a controlled substance, or a combination of alcoholic liquor and a controlled substance. The bill specifies that a person who violated this provision would be responsible for a civil infraction and could be ordered to pay a fine of not more than \$1,000.

Smoking. The Act specifies that an individual who violates the smoking prohibition described in NFPA 1124 is guilty of a misdemeanor punishable by up to one years' imprisonment or a civil fine of not more than \$1,000, or both. Under the bill, a person who violated the smoking prohibition, regardless of the type or quantity of consumer or low-impact fireworks present would be responsible for a civil fine of \$1,000.

Investigation

The Act requires a governmental or law enforcement agency that identifies a firework that is in violation of the Act to secure the firework and immediately notify LARA. The Department

or law enforcement agency must investigate the alleged violation for compliance with the Act within a reasonable time. The bill would delete the requirement that the Department or law enforcement agency investigate within a reasonable time.

The Act specifies that a person from whom fireworks are seized must pay the actual costs of storage and disposal of the seized firework. Under the bill, this provision would apply if the person were found guilty, responsible, or liable for a violation of the Act.

Following a final disposition of appeal of a conviction under the Act that affirms the conviction, LARA may dispose of or destroy any fireworks that were seized. The Department and the Michigan State Police may use the fireworks for training purposes. Under the bill, only the Department could use the fireworks for training purposes.

Under the Act, if, as a result of an inspection or investigation, the State Fire Marshal, or his or her designee, believes that a person has violated the Act, he or she must site the person not more than 90 days after the completion of the physical inspection or investigation.

The bill would require the State Fire Marshal, or his or her designee, to issue a citation to the holder of the consumer fireworks certificate for, or to a person conducting or directing the sale of consumer fireworks, without a certificate at, the retail location that was the subject of the inspection or investigation. A hold of a certificate, or a person conducting the sale of consumer fireworks without a certificate, would be responsible for the acts or omissions of an individual under that person's employ or control.

Applicability

Under the bill, except as otherwise provided, the Act would not prohibit a person from parking a motor vehicle, or trailer, that was not being used for the storage of consumer fireworks, within 10 feet of a permanent building or structure used in the retail sale of consumer fireworks.

Criminal History Check

Under the Act, the Department may not issue, and an individual is ineligible to be issued, a consumer fireworks certificate if the person was sentenced for a felony conviction within the preceding five years; or has ever been convicted of a felony involving theft, fraud, or arson.

Instead, under the bill, the Department could not issue, and an individual would be ineligible to be issued, a consumer fireworks certificate if the person had ever been convicted of a felony involving theft, fraud, or arson.

Homemade Fireworks

The bill would define "homemade fireworks" as any composition or device designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation that is not produced by a commercial manufacturer and does not comply with the construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission.

House Bill 5940 (H-3)

Except as provided in the Michigan Fireworks Safety Act, a local unit of government may not enact or enforce an ordinance, code, or regulation pertaining to or in any manner regulating the sale, display, storage, transportation, or distribution of fireworks regulated under the Act.

A local unit of government may enact an ordinance regulating the ignition, discharge, and use of consumer fireworks, including an ordinance prescribing the hours of the day or night during which a person may ignite, discharge, or use consumer fireworks.

If a local unit enacts an ordinance, it could not regulate the ignition, discharge, or use of consumer fireworks on the day preceding, the day of, or the day after a national holiday except as follows:

- A local unit with a population of 50,000 or more or a local unit located in a county with a population of 750,000 or more may regulate the ignition, discharge, or use of consumer fireworks between the hours of 12 midnight and 8 a.m., or between the hours of 1 a.m. and 8 a.m. on New Year's Day.
- A local unit with a population of less than 50,000 located in a county of less than 750,000 may regulate, discharge, or use fireworks between the hours of 1 a.m. and 8 a.m.

Instead, under the bill, an ordinance could not regulate the ignition, discharge, or use of consumer fireworks on the following days after 11 a.m.:

- December 31 until 1 a.m. on January 1.
- The Saturday and Sunday immediately preceding Memorial Day until 11:30 p.m. on each of those days.
- June 29 to July 4 until 11:30 p.m. on each of those days.
- July 5, if that date was a Friday or Saturday, until 11:30 p.m.
- The Saturday and Sunday immediately preceding Labor Day until 11:30 p.m. on each of those days.

The Act requires an ordinance regulating the ignition, discharge, and use of consumer fireworks to impose only a civil fine of not more than \$500 for each violation of the ordinance and no other fine or sanction. Under the bill, the ordinance would have to impose a fine of \$1,000 for each violation of the ordinance.

The bill would require an ordinance to provide for the payment of \$500 of the fine collected under the ordinance to the local law enforcement agency responsible for enforcing it.

Beginning August 1, 2019, a local unit of government with a population of 100,000 or more, or a local unit located in a county with a population of 750,000 or more, could enact or enforce an ordinance that regulated the use of a temporary structure. The ordinance could include a restriction on the number of permits issued for a temporary structure, regulation of the distance required between two or more temporary structure, or a zoning ordinance that regulated the use of a temporary structure. An ordinance established to regulate the use of a temporary structure could not prohibit the temporary storage, transportation, or distribution of fireworks by a consumer fireworks certificate holder at a retail location that was a permanent building or structure.

"Temporary structure" would mean a movable structure that is used in the sale, display, storage, transportation, or distribution of fireworks, including a tent or stand.

House Bill 5941 (H-3)

Under the bill, if the environment concerns based on the DNR Fire Division criteria were elevated to extreme fire conditions, or if the environmental concerns were elevated to "very high" for 72 consecutive hours, the commanding officer of the fire department of a city, village, township, or county, in consultation with the DNR, would have the authority to enforce a no-burning restriction that would include a ban on the ignition, discharge, and use of

consumer fireworks within a city, village, township, or county. If a no burning restriction were instituted, the commanding officer of the fire department enforcing the restriction would have to ensure that adequate notice of the restriction was provided to the public.

The Governor, DNR, or State Fire Marshal could enforce a statewide no-burning restriction, including a ban on the ignition, discharge, and use of fireworks.

Not more than 24 hours after the fire condition was downgraded from extreme or very high condition, the commanding officer of the fire department of a city, village, township, or county that enforced a no-burning would have to lift the ban and inform the public that the restriction had been lifted in the same manner that the restriction was announced or made known to the public.

"Consumer fireworks" would mean that term as defined in Section 2 of the Michigan Fireworks Safety Act: fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling requirements promulgated by the U.S. Consumer Product Safety Commission, and that are listed in APA Standard 87-11, 3.1.2, 3.1.3, or 3.5. Under the Act, the term does not include low-impact fireworks.

MCL 28.452 et al. (H.B. 5939)
MCL 28.457 (H.B. 5940)
MCL 29.7a (H.B. 5591)

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

House Bill 5939 (H-2)

The bill would have a positive fiscal impact on the Department of Licensing and Regulatory Affairs (LARA).

The bill contains several fee increases for Consumer Fireworks Certificates:

<u>Fee Type</u>	<u>Current Law</u>	<u>HB 5939</u>
Certificate (permanent structure)	\$1,000.00	\$1,250.00
Certificate (non-permanent structure)	\$600.00	\$1,000.00
Certificate (10+ non-permanent structures) [†]	\$600.00	\$700.00
Transfer	\$25.00	\$250.00

[†] fee per structure

The magnitude of the increase in fee revenue would depend on the number of Consumer Fireworks Certificate applications received. This fee revenue is used to administer the Act and to pay the cost of delegating inspections to local units of government. As of August 2018, there were 665 active temporary certificates and 260 active permanent certificates. If the same number of certificates were issued under the new fee structure, the Department would see a fee revenue increase of \$350,000.

The bill also would add a registry application fee of \$100 for each retail location selling low-impact fireworks, with a maximum fee of \$1,000 per person. The magnitude of this impact would depend on the number of persons registering a low-impact retail location. As of August

2018, there were 558 active low-impact temporary registrations and 1,227 active low-impact permanent registrations.

Under the bill, a person who failed to register would be subject to a civil fine of not more than \$1,000. The bill also would increase the civil fine for failure to properly display a consumer fireworks certificate from \$100 to \$200. A person who failed to remit a Fireworks Safety Fee as required under the Act would be responsible for a civil fine of up to \$10,000 for a first violation, up to \$20,000 for a second violation, and up to \$40,000 for a third or subsequent violation. Revenue from each of these civil fines would be deposited into the Fireworks Safety Fund within LARA. The Department estimates that these increase would result in an additional \$14,000 annually, depending on the number and type of violations.

In addition, the bill would revise the percentage of the certificate fees paid to local governments that agree to carry out inspection duties under the Act. Under the bill, the Department would retain 50% of the fee rather than the 30% retained under current law.

Overall, the Department expects the bill to result in an additional \$1.2 million in annual revenue.

Otherwise, the bill would have no fiscal impact on the State and likely would increase revenue to local law enforcement agencies by an indeterminate amount. Aside from those civil fines discussed above, the bill would mandate a \$100 per day civil fine on retailers who failed to provide notice of the permitted dates and times for the use of fireworks. Fines collected for this violation would be remitted to the local law enforcement agency responsible for enforcing the notice requirement. The amount of increased fine revenue would depend on the number of violations.

The bill also would removes misdemeanor offenses for violations surrounding the sale and use of consumer fireworks. To the extent that changes in the bill led to decreased misdemeanor arrests and prosecutions, it could reduce resource demands on law enforcement, court systems, and jails. Any related decrease in penal fine revenue would reduce funding to public libraries.

House Bill 5940 (H-3)

The bill would have no fiscal impact on the State and likely would increase revenue to local law enforcement agencies by an indeterminate amount. It would increase the civil fine for violations of local ordinances regulating the ignition, discharge, and use of consumer fireworks. The Act currently allows for a civil fine of up to \$500, while the bill would mandate a fine of \$1,000, with \$500 to be remitted to the local law enforcement agency responsible for enforcing the ordinance. The amount of increased fine revenue would depend on the number of violations.

House Bill 5941 (H-3)

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Ryan Bergan
Abbey Frazier
Elizabeth Raczkowski
Josh Sefton

SAS\S1718\s5939sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

From: Tammie Arend <hobokrisko@yahoo.com>

Sent: Wednesday, May 8, 2019 12:22 AM

To: sentbarrett@senate.michigan.gov; senrbayer@senate.michigan.gov; senjbizon@senate.michigan.gov; senwbrinks@senate.michigan.gov; senmbullock@senate.michigan.gov; senjbumstead@senate.michigan.gov; senschang@senate.michigan.gov; senkdaley@senate.michigan.gov; senegeiss@senate.michigan.gov; senchertel@senate.michigan.gov; senahollier@senate.michigan.gov; senkhorn@senate.michigan.gov; senjirwin@senate.michigan.gov; senrjohnson@senate.michigan.gov; senklasata@senate.michigan.gov; sendlauwers@senate.michigan.gov; senplucido@senate.michigan.gov; senmmacdonald@senate.michigan.gov; senpmacgregor@senate.michigan.gov; senemcbroom@senate.michigan.gov; sensmccann@senate.michigan.gov; senmcmorrow@senate.michigan.gov; senjmoss@senate.michigan.gov; senanesbitt@senate.michigan.gov; senroutman@senate.michigan.gov; sendpolehanki@senate.michigan.gov; senjrune stad@senate.michigan.gov; senssantana@senate.michigan.gov; senwschmidt@senate.michigan.gov; senmshirkey@senate.michigan.gov; senistamas@senate.michigan.gov; senltheis@senate.michigan.gov; sencvanderwall@senate.michigan.gov; senrvictory@senate.michigan.gov; senpwojno@senate.michigan.gov; senzorn@senate.michigan.gov; Wood, Carol <Carol.Wood@lansingmi.gov>; Hussain, Adam <Adam.Hussain@lansingmi.gov>; Spadafore, Peter <Peter.Spadafore@lansingmi.gov>; Lansing Mayor <Lansing.Mayor@lansingmi.gov>; Gretchen Whitmer <info@gretchenwhitmer.com>

Subject: [EXTERNAL] Hardship put upon the People of Michigan over fireworks

Dear Mayor Schor, Senators and all Council Members

After speaking with several others we would like to know why we're not being notified when there will be fireworks displayed within the city of Lansing.

You may not realize that when they're being displayed Downtown Lansing for any events the sound travels to the East Side of town and can be disturbing not only to the people but their animals as well. There has been many incidents where people will be out walking their dogs and all of a sudden the loud booms will go off and these dogs will panic and become disorientated, this could be prevented if people were informed ahead of time of these events. Please do not say that people can search the internet for any events that may be planning on displaying fireworks because this is not always as easy as it may seem to you, people should not have to get search everyday to see what may be happening, and many people get home from work and take their dogs out for a walk immediately to relieve themselves.

This evening 5/5/19 I took my fur child out into our own yard and all of a sudden they starting going off and it caused him to fall over in panic, he is 13 yrs old and has been traumatized by fireworks shortly after moving to Lansing when at 3 a.m. while sitting on our back deck some neighbor thought it would be funny to shoot them into our yard and before we could react one landed right beside his head and went off burning all of his fur from below the ear and down the neck, it also caused some hearing loss from this happening. We need a city that will listen to people and care enough when it comes to fireworks and the damages that can happen to domesticated and non domesticated animals.

Many people have to leave their homes because of the issues associated with these being set off in residential areas which causes them financial hardships when it's not

even within 10-20 feet of their homes and being set off for extended amounts of time such as when it's allowed for the 4th of July.

This could be resolved if the city officials would take the time to listen to the people when it becomes bothersome and not to mention costly. The ordinances could be changed as other cities have done to where they can not be set off within 30-50 feet of a house, garage, grill, or any other structures including wooden fences, this would not stop someone from lighting them off they would just have to find a more suitable area to ignite them.

Research has shown the disregard to wild life, domesticated animal as well as humans who have sensory issues and PTSD. It also has been documented during the holidays that allow days on to set off these fireworks are the worst time of year for pets and non domestic animals due to the loud noises and explosions which can terrify them, leading to injury or even death.

Fireworks are not animal-friendly Therefore, the explosion of a firework which can emit sounds of up to 190 decibels a full 110 to 115 decibels higher than the 75- to 80-decibel range, where damage to the human ear begins not only is proportionately more disturbing to an animal, it can also affect an animal's acute sense of hearing and balance and can be permanent damage.

Fireworks generate a noise level higher than the noise from gunshots (140 decibels) and low-level flying jets (100 decibels). Irreversible ear damage, such as tinnitus and loss of hearing in humans starts at the 80-decibel range.

There is no safe place not even in our homes, turning up TV's and stereo's can also cause hearing damages to humans and animals.

Fireworks can create joy and excitement, but restrictions must be put into place. These safety tips should be followed to protect animals from fireworks:

2019 The fireworks can now be set off for 7 days in a row from 11 a.m. to 11:45 p.m. this ends up being almost 13 hours a day for 7 days of non stop fireworks " 91 hours"

Where are we to get relief since our homes do not offer protection from the window & floor shaking booms? Maybe our city should provide a safe place for people to go instead of the ones who leave their homes and live in the back of their vehicles for days on end way out in the country just to get away when they can not afford to stay in hotels.

Personally for 3 yrs I had stayed in a hotel to get away for the 4 days and it caused such financial hardships that I would face having my gas, lights and water being turned off. I would not eat these days in order to save money which can cause more medical issues not just for me but for others who have had to do this. At the time I was only getting 700.00 a month once you take away the cost of 125.00 a day which equals \$500.00 there was not enough left to pay for food, bills, and necessities. Then there were other times I stayed in the back of my own vehicle with no air in the very hot days just to get away from the non stop booms which was very difficult to do but I had no choice.

Now with the new dates upon us this will mean the end of the month do we ignore our bills for the entire month and the next month just to be able to try and get away and have peace of mind for ourselves and our pets? We pay to keep our homes and should be able to live in them year around and if we can not who will compensate us for this? Who will pick up the cost of when we have shut offs and no food for these

months? Sure there are food banks but you do not get enough to get you through for extended amounts of time and this would end up being 2 months.

Why does every event and holiday in the city of Lansing have to consist of fireworks? When you do this you discriminate against the families who have sensory issues, PTSD, Misophonia, ASD , HYPERSENSITIVE HEARING, ADHD, and anxiety disorders and much more.

Then we have to think about the veterans who before had places to go such as a camp ground for 3 days in order to get away from the loud noises that could cause them emotional harm or much worse and now they have to try to find places to go for 7 days straight. Or do we no longer care about their well being, what are they suppose to do now? Did anyone ever think of them when we decided to change the laws? Or was it more about MONEY knowing these days would bring in more for the state of Michigan? When did a small profit come before the people of this state?

The people or even the animals need to know our city officials care and are willing to address these issues and help to find a solution.

We deserve to know when fireworks are going to be used so we can prepare for families which includes our pets, is that too much to ask for?

Is it too much to ask for consideration about changing ordinances that still work with Michigan Laws.

INTRODUCTION OF ORDINANCE

Council Member Washington introduced:

An ordinance of the City of Lansing, Michigan, to amend the Lansing codified Ordinances by Amending Chapter 1615, sections 1615.02 and 1615.06 to provide for the regulation of the days and times permitting the unlicensed ignition, discharge and use of consumer fireworks and the penalties for violation of the regulations; and to conform the regulations and penalties to the requirements of Michigan 2018 P.A. 635 regarding local government ordinances.

The Ordinance is referred to the Committee on General Services

RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 24, 2019 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of Amending Chapter 1615, sections 1615.02 and 1615.06 to provide for the regulation of the days and times permitting the unlicensed ignition, discharge and use of consumer fireworks and the penalties for violation of the regulations; and to conform the regulations and penalties to the requirements of Michigan 2018 P.A. 635 regarding local government ordinances.

Interested Persons are invited to attend this Public Hearing

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE
LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1615, SECTION S
1615.02 AND 1615.06 TO PROVIDE FOR THE REGULATION OF THE DAYS AND
TIMES PERMITTING THE UNLICENSED IGNITION, DISCHARGE AND USE OF
CONSUMER FIREWORKS AND THE PENALTIES FOR VIOLATION OF THE
REGULATIONS; AND TO CONFORM THE REGULATIONS AND PENALTIES TO THE
REQUIREMENTS OF MICHIGAN 2018 P.A. 635 REGARDING LOCAL GOVERNMENT
ORDINANCES.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1615, Sections s 1615.02 and 1615.06, of the Codified Ordinances
of the City of Lansing, Michigan, be and is hereby amended to read as follows:

~~1615.02.~~

1615.02. - Prohibitions

(a) Fireworks shall not be manufactured in the City.

(b) ~~Consumer fireworks shall not be used in the City without a license~~ NO PERSON
SHALL IGNITE, DISCHARGE, OR USE CONSUMER FIREWORKS IN THE CITY
WITHOUT A LICENSE, EXCEPT: AFTER 11:00 A.M. ON THE FOLLOWING DAYS AND
IN COMPLIANCE WITH 2018 PUBLIC ACT 635, BEING MCL 28.45775:

(1) ~~On any day except the day preceding, day of, or day after a national holiday~~
DECEMBER 31 UNTIL 1 A.M. ON JANUARY 1.

(2) Between the hours of 12:00 midnight and 8:00 a.m. on the day preceeding, day of, or day after a national holiday, or between the hours of 1:00 a.m. and 8:00 a.m. on New Year's Day THE SATURDAY AND SUNDAY IMMEDIATELY PRECEDING MEMORIAL DAY UNTIL 11:45 P.M. ON EACH OF THOSE DAYS.

(3) JUNE 29 TO JULY 4 UNTIL 11:45 P.M. ON EACH OF THOSE DAYS.

(4) JULY 5, IF THAT DATE IS A FRIDAY OR SATURDAY, UNTIL 11:45 P.M.

(5) THE SATURDAY AND SUNDAY IMMEDIATELY PRECEDING LABOR DAY UNTIL 11:45 P.M. ON EACH OF THOSE DAYS.

1615.06. – Penalty

Unless otherwise provided by law, any person who violates any provision of this Chapter or a provision of any license issued under this Chapter is responsible for a municipal civil infraction and subject to a fine not exceeding \$500.00, plus costs of prosecution for each violation, EXCEPT ANY PERSON WHO VIOLATES SUBSECTION 1615.02(B) SHALL BE SUBJECT TO A FINE OF \$1,000, FOR EACH VIOLATION, AND FROM THE FINE COLLECTED, \$500.00 SHALL BE REMITTED TO THE LANSING POLICE DEPARTMENT BUDGET FOR ENFORCING THE ORDINANCE.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
immediate effect by City Council and shall expire May 21, 2029.

Approved as to form:

City Attorney

Dated: _____

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XV. B. 1. b.

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

January 9, 2019

John Simmons
c/o Simmons Properties, LLC
info@glelevators.com

RID # 1901-00057 Reference/Transaction: Transfer Location 2018 Resort Class C & SDM License With Sunday Sales Permit (AM), Sunday Sales Permit (PM), Outdoor Service (1 Area), Catering Permit, (2) Bars And Dance-Entertainment Permit, (Original 550 Resort License, Not At Its Original Location, Must Meet Seating And Food Requirements) From 7786 E Us 10, Walhalla To 419 Spring St, Lansing And Transfer Governmental Unit From Branch Twp, Mason County To Lansing City, Ingham County

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Simmons Properties, LLC

Business address and phone number: 419 Spring St, Lansing MI 48912, Ingham County

Home address and phone number of partner(s)/subordinates:

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: Lansing City Clerk



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

February 14, 2019

Michael Brown, attorney
c/o Leo's Post, LLC
mbrown@cebhlaw.com

RID # 1902-02235 Reference/Transaction: Transfer Ownership 2018 Class C and SDM Licensed Business With Sunday Sales Permit (PM), Dance-Entertainment Permit, And Outdoor Service (1 Area) From Leo's Outpost, Inc. located at 600 S Pennsylvania, Lansing MI 48912, Ingham County

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Leo's Post, LLC

Business address and phone number: 600 S Pennsylvania, Lansing MI 48912, Ingham County

Home address and phone number of partner(s)/subordinates:

Peter Cronk, 12760 Warm Creek Dr, DeWitt MI 48820- C. 517-899-9764

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: Lansing City Clerk



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

February 8, 2019

Bar Mitena, LLC
Michael Luther
(mjluther@gmail.com)

Request ID # 1811-16186 Re: Transfer Ownership escrowed 2018 Class C licensed business with Dance-Entertainment Permit from Tini Bikinis-Lansing, LLC; transfer location from 511 E Hazal, Lansing; cancel existing Outdoor Service and request new Sunday Sales Permit (AM & PM).

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Bar Mitena, LLC

Business address and phone number: 2001 E Michigan Ave, Lansing 48912

Home address and phone number of partner(s)/subordinates:

1. Jonathan Berlinski, 1123 Abbot, East Lansing 48823; C (517) 214-9795
2. Thomas Cochran, 624 W Grand River Ave, Williamston 48895; C (517) 862-6159
3. Justin King, 302 High St, Williamston 48895; C (734) 330-9371
4. Michael Luther, 1221 Buckingham, Haslett 48840
5. Matthew Martyn, 901 Cleveland, Lansing 48906, C (517) 214-9796

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: City of Lansing (city.clerk@lansingmi.gov)



XV B 2

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

March 26, 2019

Mash Mavericks, Inc.
c/o Scott Ellis
(email: sellis@michigrain.net)

RID #1812-16586

Reference/Transaction: Transfer stock interest through transfer of stock from the corporation to new and existing stockholders as follows: existing stockholders Scott Ellis (1,365.41 shares); Pat Scully (975.29 shares); William Ellis (1,300.39 shares); Thomas Ellis (1,300.39 shares); New Stockholders; James Mitte (2,600.78 shares); James Mathes (2,375.68 shares); Don and Shirley Kowalk (300 shares); William Towns (200 shares); Jason Russell (200 shares); Dennis Dekok (1,111.11 shares); Jeremy Bowen (230 shares); Joseph Mitte (150 shares); Yaser Berry (639.89 shares); Cheryl Kowalk (300 shares) and Ryan Cressman (200 shares), in conjunction with 2018 Small Distiller, Seller of Alcohol licensed corporation with On-Premise Tasting Room Permit, and Sunday Sales Permits (AM & PM) located at 523 E. Shiawassee St., Lansing, MI. 48912, Ingham County.

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Mash Mavericks

Business address and phone number: 523 E. Shiawassee St., Lansing, MI. 48912, Ingham County (B) 517-220-0560

Home address and phone number of partner(s)/subordinates: James Mathes, 22163 Genesis Dr., Woodhaven, MI. 48183 (C) 734-276-0259; James Mitte II, 5248 Prairie View, Brighton, MI. 48116 (B) 810-360-0180 (C) 248-762-4270; Jason Russell, 106000 Sun Da Go Dr., Middleville, MI. 49333 (B) 616-528-4071 (C) 616-308-7626; Dennis De Kok, 4045 Marabaibo Shores Dr., SE, Grand Rapids, MI. 49546 (B) 616-340-8868; Joseph Mitte, 5190 Mystic Lake Drive, Brighton, MI. 48118 (C) 810-623-8540; Ryan Cressman, 2317 W. /Price Rd., St. Johns, MI. 48879 (C) 517-290-2145; William Towns, 3770 Baumhoff Ave., Comstock Park, MI. 49321 (C) 616-485-6719; Yaser Berry, 22547 Morley Ave., Dearborn, MI. 48124 (B) 734-844-2420 (C) 313-779-0444; Jeremy Bown, 154 Post Rd., North Hampton, NH. 03862 (C) 978-816-6522; Cheryl Kowalk, 12740 Crescent Dr., Grand Ledge, MI. 48837 (C) 517-627-2825; Shirley Kowalk, 2241 Cedarbend Drive, Holt, MI. 48842 (B) 517-374-9611 (C) 517-256-6917; Donald Kowalk, 2241 Cedarbend Drive, Holt, MI. 48842 (B) 517-367-4830 (C) 517-897-7140

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep**

scheduled appointments will cause the application to be returned to the Lansing office for cancellation.

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

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cc: Lansing City Council



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

April 2, 2019
Meijer Inc.
c/o Kelly Ward
kelly.ward@meijer.com

RID #1903-04402

Reference/Transaction: New SDM License Issued under MCL 436.1533(5)(b)(i) and Sunday Sales Permit (AM)

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Meijer, Inc.

Business address and phone number: 600 E Michigan Ave, Lansing MI 48912

Home address and phone number of partner(s)/subordinates:

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As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

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MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

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XV.B.3.b

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Friday, May 10, 2019

Mahi 4405, Inc.
c/o Kulwinder Singh, Applicant
rgilaw@sbcglobal.net

RID # RQ-1903-04506
PM) Permit

Reference/Transaction: Transfer of an SDM and SDD license with Sunday Sales (AM &

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Mahi 4405, Inc.

Business address and phone number: 4405 S. Martin Luther King Jr. Blvd., Suite D & E, Lansing, MI 48910

Home address and phone number of partner(s)/subordinates:
Kulwinder Singh, 220 Gatewood Drive, Apt. 211, Lansing, MI 48917 – C: 517-719-2111

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

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MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

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cc:



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GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

May 15, 2019
Ronny 1700, LLC
c/o Roger Isaac
rgilaw@sbcglobal.net

RID #1904-06841

Reference/Transaction: Transfer Ownership Escrowed 2019 SDM Licensed Business with Sunday Sales Permit (AM) from Ren Inc.

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Ronny 1700, LLC

Business address and phone number: 1700 S. Washington Ave. Lansing MI 48910

Home address and phone number of partner(s)/subordinates:

1. Rajinder Kaur: 7614 Heritage Dr. Apt #3 Lansing MI 48917 C-(517) 505-9474

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

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MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

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