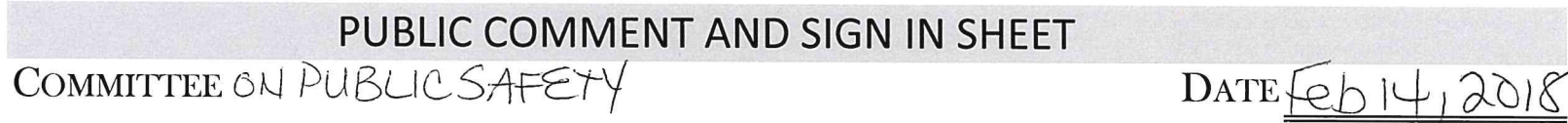




AGENDA
Committee on Public Safety
Wednesday, February 14, 2018 @ 4:00 p.m.
Council Conference Room, 10th Floor

Council Member Carol Wood, Chair
Council Member Adam Hussain, Vice Chair
Council Member Jeremy Garza, Member

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - January 24, 2018
4. **Public Comment on Agenda Items**
5. **Discussion/Action:**
 - A.) DISCUSSION – Economic Development & Planning plans for Code Enforcement
 - B.) DISCUSSION – Zoning Ordinance Amendment to require parking lot lighting
 - C.) DISCUSSION – Review of New Sign Ordinance Pamphlet
 - D.) UPDATES
 - Commercial Board-Up's
 - 3801 Walton Property Inspections and Next Steps
 - Holmes Street School Property Inspections and Next Steps
 - "No Parking 2 a.m. – 5a.m."
6. **Other**
7. **Adjourn**



DATE Feb 14, 2018

Please print

[illegible]



MINUTES
Committee on Public Safety
Wednesday, January 24, 2017 @ 4:00 p.m.
City Hall, Council Conference Room

CALL TO ORDER

The meeting called to order at 4:00 p.m.

ROLL CALL

Council Member Carol Wood, Chair
Council Member Adam Hussain, Vice Chair
Council Member Jeremy Garza, Member- excused

OTHERS PRESENT

Sherrie Boak, Council Staff
Brandon Waddell, Assistant City Attorney- left at 4:59 p.m.
Susan Stachowiak, PND
Harold Leeman, Jr.
Nancy Mahlow
Elaine Womboldt
Kathy Miles
Greg Scrimger, Code Compliance
Mary Ellen Purificato

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM DECEMBER 6, 2017 AS PRESENTED. MOTION CARRIED 3-0.

PUBLIC COMMENT

Ms. Mahlow asked that the Committee address on-street parking, noting her concerns have to do with parking close to an intersection and parking in front of the fire hydrants. She suggested increasing the fine so people would think twice. Council Member Wood added to the topic that in 2016 Council received communications from the Administration on potentially doing away with "No 2am-5am Parking", but at the time there was a concern with the complete removal of it. The Committee topics then switched to medical marijuana, and parking was put on the back burner. She would consider pursuing the topic again, and look into permit parking where they had to show a need and limited to an annual permit that would have to be renewed.

Ms. Miles spoke in support of parking enforcement.

Council Member Wood amended the agenda to address the Updates first.

UPDATES –

Information on a Sign Code Pamphlet from Zoning

Ms. Stachowiak provided a handout similar to what was distributed to the Committee in 2017. Council Member Wood reminded her that with the new ordinance that was passed in 2017, the Council is looking for a pamphlet on enforcement and implementation. Ms. Stachowiak stated she would have something by the next meeting, February 14, 2018. Council Member Hussain asked if there had been enforcement since the ordinance was passed. Ms. Stachowiak admitted she had been over whelmed with medical marihuana applications since that passage, but has sent out two letters on signage, and sign enforcement will pick up again shortly. If anyone has a complaint that complaint can come directly to Ms. Stachowiak.

Commercial Board Ups

Mr. Waddell confirmed Law was just recently made aware of a concern on whether building safety should or can board up commercial buildings. After a review of the Housing Law of Michigan and the International Property Maintenance Code, it was determined that the International Code does apply to commercial buildings and gives the decision making up to the code official. If the code official believes imminent danger, they shall do what they think to make safe, which includes ordering repairs of a border up. Mr. Waddell concluded by stating the decision would be up to Mr. McGrain and who he designates that has that power. Law can make a policy, or the International Property Maintenance Code does have an appendix the City has not adopted that includes that standard, they could adopt. Council Member Wood suggested adopted the 2012 International Property Maintenance Code since the last one was 2009.

The topic then moved specifically to 930 West Holmes and broken windows in that commercial site that need to be boarded up. In addition Council Member Hussain had issues with the lack of parking lot lighting at the site, along with the condition of the parking lot and trash. Ms. Stachowiak informed the Committee that the current zoning ordinance does not require parking lot lights, only at the entrance to a commercial building. Council Member Wood suggested updating the zoning ordinance to address this issue.

Ms. Miles state her opinion that she believed other things were going on at 930 W. Holmes. Council Member Hussain agreed, stated that he had heard at an outside meeting there were access issues at the building where there is a large opening in the side.

Mr. Scrimger asked Law for the interpretation on what they deemed “open and accessible” allowing them to board it up. Board up crews can be called, but he stated if it is small enough where a person cannot access inside the building they would post it, but not have it boarded up. That has been the office practice and field decision, since the City has not adopted the International Property Maintenance Code Appedix which speaks directly to it. Mr. Waddell stated he would check on those specifics, definition and direction.

Ms. Womboldt complained that the sidewalks were not maintained over the winter at the site either.

Ordinance on gambling establishments

Mr. Waddell confirmed he had done some research based on an earlier question, noting that after looking at everything under the State statue, everything except bingo with non-profits is covered. Chief Yankowski has asked Law to consider a local ordinance to enforce. The City Attorney Office has decided to look into an ordinance that mirror's the State ordinance. He stated again that the State statue regulates everything and the only thing allowed with a permit is bingo.

3801 Walton

Mr. Waddell referred to an email he had received on January 16th from the inspector that stated he had done a walk thru at the first of the month and everything he had asked the owner to do was done except for the two windows that were in question earlier. The department did issue a rental certificate, and the inspector is going back the week of January 22, 2018 to check on those windows and will also check a fence that there have been complaints on. Council Member Wood asked about the status of the eviction of the tenants. Mr. Waddell confirmed they have not stepped in on eviction and are not aware if it has been done. Officer Arnold has informed law that the owner informs him he is going to evict, but has not. Law was asked to follow up on that item. Council Member Hussain noted he too had spoken to Officer Arnold about the evictions and was informed there is a concern with a number of tenants. He then asked Mr. Scrimger if the Fire Marshall had visited the second entrance to the site, as requested at the last meeting in December, 2017. Council Member Wood added that they also needed to follow up to see if cameras were installed, if they are doing back ground checks on the tenants, and if the owner has provided a cleaning plan. She recalled in the past Law has worked with the Council and a nuisance property and done a letter similar to a contractual agreement with terms, items and timelines and if those items were not addressed, law could proceed with action under a nuisance and circuit court.

Council Member Hussain noted that he recently spoke to the new owner at 804 LeGrand who is doing a premise inventory and working on making the property safer.

Mr. Waddell informed the Committee that regarding the fence between the properties, Law has sent a message to Code to ask them to visit the site and if the fence is in disrepair to ticket everyone that is adjacent to the fence, and if the fence is not that property owners the court can decide. As of January 29, 2018 the inspector had not done that yet.

DISCUSSION/ACTION:

RESOLUTION – Make Safe and Demolish Order: 123 N. Hayford

Mr. Scrimger informed the Committee that no one has contact his office, pulled permits or taken any action on the property.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR DEMOLITION OF THE FIRE DAMAGED PROPERTY WITHIN 30 DAYS.

Ms. Mahlow supported the demolition.

MOTION CARRIED 2-0.

Council Member Wood asked Mr. Scrimger to create a new procedure for Make Safe and Demolish to monitor and regulate the time from the search warrant, putting out to bid, award of bid and demolition. Mr. Scrimger stated he would inform Mr. Sanford.

Council Member Wood asked Law to research before the next meeting and provide an update on medical marihuana licenses, including the ones still open and no application. The topic for discussion will also include the ongoing odor issue, and a discussion on resolution for enforcement.

Council Member Hussain asked Mr. Waddell about the procedures and practices of pictures of violations being sent to Code, and being informed that Code will not accept them because they are not immiscible in court. Mr. Waddell stated they can be used in court, but they would prefer not having a Council Member as a witness. The discussion then briefly discussed the lack of enforcement after 5 pm. It was noted that maybe the LPD would consider having a

designated officer available for the after 5 violations on given days. Council Member Wood asked to invite Mr. McGrain to attend the next meeting to address his plans for code enforcement in his department.

Ms. Mahlow brought to their attention there was a new medical marihuana shop at Pennsylvania and Kalamazoo. Council Member Wood informed her there was no longer a moratorium, so if they applied for a license they can be open.

Ms. Miles asked for after hours enforcement on odor.

Ms. Purificato updated the Committee on the situation she has mentioned at past meetings with her neighbor in her condo development, and that it was now under control and they have had additional enforcement present.

OTHER

Ms. Womboldt stated her displeasure with 930 W. Holmes and Logan Center.

Mr. Leeman, Jr. asked if the Clerk had a status on the 25 licenses/applications the new medical marihuana ordinance allowed. Council Member Wood admitted she also was inquiring into the information and has inquired why some information cannot be released because they are stating HIPA. There have been 80 pending licenses, but Council is not been given the list of rejected ones. Council is waiting on law to make their recommendation to the Clerk to release the information.

Mr. Leeman, Jr. asked if Mayor Schor had been in discussion with the owners of 930 W Holmes. Council Member Wood stated the rezoning was done under the Bernero administration. Currently Council is aware that the owner has not sold as he stated he was, and has not paid the taxes as he stated he would, so Council is looking into what can be done since there was not fulfillment of the vote, and if Council can reverse the rezoning.

ADJOURN

The meeting was adjourned at 5:03 p.m.

Submitted by,

Sherrie Boak, Council Office Manager

Lansing City Council

Approved:

PROPOSED ZONING ORDINANCE AMENDMENT:

Unless otherwise exempted by this Section, all lighting must comply with the following standards:

1. Minimum lighting standards:

Exterior lighting, in compliance with the standards of this Section, must be provided in all parking lots designed for the parking of more than ten (10) vehicles and for all loading and unloading areas on commercial or industrial sites. Such lighting must be of an intensity that is sufficient to cover the entire parking lot, while not exceeding the limitations set forth in this Section, and must be provided, even if the site is not currently occupied.

2. Maximum lighting standards.

- a. All lighting, including lights visible through a window, shall be fully shielded and directed downward to prevent off-site glare.
- b. The intensity of lights shall not exceed 5 footcandles within any site. For sites abutting a residential district or use, the intensity of light cannot exceed 0.5 footcandles at the property line. A maximum of 10 footcandles is permitted within a site for gasoline stations and automobile dealerships as long as the light intensity does not exceed the allowable intensities at the property line.
- c. The maximum height of parking lot light fixtures shall be 35 feet.
- d. Luminous-tube and exposed-bulb fluorescent lighting is prohibited as an architectural detail on all buildings, e.g. along the roof line and eaves, around windows, etc.

3. Exemptions.

The following are exempt from the lighting requirements of this article, except that the Building Official or Zoning Administrator may take steps to eliminate the impact of lights for the exempted uses when deemed necessary to protect the health, safety and welfare of the public:

- a. Sports field lighting, in use no later than 11:00 p.m., provided they are located at least 1,000 feet away from any existing residential zone or use. Other sports field lighting may be approved by the Planning Office after a determination that compliance with the standards in this Section have been met to the greatest extent possible, and that all efforts possible were made to minimize any negative impacts to surrounding uses.
- b. Shielded pedestrian walkway lighting.
- c. Street lights.
- d. Public recreational facilities.

PSF 2/14

Boak, Sherrie

From: Waddell, Brandon
Sent: Thursday, January 25, 2018 9:12 AM
To: Scrimger, Greg; Hussain, Adam; Wood, Carol; Boak, Sherrie
Cc: Smiertka, Jim
Subject: Public Safety 1/24/18

Greg presented a question at the public safety meeting yesterday as to the standards for “unsafe conditions” in relation to boarding vacant properties because of a broken window. These standards are found in the IMPC:

305.3 Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

This section sets a standard for windows to be “maintained in good...condition”. The argument can be made that good condition would mean, not broken. However, the IMPC does not have clear definitions of what a dangerous condition is of code officials to follow.

108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

This section gives the code official the ability to board up the property so it is not an attractive nuisance which a broken window can also be argued to be. The code as written gives the code officials the ability to board up vacant properties if there is a defect that would constitute bad condition and the boarding would remove the attractive nuisance.

Another option for the City could be to adopt by reference or by other means, MCL 125.539 “”Dangerous building” defined” section of the Housing Law of Michigan so that they also are applied to the IMPC, or non-residential structures. This section has a well-defined standard for what constitutes a dangerous building, for example:

- (i) A building or structure is vacant, dilapidated, and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

Adopting these definitions could clear up any questions when a code official is making the decision to move forward or not.

Brandon Waddell

Assistant City Attorney

Office of the City Attorney

124 W. Michigan Ave. | Lansing, MI 48933

O: 517.483.4328 | Fax: 517.483.4081 | E: Brandon.waddell@lansingmi.gov

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)



WINDOW SIGNS

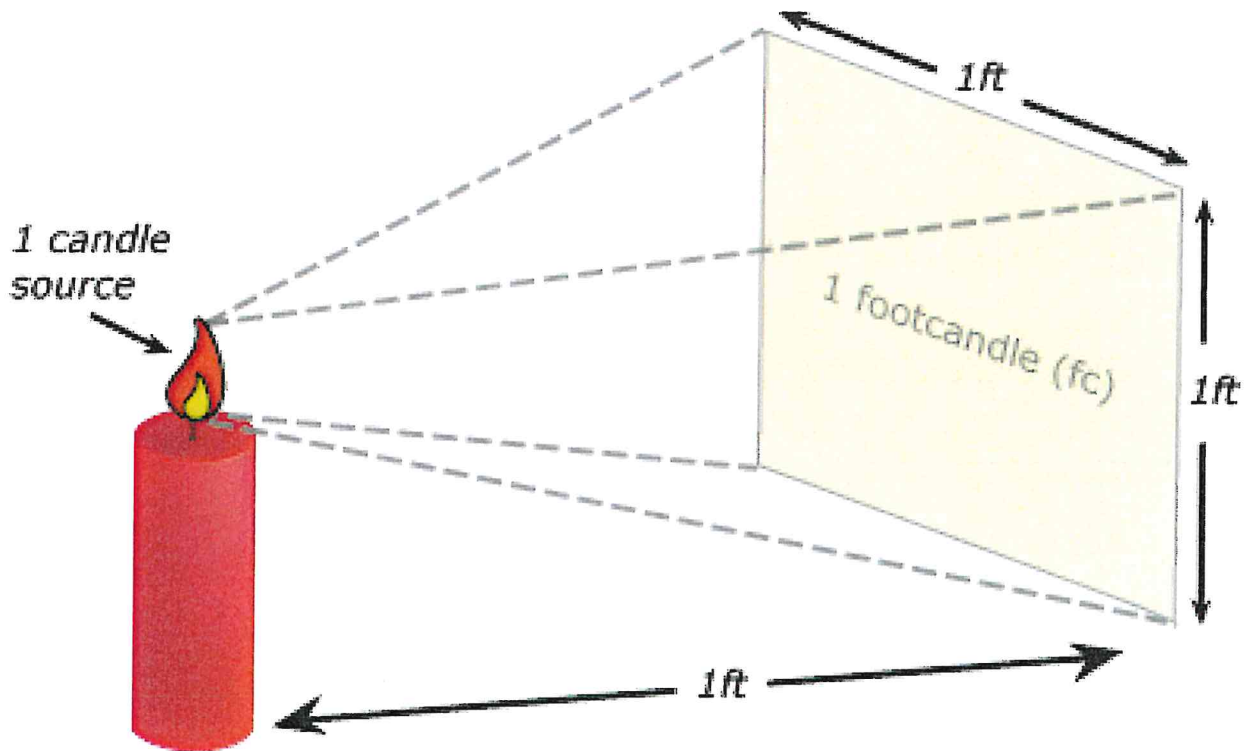
Section 1442.15 of the City of Lansing Sign Ordinance provides that:

“Window signs shall not exceed 20 percent of the window area from which the sign can be seen from the exterior of the building. All mounting hardware and equipment shall be concealed from the exterior view of the building”

Examples of illegal window signage:



FOOTCANDLE – Is the basic unit of illuminance (the amount of light falling on a surface). Footcandle measurement is taken with a hand held light meter. One footcandle is equivalent to the illuminance produced on one square foot of surface area by a source of one candle at a distance of one foot. Horizontal footcandles measure the illumination striking a horizontal plane. Footcandle values can be measured directly with certain handheld incident light meters.



Activity	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Activity	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Activity	Yearly Totals
Total Tagged	532	508	535	530	528	553	Total Tagged	550	579	592	601	617	621	Total Tagged	Avg: 562
NEAT Tags	291	279	271	274	269	277	NEAT Tags	273	268	285	299	310	316	NEAT Tags	Avg: 284
NEAT Candidates >90	32	25	24	26	31	42	NEAT Candidates >90	31	34	50	50	25	44	NEAT Candidates >90	
CCO Assigned	290	278	270	272	264	273	CCO Assigned	272	211	282	298	307	315	CCO Assigned	
Monitoring Billed @\$150	146	165	156	157	110	142	Monitoring Billed @\$150	135	134	146	155	158	158	Monitoring Billed @\$150	1762
Total Billed	\$21,900.00	\$24,750.00	\$23,400.00	\$23,550.00	\$16,500.00	\$21,300.00	Total Billed	\$20,250.00	\$20,100.00	\$21,900.00	\$23,250.00	\$23,700.00	\$23,700.00	Total Billed	\$264,300.00
Not Billed	145	110	115	117	159	135	Not Billed	138	134	146	144	152	158	Not Billed	
Total Chargebacks	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Total Chargebacks	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Total Chargebacks	
Amy - NEAT Units							Amy - NEAT Units							Amy - NEAT Units	
Cameron - NEAT Units							Cameron - NEAT Units							Cameron - NEAT Units	
Dave V. - NEAT Units	54	44	43	43	43	45	Dave V. - NEAT Units	44	41	45	53	56	56	Dave V. - NEAT Units	
Gregg - NEAT Units							Gregg - NEAT Units				2			Gregg - NEAT Units	
Larry - NEAT Units							Larry - NEAT Units							Larry - NEAT Units	
Mike - NEAT Units							Mike - NEAT Units				1			Mike - NEAT Units	
Vince - NEAT Units							Vince - NEAT Units				2			Vince - NEAT Units	
Walter - NEAT Units							Walter - NEAT Units							Walter - NEAT Units	
Dave K. - NEAT Units	49	48	46	44	46	49	Dave K. - NEAT Units	53	50	53	54	53	52		
Jacob Odom - NEAT Units	72	75	73	76	72	73	Jacob Odom - NEAT Units	71	71	76	77	83	93		
Meredith Johnson - NEAT Units	49	48	48	48	42	45	Meredith Johnson - NEAT Units	44	41	43	42	42	42		
Zach Driver - NEAT Units	66	63	60	61	61	61	Zach Driver - NEAT Units	60	62	65	67	73	72		
New Rental Registrations	36	44	51	36	71	65	New Rental Registrations	40	39	47	67	65	43	New Rental Registrations	604
LPD Callouts Generate Tag	7	13	15	15	11	15	LPD Callouts Generate Tag	20	8	10	19	9	17	LPD Callouts Generate Tag	159
2017	Jan	Feb	Mar	Apr	May	Jun	2017	Jul	Aug	Sept	Oct	Nov	Dec	2017	
Address Letters	29	50	59	53	16	2	Address Letters	4	39	19	6	5	4	Address Letters	286
Emergency Board Up	26	44	34	30	48	30	Emergency Board Up	35	36	28	34	26	24	Emergency Board Up	395
Exterior	5	15	26	27	37	19	Exterior	15	33	12	8	5	3	Exterior	205
Failure to Register	60	117	163	61	223	75	Failure to Register	88	225	108	160	183	114	Failure to Register	1577
Lack of Certificate	16	32	61	51	22	22	Lack of Certificate	56	49	30	27	47	20	Lack of Certificate	433
Rental Certification	322	368	441	345	433	376	Rental Certification	319	441	265	433	479	382	Rental Certification	4604
Rent Cert Insp & Comp	26	35	39	30	60	101	Rent Cert Insp & Comp	47	47	45	31	44	44	Rent Cert Insp & Comp	549
Safety Correction Notices	40	46	55	38	47	62	Safety CNs	83	85	70	62	74	52	Safety CNs	714
Total Correction Notices (CNs)	524	707	878	635	886	687	Total CNs	647	955	577	761	863	643	Total CNs	8763
Total CNs (minus Bd-ups)	498	663	844	605	838	657	Total CNs (minus Bd-ups)	612	919	549	727	837	619	Total CNs (minus Bd-ups)	8368
DAMV CNs	52	67	38	27	87	56	DAMV CNs	31	31	31	26	23	8	DAMV CNs	477
Trash Authorizaton	93	98	97	71	96	88	Trash Authorizaton	77	122	105	111	60	94	Trash Authorizaton	1112
Trash CNs	812	800	766	675	772	611	Trash CNs	659	911	697	635	608	347	Trash CNs	8293
Weeds Authorization				1	264	227	Weeds Authorization	143	131	103	54	21	0	Weeds Authorization	944
Weeds CNs				342	2756	1106	Weeds CNs	1269	569	466	199	44	0	Weeds CNs	6751
Total Premises Violations	864	867	804	1,044	3618	1773	Total Premises Violations	1,959	1,511	1,194	860	675	355	Total Premises Violations	15,524
Complaints Via Web Site	38	25	38	50	84	70	Complaints Via Web Site	62	68	31	48	39	19	Complaints Via Web Site	572

Submitted On 1/8

Activity	Jan-18	Feb-18	Mar-18	Apr-18	May-18
Total Tagged	637				

NEAT Tags	323				
NEAT Candidates >90	34				
CCO Assigned	319				

Monitoring Billed @\$150	153				
Total Billed	\$22,950.00				
Not Billed	170				
Total Chargebacks	\$0.00				

Amy - NEAT Units	3				
Cameron - NEAT Units	2				
Dave V. - NEAT Units	54				
Gregg - NEAT Units	1				
Larry - NEAT Units					
Mike - NEAT Units	3				
Vince - NEAT Units	0				
Walter - NEAT Units	0				
Dave K. - NEAT Units	53				
Jacob Odom - NEAT Units	91				
Meredith - Neat Units	44				
Zach Driver - NEAT Units	71				

New Rental Registrations	43				
LPD Callouts Generate Tag	17				

2018	Jan	Feb	Mar	Apr	May
Address Letters	4				
Emergency Board Up	24				
Exterior	2				
Failure to Register	136				
Lack of Certificate	20				
Rental Certification	276				
Rent Cert Insp & Comp	58				
Safety Correction Notices	50				
Total Correction Notices (CNs)	570				
Total CNs (minus Bd-ups)	546				

DAMV CNs	15				
-----------------	----	--	--	--	--

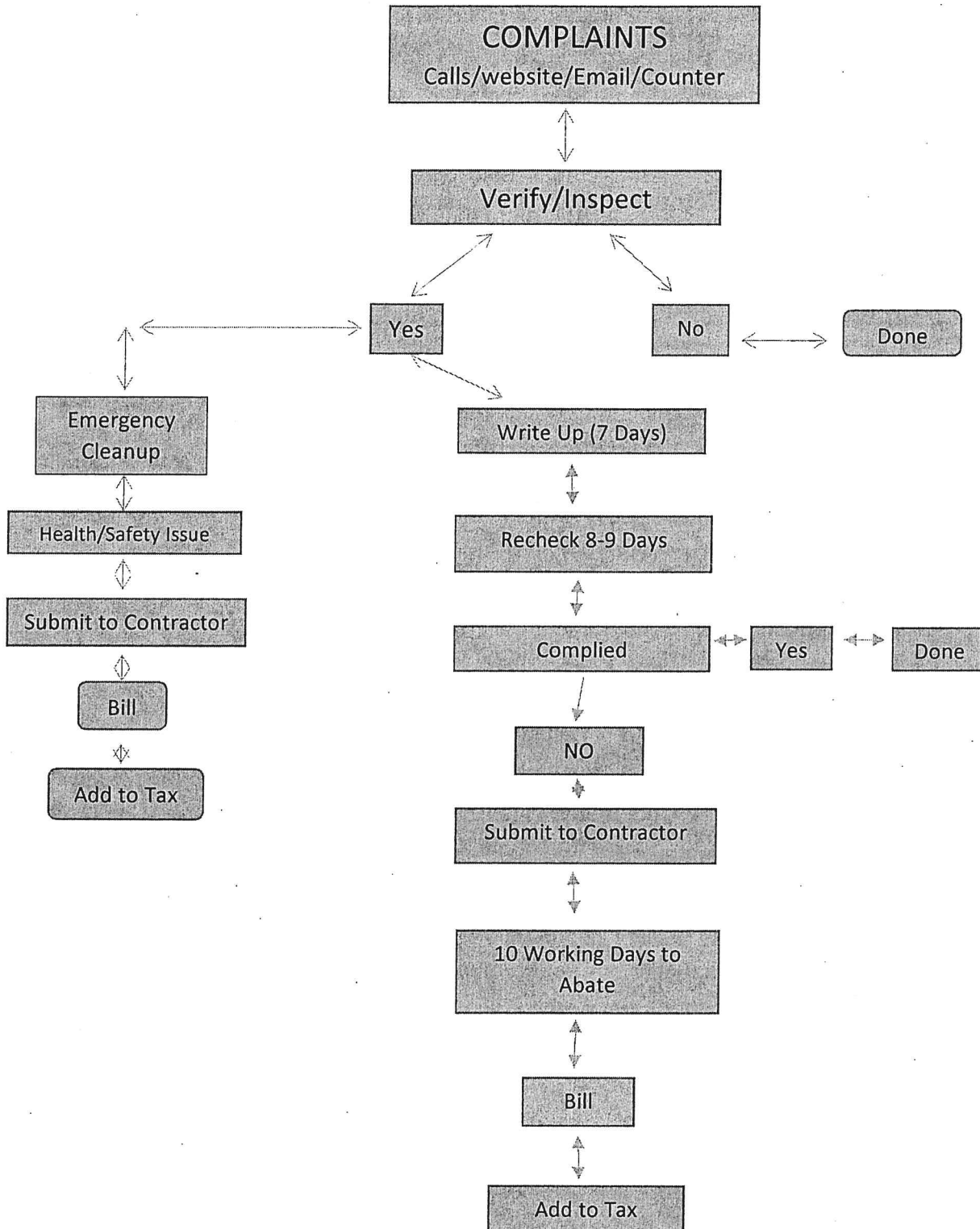
Trash Authorizatoin	56				
Trash CNs	460				

Weeds Authorization	0				
Weeds CNs	0				

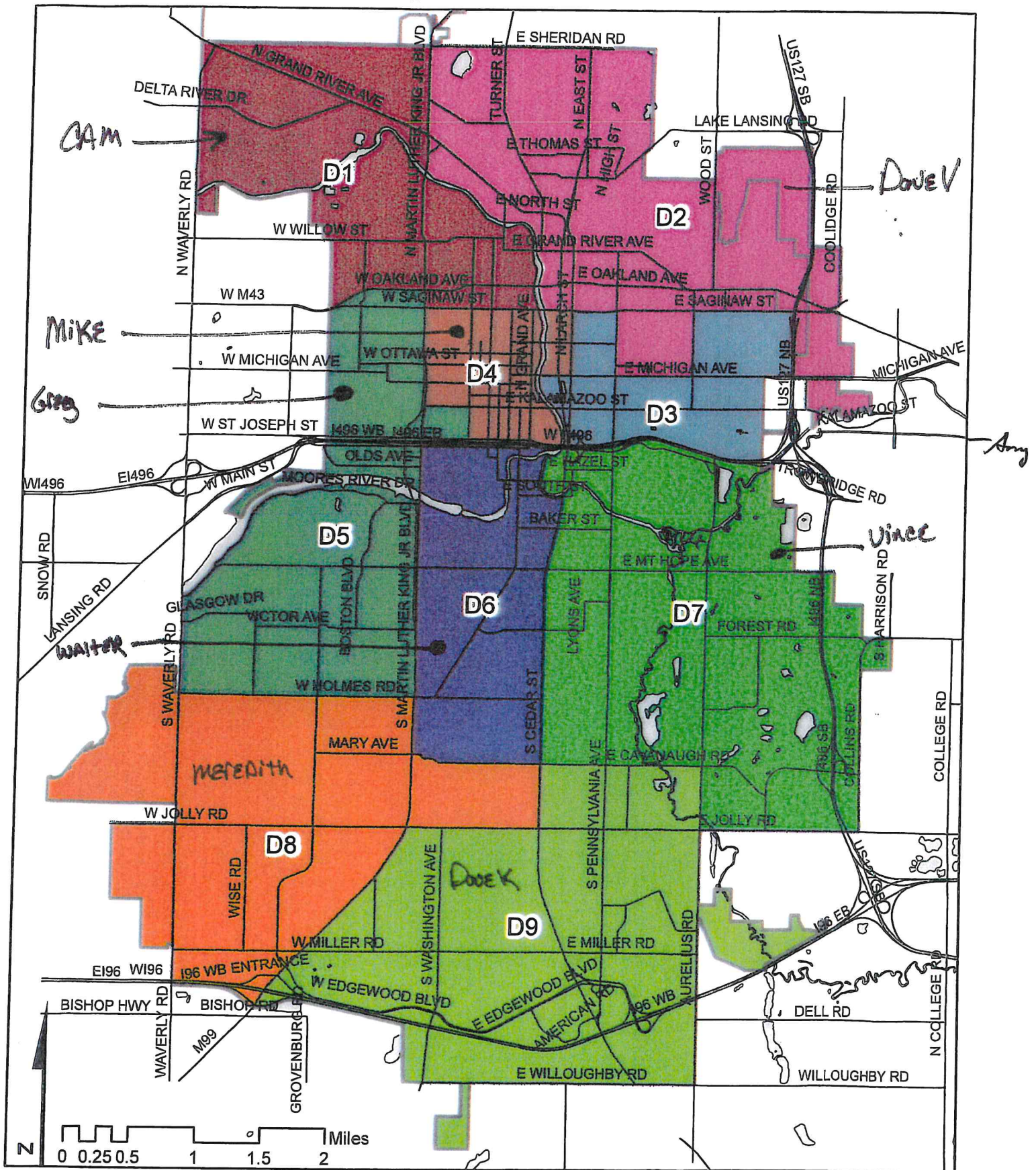
Total Premises Violations	475				
----------------------------------	-----	--	--	--	--

Complaints Via Web Site	32				
--------------------------------	----	--	--	--	--

PREMISE PROCESS



Code Compliance Areas 2018



WINDOW SIGNS

Section 1442.15 of the City of Lansing Sign Ordinance states that:

“*Window signs* shall not exceed 20 percent of the *window* area from which the *sign* can be seen from the exterior of the building. All mounting hardware and equipment shall be concealed from the exterior view of the building”

Examples of illegal window signs



TEMPORARY SIGNS

The following is a basic summary of the City of Lansing temporary sign regulations:

- No signs are permitted within the public right-of-way which is generally the area between the sidewalk and the edge of the public street. Where sidewalk does not exist, the right-of-way is considered to extend for a distance of 15 feet from the edge of the street.
- Inflatable signs, strings of flags/pennants, roof top signs and signs affixed to telephone poles, light poles or any other fixture within the public right-of-way are expressly prohibited.
- The Sign Ordinance permits one temporary sign, up to 32 square feet in area, per business, for a maximum of 30 days in a calendar year.
- One mobile temporary sign, up to 32 square feet in area, per parcel of land is permitted for a maximum of 60 days in a calendar year. A sign permit from the City of Lansing Building Safety Office (316 N. Capitol Avenue, Suite C-1, 517-483-4355) is required for mobile temporary signs.
- Temporary signs located in the public right-of-way or signs that are deemed to be a safety hazard may be removed and disposed of without notice. Signs on private land that do not comply with the provisions of the Sign Code may be removed and disposed of at the sole expense of the property owner, after notification of the City's intent to do so.

Examples of illegal signs:



Multiple temporary signs on the same parcel

Prohibited Signs

- Signs located on or over the public right-of-way
- * Signs that block the view of vehicle operators from safely entering or exiting the public right-of-way
- Abandoned signs
- Animated signs
- Balloons, large inflated animals and other objects used as signs
- Pennants, streamers, spinners and strings of lights
- Roof signs
- Signs which make use of the words "STOP," "LOOK," "DANGER," or any words or symbols which would tend to mislead or confuse vehicle operators
- Signs attached to trees, utility poles, standpipes or gutter drains
- Flashing, blinking, moving or exposed incandescent light signs
- Signs covering or blocking more than 20% of the window to which to which it can be seen from the exterior of the building

For more Information regarding the City of Lansing Sign Code, please contact:

Susan Stachowiak
Zoning Administrator
City of Lansing Planning Office
Department of Economic Development & Planning
316 N. Capitol Ave., Suite D-1
Lansing, MI 48933
517-483-4085
Susan.Stachowiak@lansingmi.gov

The entire Sign Code may found on the City of Lansing website at:

www.lansingmi.gov



Andy Schor, Mayor

City of Lansing Temporary & Window Sign Regulations



Andy Schor, Mayor