



AGENDA
Committee on Public Safety
Tuesday, April 17, 2018 @ 3:30 p.m.
City 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

- March 26, 2018
- March 27, 2018
- April 11, 2018

4. Public Comment on Agenda Items

5. Discussion:

- A. RESOLUTION-** Appointment of Julee Rodocker; Board of Police Commissioners; 2nd Ward Member; Term to Expire 6/30/2022
- B. RESOLUTION** – Appointment; Deshon Leek; Plumbing Board; Journeyman Plumber; Term to Expire 6/30/22
- C. RESOLUTION** – Set Show Cause Hearing; Make Safe or Demolish; 816 Hickory Street
- D. RESOLUTION** – Set Show Cause Hearing; Make Safe or Demolish; 902 E. Kalamazoo Street
- E. ORDINANCE** – Amend Chapter 1426 by addition Section 1426.07; Fire and Smoke Damper Inspection Program
- F. DISCUSSION** – Ordinance to Add Chapter 662; Section 622.01; RE: Gambling
- G. DISCUSSION** – Law Overview on Senate Bill 107 “Tenant Permission Law”
- H. UPDATE** from Law – Newspaper Delivery Licensure

6. Other

7. Adjourn



DATE April 17, 2018

[illegible]



MINUTES

Committee on Public Safety Special Meeting Monday, March 26, 2018 @ 4:30 p.m. City Hall, Council Conference Room

CALL TO ORDER

The meeting called to order at 4:30 p.m.

ROLL CALL

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

OTHERS PRESENT

Sherrie Boak, Council Staff
Jim Bennett, Building & Safety
Brian McGrain, Economic Development & Planning
Susan Stachowiak, Economic Development & Planning
Brandon Waddell, Assistant City Attorney- left at 5:05 p.m.
Elaine Womboldt
Kathy Miles
Harold Leeman
Sarah Lehr, LSJ
Council Member Spadafore - arrived at 4:58 p.m.
Greg Venker, Assistant City Attorney- arrived at 5:03 p.m.

MINUTES

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE MINUTES FROM MARCH 14, 2018 AS PRESENTED. MOTION CARRIED 3-0.

PUBLIC COMMENT

No comment at this time.

DISCUSSION/ACTIONS

Council Member Wood stated the two (2) agenda items are ongoing items of concern, so this meeting was schedule to address just those two.

Logan Square Enforcement

Council Member Wood recapped for the staff present that at the last Committee meeting the Committee asked Law for an update on the progress and if there were any tags given for issues on site. Mr. Bennett stated the last meeting he attended on this subject was in the 2017 and under the previous leadership and Administration, and he could not pursue without

direction from his Director. He then acknowledged no interior inspections have been done, but did a site visit last week, where from the exterior there was nothing open and accessible, and the parking lot is still in bad shape. Council Member Wood asked Mr. McGrain to put forth the charge to his employees to inspect. Ms. Stachowiak added to the information from Mr. Bennett, noting she too did a site inspection and her violations included signage, and the owner is addressing the repairs on those. Ms. Stachowiak then informed the Committee that there was a meeting with the City Attorney and the owner where they discussed parking lot deterioration. Ms. O'Boyle in the City Attorney office was working a determining a course of action. Mr. Waddell acknowledged the Mr. Smierka the City Attorney met with Mr. Kilpatrick, Director of Public Service, whose department did inspections to determine if the sewers were public or private. They did determine they are private. They were directed to contact the owner on whatever they found with the parking lot; sewer specific. Mr. Bennett confirmed that Public Service did an inspection on the storm sewer and saw it has deteriorated. Since it is private, there is a maintenance agreement that states the owner should maintain and Public Service should have that document and be able to cite the owners on it. He added that anything going into the catch basins is also going directly to the overall storm sewer system. Mr. McGrain confirmed a meeting was initiated with Mayor's Office and the owner, where they talked about solutions. Council Member Wood confirmed that the same excuses the owner provided to the Mayor and staff were given to the Committee members in the past, with no action. She then asked what direction the Mayor provided to the owner. Mr. McGrain stated the steps need to be taken, and they would do what they needed to do to address the transactions and they are as serious about the cleanup, as well as Council. They will continue to pursue with Code Compliance and inspections. Council Member Wood assured Mr. McGrain that the owner is aware that if he does not agree to address the issues, it will be viewed as a nuisance and go to Court. Ms. Stachowiak stated again the only violation is the sign, but a nuisance could be declared based on the activity that is taking place, and how it is being maintained. Council Member Wood asked if the LFD could be directed to check the fire hydrants to make sure they are functioning. Mr. Bennett clarified that fire hydrants are maintained by BWL, but the Fire Department can do a flow test, however he does not have the authority to tell the LFD to perform the test. Council Member Wood asked Mr. McGrain to work with the LFD and BWL to test the fire hydrants. Council Member Hussain asked why the property could have five (5) felony violation and other disreputable businesses, but nothing can be done with making the property owner accountable. Mr. McGrain noted that the tact is going to be how to get the property out of the hands of the current owner and facilitate a transfer to someone else who would do something a town center intersection. Mr. Waddell outlined the nuisance information the Committee would need. To deem a property a nuisance, in this case, the garbage, rubbish and the use of a "gathering on site" could be deem. They can also look at what happens with the ongoing Public Service inspection. Basically, he stated that whatever the department that finds a conclusion of a violation or nuisance would instigate the notice. They owner then would be given an amount of time to fix the issues, and if they fail to fix it, the code official or the department that issues the nuisance can go to Council and ask them to deem a public nuisance. The Council will then publish and send out a notice for a hearing, and then Council will determine if they will grant, deny or abate the nuisance. Once it is deemed a nuisance they now have the opportunity to appeal it in Court. Council Member Wood asked if it had been six (6) months since the enforcement of the gambling violations. Mr. Waddell stated he believed that a six (6) month letter had been sent, but would confirm. Council Member Wood asked that the Committee be copied on any letters to the owner on public service, parking lot and the six (6) month enforcement letter.

Council Member Hussain asked what happens if it is deemed a nuisance. Council Member Wood confirmed that it would be boarded up for a year, and they have to cease use. They then can ask for relief to sell it.

Ms. Womboldt spoke in opposition to what occurs at Logan Center.

3801 Walton Property Inspections and Next Steps

Council Member Wood had provided direction to Law to direct zoning and building safety to issue tickets to all owners adjacent to the fence, and any disputes would be handled in the courts. Mr. McGrain acknowledged the request and they will ticket every owner that abuts the fence, this week. Ms. Stachowiak informed the Committee that the fence can come down, and was confirmed with Code Compliance that a fence is not required at the site. If they choose to have the fence, it will need to be maintained. Mr. Waddell confirmed the statement that tickets can be issued for all adjacent properties. Council Member Wood noted that she had also received word from the LPD on the same recommendation for action.

Ms. Miles spoke on concerns of illegal activity at the Krogers at Holmes.

Ms. Womboldt spoke in frustration of reoccurring issues that leads to another issue and asked for results.

Council Member Hussain concurred that it will be the owners discretion to remove the fence, but his belief is that one of the other adjacent properties will reinstall fence.

Other

Council Garza asked for an update on the property at Pennsylvania and Jolly, the Nikos location. Ms. Stachowiak confirmed they have a license to sell vehicles. Council Member Garza pointed out that there are issues with tires outside and signs that are violations. Ms. Stachowiak stated she will follow up with Code Compliance.

ADJOURN

The meeting was adjourned at 5:06 p.m.

Submitted by,

Sherrie Boak, Council Office Manager

Lansing City Council

Approved:



MINUTES

Committee on Public Safety Special Meeting

Tuesday, March 27, 2018 @ 6:30 p.m.

Alfreda Schmidt Center; 5825 Wise Road- Sandy Allen Room

CALL TO ORDER

The meeting called to order at 6:31 p.m.

ROLL CALL

Council Member Carol Wood, Chair

Council Member Adam Hussain, Vice Chair

Council Member Jeremy Garza, Member

OTHERS PRESENT

Sherrie Boak, Council Staff

Jim Smiertka, City Attorney

Deb Parrish

Elaine Womboldt

Kathy Miles

Marilyn Plummer

Mary Ann Prince

Thomas Hamlin

Sean Bertolino

Mike Redding

Ruth Fox

Dave Mead

John Miles

Mary Ann Prince

Vicky Miller

Brian Yarvall

David Rule

Marilyn Ball

Nancy Mahlow

Ms. Womboldt provided introductions for the Rejuvenating South Lansing meeting and that regular business will be discussed after the discussion on "No Parking 2 am- 5am".

DISCUSSION/ACTIONS

- **Ordinance on 2am – 5 am Parking**

Council Member Wood recapped for the Committee and public that the City currently prohibits parking on streets between 2 a.m. – 5 a.m. Over the years it was enforced by the Lansing Police Department, when they have time. Throughout the years, the structure of the City has changed with larger lots, smaller lots, shared driveways and narrower streets, which makes it unique to enforce. In 2016 the Mayor and the Chief of Police brought to the Public Safety Committee suggested changes, which included an option to eliminate the 2 a.m. -5a.m. parking, allowing the residents to park on either side at any time; an option for even day and odd day parking, and also an option to designate one side of the street to park on. At that time, Council Member Wood added, Council suggested a permit, which the resident would have to apply for and provide proof, that they need additional parking. During these discussions, the Council saw to leave the 2 a.m.- 5 a.m. no parking, but start enforcing it, and that was also agreed upon by neighborhood organizations. Council Member Wood pointed out that at some point there was a designated parking enforcement just for this restriction, however that employee was eventually moved to the day shift. Council Member Wood then outlined the process she hoped to accomplish with the Committee, which was to take the question of keeping the enforcement or change it to neighborhood meetings in each Ward to find out what the concern was. Then the Committee will craft a concise plan that will help the entire city. Council Member Hussain asked why the proposal by Council in 2015 was pushed back. Council Member Wood stated that in 2015 the Council also started working on medical marihuana which took a lot of their time, and in 2015 they reached to community neighborhood watch coordinators who indicated they did not support any changes at that time. Council Member Hussain admitted to the group that he himself had researched other communities in other States even and everyone is addressing it but doing it differently.

PUBLIC COMMENT

Resident asked if they would exempt any streets, and voiced his concern that the LPD does not have the manpower to enforce. Council Member Wood clarified that if a street currently is signed to prohibit particular parking in the day that would continue to be enforced.

Resident on Rundle spoke in support of the current ordinance being enforced, and if the LPD does not have time, they should hire someone. She also noted a concern with parking on both sides of the streets.

Resident supported the suggestion of a permit to park, but asked for a continued discussion on parking on both sides of the street, with his concern with emergency vehicles getting down the street.

Ms. Fox agreed with a permit and permitting on one side of the street, and the need for determination on helping emergency vehicles access the street.

Resident from Churchill Downs provided her opinion that if it is enforceable, the City should put funds behind the enforcement. She also suggested that every resident be given a permit, and if need more than they pay. She also wanted a focus on safety and the need to determine which side of the street to park on. Lastly, she brought to the Committee attention it is not just car parking but trailers and recreational parking that needs to be addressed.

Mr. Redding agreed with enforcement without the permit, and that would encourage people to get permits or they would get tickets.

A resident asked if the recreational vehicles on the street mentioned earlier would get tickets. Council Member Wood confirmed they are not allowed to park on street at all anytime, so asked for any addresses to be provided so that enforcement can be sent.

Mr. Mead supported a first ticket warning, with additional enforcement.

Mr. Rule spoke on his frustration with the enforcement of the current no parking designations particularly in the area where there are rentals. He encouraged the City to look at East Lansing and their PACE program. (Parking and Code Enforcement)

Mr. Yavall was encouraged with the permit process, but was also concerned with parking in his neighborhood on yards, blocking sidewalks, and parking it the street during snow falls. He encouraged tickets, on a continual basis, and the residents would then stop doing it after multiple tickets.

Mr. Bertonlina asked if the changes would affect the downtown area, because of his concern with safety for people who work over night and have to park on the street for their job.

Mr. Miles encouraged using permits for visitors, students that come home, and family.

Ms. Parrish supported the previous night time parking enforcement, and encouraged everyone that if they see something to call LPD.

Mr. Hamlin asked for enforcement of what is in existence because his opinion was the permitting would be confusing. His concern in the past has been where to report violations. Council Member Wood assured the group that when there was night time enforcement, that person drove around different quadrants of the City at night.

Ms. Miller did not support alternating parking on different sides of the streets for different months, but wanted parking on one side of the street. She noted she also manages a multifamily complex built in 1960 and there is not enough onsite parking because when it was build households had one car, so now they need overnight parking on the streets for the residents.

Ms. Ball asked how long a car is tagged before it is towed. Council Member Wood answered that it should be 7 days, and encouraged Ms. Ball to call Code Compliance if it is not. Ms. Ball then asked if someone has 4 vehicles how many permits they would get. Council Member Wood assured them that zoning would have to determine if the owner has sufficient parking on their property, if they do have sufficient parking, then no permit.

Ms. Mahlow described the parking in her neighborhood on the east side of Lansing, where there are double driveways, shared driveways and in some cases, no driveways. She noted that if there was parking allowed by permit on one side of the street, no emergency vehicle could get down the street. Ms. Mahlow suggested the need for no parking signs posted that say "no parking here to corner".

Resident in Colonial Village also voiced a concern with parking and the narrow streets. She requested the continuation of no parking 2 am – 5 am.

A resident voiced an interest in a free permit and then after that charge for permits, and supported different options for different parts of town.

Ms. Prince stated her concern with street parking when residents are working on their vehicles and supported enforcement with a larger ticket.

Residents were considering the permit process, but not a free permit.

Ms. Womboldt spoke on her concerns with cul-de-sac's and supported the "No parking 2am - 5am" for safety issue. She also encouraged educating residents.

Council Member Wood acknowledged all the participants, and stated they would be holding a similar meeting in Ward 1 in April. She assured them she would pursue getting information on fire and emergency vehicle access width, and let the public of future meetings.

Council Member Hussain recapped what he heard from the residents which was they encouraged "education" and his opinion that their consensus was to enforce what is there, consider a permit process with proof you need it, and further down the road apply zoning to the address because of the different areas of Lansing.

Council Member Garza supported hiring more parking enforcements and the entire City to capture more funds. He also suggested that with permit process there could be consideration for when residents have home projects and have to park in street, with giving a free permit.

Council Member Wood encouraged any additional comments to be emailed to her.

ADJOURN

The meeting was adjourned at 7:26 p.m.

Submitted by,

Sherrie Boak, Council Office Manager

Lansing City Council

Approved:



MINUTES

**Committee on Public Safety Special Meeting
Wednesday, April 11, 2018 @ 6:30 p.m.
Pattengill Middle School, 626 Marshall Street**

CALL TO ORDER

The meeting called to order at 6:30 p.m.

ROLL CALL

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

OTHERS PRESENT

Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Council Member Washington
Nancy Mahlow
Loretta Myers
Walter Priebe
Teresa Panetta
Denise Kelly
Melinda Dickinson
Waylon Sanford
Cindy Tank
Ed Tank
Brian Baer
Kalea Sanford
Tanya Shirel
Mary Ellen Purificato
Evan de Almedia
Bob Pena
Marilyn Plummer, Mayor's Office
Jody Dorin DeLong
Sarah Lehr, LSJ
Kathryn Schafer

DISCUSSION/ACTIONS

• Ordinance on 2am – 5 am Parking

Council Member Wood outlined the history to the parking ordinance, and agreed neighborhoods are different. Some with shared driveways, wider aprons and wider streets. In the past there were more officers patrolling so enforcement was done on a regular basis, and

at one time there was a parking enforcement officer. His position was moved to days, so it is now back to the Police Department to enforce. Options that have been discussed in the past were limiting street parking to certain times of the year, or parking based on the odd/even house number, and even a permit option was offered. With the permit process could involve zoning sign off to determine if there was enough space on the property to add a parking space so they would not need to park in the street or need a permit. Different plans in different areas of Lansing will be hard to enforce. Council Member Hussain acknowledge their frustration and was anxious to hear their concerns. Council Member Garza also acknowledge the concerns and understood that the neighborhoods are different so there need to be consideration for the narrow streets, emergency vehicle access and driveway size. He also was encouraged with discussions on enforcement.

PUBLIC COMMENT

Ms. Panette spoke on her concern with cars parked on the street, asked about enforcement of multiple cars in a driveway, and if the cars can hang over the sidewalk. She pointed out in her neighborhood there is a resident with 7 cars; 4 in the driveway and 3 in the street. Ms. Panette spoke in support of enforcement no matter what was decided on but was also in support of the current no parking 2 am – 5 am if it would be enforced. Council Member Wood informed her that the ordinance on the books now states you cannot have more than 4 on the property, and asked Ms. Panette to provide the address of where the 7 cars are.

Mr. Priebe spoke on his concerns with a neighbor who has multiple vehicles, trucks and trailers because of a construction business. He then did suggest changing the restriction to midnight to 6 am with enforcement. A suggestion Mr. Priebe had for permitting was a sticker in the car window and different colors for different parking zones. Council Member Wood assured them she was aware of the parking issues in his neighborhood, and that they cannot park unhitched trailers on the street, and no commercial vehicles in residential area.

Mr. Sanford, who was a resident of the 4th Ward, spoke on his experience with selective ticketing in his neighborhood, and so asked for regular ticketing procedures and practices. Based on his experience in Kalamazoo, Mr. Sanford then suggested alternate side of the street parking based on the day of the week. Council Member Garza noted to Mr. Sanford he understood the idea, but what might work in some areas might not work in other areas.

Ms. Kelly voiced her concerns with shared driveways and rentals. Ms. Kelly encouraged the continued no parking 2am-5am parking for overflow parking.

Ms. Dickerson spoke to the Committee on her neighborhood which resides a majority of college rentals because of its proximity to MSU. Her concerns were with the lack of enforcement on the street because most of the homes have an alley and garage behind the home to park. She asked the Committee to consider a rental ordinance that would speak to the number of cars a rental could have. Council Member Wood noted that the no parking 2am – 5am parking was partially established to address rentals also. Ms. Dickerson then spoke about her concern with parking on both sides of the street, with a suggestion of allowing parking in her area of Fairview and Clemens to one side only. Lastly, she asked about enforcement of blocked alleys.

Mr. Pena voiced his concerns with vehicles blocking hydrants and requested enforcement of parking in front of hydrants.

Mr. Baer spoke in support of alternate sides of the street parking.

Ms. Schafer spoke specifically to her street, Horton, which is a dead-end street and was part of an experiment on parking. When it was done temporary parking signs went up, but nothing has ever been enforced. The 2-year experiment, once complete went back to the current ordinance which is it is illegal to park on the Horton. They were told the results would be presented to the Council in 90 days, back in 2014, and Council would make a recommendation. Committee Members confirmed they did not see a proposal, but they would ask Mr. Kilpatrick to attend a future Committee on Public Safety meeting to update them on the findings. Ms. Schafer made them aware if it is illegal, no one is getting ticketed.

Council Member Washington stated that on behalf of the North Town Association, they wanted the Committee to know they want no parking 2am-5am to be continued, because they are concerned with crime in the area and no vehicles on the road would help. Other areas in Ward 1 Council Member Washington voiced her concern with included rentals and parking, wanting limited permits per address, a concern with the confusion that comes with alternate side parking, and the need now for enforcement for parking over the sidewalks.

Ms. Sanford noted her concerns with no parking near parks, and some parks not having parking lots, so the resource of having park is restricted to users. She suggested no matter what the Committee considered, to put up signage, let their expectations be known, accept no less and start enforcing it.

Ms. Tank asked how the Committee is suggesting to enforce any of the ideas. Council Member Wood assured them that with the new Administration, the Mayor has informed her if Council has a reasonable plan he would help to make sure enforcement is done. It was also noted that staffing a parking officer is cheaper than a Police officer.

Ms. Shirel asked if enforcement has to be a sworn officer, and if they could hire multiple officers. Council Member Wood clarified it does not have to be a police officer, but they have to have the power to write tickets and go to court. Mr. Smiertka added that the tickets are civil infraction tickets and the enforcement officer has to be an authorized City official under the City ordinance.

Ms. Shirel asked if volunteers could do the enforcement, and Council Member Wood reminded the public that enforcement is in the middle of the night and could be a hazardous atmosphere.

Ms. Panetta asked again about enforcement of 4 vehicles at a home.

Ms. Dickerson asked for enforcement of snow emergency ticketing and towing, and her opinion that four (4) permits per house too many.

Ms. Kelly suggested following the every-other-week recycling schedule for the opposite side parking schedule.

Mr. Priebe requested a dedicated person for enforcement, maybe even two, but not police officers.

Ms. Mahlow supported permit parking with a sticker in the front and rear windows of the vehicles, not the same policy in the whole City, but asked for enforcement of the current no parking 2am-5am. Council Member Wood stated her research on permits is there are some that can be read remotely by a machine in the vehicle. Ms. Mahlow concluded by asking for enforcement on the parking in front of hydrant or and those that park too close to a corner.

Mr. Tank suggested a new ordinance that would tow cars instead of ticketing them.

Ms. Mahlow suggested a parking permit cost.

Mr. Panetta spoke on his experience as a City employee who had work on street plowing, noting to everyone that the issue has been going on for years, and needs to be addressed.

Council Member Hussain acknowledged all the comments and the unique challenges. With the options discussed tonight, he added that there are models throughout the country, do Lansing will not have to recreate the wheel, but can utilize what has already been established.

ADJOURN

The meeting was adjourned at 7:43 p.m.

Submitted by

Sherrie Boak, Council Office Manager

Lansing City Council

Approved:

Plummer, Marilyn

From: noreply@civicplus.com
Sent: Tuesday, January 2, 2018 12:49 AM
To: Plummer, Marilyn
Subject: Online Form Submittal: Application for Appointment to Board or Commission

Application for Appointment to Board or Commission

Thank you for your interest in serving on a Lansing Board, Commission or committee. The Lansing City Charter requires that every appointee to a board, commission, or committee established by Charter or ordinance must meet the following qualifications and eligibility requirements:

- *Be a registered elector in the City of Lansing (Charter Section 2-102).*
- *Be a resident of Lansing for one year prior to taking office (Charter Section 2-102).*
- *Not be in default to the City at the time of taking office (Charter Section 2-103.2).*
- *Not have been convicted, within 20 years of taking office, of a violation of the election laws of the City of Lansing, State of Michigan, or the United States; a violation of public trust; or any felony (Charter Section 2-103.1).*

(Section Break)

Date	1/2/2018
First Name	Julee
Middle	Marie
Last Name	Rodocker
Other name(s) by which you have been known, including maiden names	Field not completed.
Date of Birth	
Address	4909 Devonshire Avenue
City	Lansing
State	MI

Zip Code	48910
Email	juleerody@comcast.net
Gender	Female
Ward	2
Precinct	<i>Field not completed.</i>
Best phone number to contact you	[REDACTED]
Last 4 digits of social security number	[REDACTED]
In what year did you move to Lansing?	1969
Additional information regarding experience and credentials	Attached my Resume... Lansing Police Department Advisory Board Member Crime Stoppers of Mid-Michigan Board Member Tri-County ALPACT Committee Member Completed Lansing's Citizens' Police Academy 2017
Occupational Background	Electric Materials Buyer/Utility
Educational Background	Bachelors Degree
Please attach a resume if available	JuleeMRodocker-Resume 2018.pdf
First choice for board to serve on	Police Commissioners
Second choice of a board to serve on	<i>Field not completed.</i>
Third choice of a board to serve on	<i>Field not completed.</i>
Fourth choice of a board to serve on	<i>Field not completed.</i>
Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or	I would be very honored to be appointed to the Board of Police Commissioners, representing the 2nd ward. I have had the opportunity to work with many dedicated community officers over the years concerning neighborhood watch/assoc. matters and have been involved with the LPD Advisory Board as well as Crime Stoppers. I would now like to be given a chance to be on the Police Commission where I can work with others in my community to oversee policy. I feel strongly that my former

commission

board experience and business background would be an asset for this board. I personally enjoyed seeing the Chair, Drew Macon this past Summer speak at a Rejuvenating South Lansing meeting. I know one of the indicatives was to have a meeting in each of the wards for 2017, so for the new year it would be nice to build upon that momentum and continue to reach out to additional community leaders and beyond for 2018. Furthering information & Community Policing - Trust.

Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office

I believe I would meet the qualifications/eligibility for the position above. If there is any additional requirement needed, please let me know...

Background Check Authorization

I agree

Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge

Julee Marie Rodocker

Date & Time

1/2/2018

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commission

board experience and business background would be an asset for this board. I personally enjoyed seeing the Chair, Drew Macon this past Summer speak at a Rejuvenating South Lansing meeting. I know one of the indicatives was to have a meeting in each of the wards for 2017, so for the new year it would be nice to build upon that momentum and continue to reach out to additional community leaders and beyond for 2018. Furthering information & Community Policing - Trust.

Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office

I believe I would meet the qualifications/eligibility for the position above. If there is any additional requirement needed, please let me know...

Background Check
Authorization

I agree

Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge

Julee Marie Rodocker

Date & Time

1/2/2018

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BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Julee M. Rodocker of 4909 Devonshire Avenue in Lansing, MI, 48910, as a Ward 2 Member of the Board of Police Commissioners for a term to expire June 30, 2022 ; and

WHEREAS, The nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Public Safety Committee met on April 17, 2018 and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Julee M. Rodocker of 4909 Devonshire Avenue in Lansing, MI, 48910, as a Ward 2 Member of the Board of Police Commissioners for a term to expire June 30, 2022.

From: gruhndC flyfsxvfrp
Sent: Z hgqhvgd | #dpxdu | #: /534 ; #837#5P
To: Sox p hu#P dub | q
Subject: R qdgh#rup #/xep lwd#Dssdfdwlrq#ru#Dssrlwp hqw#r#Erdug#ru#Frp p lwlrq

Application for Appointment to Board or Commission

Thank you for your interest in serving on a Lansing Board, Commission or committee. The Lansing City Charter requires that every appointee to a board, commission, or committee established by Charter or ordinance must meet the following qualifications and eligibility requirements:

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- Be a resident of Lansing for one year prior to taking office (Charter Section 2-102).*
- Not be in default to the City at the time of taking office (Charter Section 2-103.2).*
- Not have been convicted, within 20 years of taking office, of a violation of the election laws of the City of Lansing, State of Michigan, or the United States; a violation of public trust; or any felony (Charter Section 2-103.1).*

(Section Break)

Date	1/17/2018
First Name	Deshon
Middle	<i>Field not completed.</i>
Last Name	Leek
Other name(s) by which you have been known, including maiden names	<i>Field not completed.</i>
Date of Birth	
	
City	Lansing
State	MI

Zip Code	48911
Email	dleek2012@gmail.com
Gender	Gender
Ward	3
Precinct	<i>Field not completed.</i>
Best phone number to contact you	
Last 4 digits of social security number	
In what year did you move to Lansing?	1974
Additional information regarding experience and credentials	<i>Field not completed.</i>
Occupational Background	Journeyman Plumber
Educational Background	Graduate of 5 Year UA Plumbing Apprenticeship
Please attach a resume if available	<i>Field not completed.</i>
First choice for board to serve on	Plumbing Board
Second choice of a board to serve on	<i>Field not completed.</i>
Third choice of a board to serve on	<i>Field not completed.</i>
Fourth choice of a board to serve on	<i>Field not completed.</i>
Please comment briefly on why you wish to serve on a particular board or commission. Please be specific as to your goals and ideas about how you wish to contribute to the work of the board or commission	I would like to put my many years of Plumbing experience to work and give back to my community in doing so.

Qualifications and Eligibility – At this time, if you do not meet one or more of the qualifications or eligibility requirements listed at the top, please state here the requirement to be met and explain how you will be qualified or eligible before you would be sworn in to an appointed office

Field not completed.

Background Check
Authorization

I agree

Please type your name in this box to signify that you can serve on a board or commission and the information in this application is accurate to the best of your knowledge

Deshon Leek

Date & Time

1/17/2018 5:15 PM

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BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Deshon Leek of 3200 Reo Road, Lansing, MI 48911 as a Journeyman Plumber Member of the Board of Plumbing for a term to expire June 30, 2022; and

WHEREAS, the nominee has been vetted and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Public Safety took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of, Deshon Leek of 3200 Reo Road, Lansing, MI 48911, as Journeyman Plumber Member of the Board of Plumbing for a term to expire June 30, 2022.

**CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	816 Hickory
PARCEL NUMBER:	33-01-01-15-355-001

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	17-D0004

LISTED TAXPAYER:	McCants, Charles
INTERESTED PARTIES:	McCants, Charles
SEV INFORMATION:	\$6,800.00
LAND VALUE:	\$7,693.00
BUILDING VALUE:	\$5,871.00
LOT SIZE:	82.00x 73.330

HOUSING CODE VIOLATION LTR:	2/2/2016
ORIGINAL RED TAG DATE:	2/2/2016
ZONING:	C Residential
ESTIMATE OF REPAIRS:	\$135,364.00
PICTURES:	yes
OTHER:	

LEGAL DESCRIPTION:	LOT 14 BLOCK 5 LANSING IMPROVEMENT COMPANY'S ADD
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	
ORDER:	
REASON/CONDITIONS:	
HEARING OFFICER:	

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	Required, not yet pulled
MECHANICAL:	Required, not yet pulled
PLUMBING:	Required, not yet pulled
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	

816 HICKORY ST

- Original Red Tag Date

- 02/02/2016

- Submitted Into Make Safe Or Demolish Process

- 02/16/2017

- Property Vacant/Repairs Exceed Building SEV

- Property vacant more than 180 days

- Repairs exceed building SEV

- Title Information

- Charles McCants

816 HICKORY

Property Value Information

- SEV

- \$6,800.00 (as of 4/05/2018)

- Structure

- \$5,871.00 (*as of 4/05/2018*)

- Land

- \$7,693.00 (*as of 4/05/2018*)

- Estimate of Repairs

- \$135,364.00

816 HICKORY ST.

Housing Code Correction Letters

- Code Compliance Inspection Date

- 2/02/2016

- Code Compliance Letter Written

- 2/03/2016

- Code Compliance Due Date

- 03/03/2016

816 HICKORY ST.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 2/22/2018

- Order by Demolition Board

- MS or D by 03/22/2018

- Request Sent To City Council for Show Cause Hearing

- 03/29/2018

816 HICKORY ST.

City Council Actions

- Show Cause Hearing Held
- Public Safety Committee Meeting
- Resolution passed by City Council
- Extension Requested By Owner

816 HICKORY ST.

General Comments

- Fire-damaged structure. Fire was on 2/02/2016.
- None of the required permits have been pulled as of 4/05/2018.

RECOMMENDATIONS

● FOR NEW CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Table case – Stays at PS Committee level for future review.

● FOR EXTENSION REQUESTS:

- Grant extension if requested. Requires new resolution be passed by City Council.
- Deny extension requested. Case will proceed in demo process and be sent out to bid for demolition.

● FOR TABLED CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Return case to table – Stays at PS Committee level for future review.









BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure at 816 Hickory Street, Parcel # 33-01-01-15-355-001 and Legal Description: LOT 14 BLOCK 5 LANSING IMPROVEMENT COMPANY'S ADD to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, the Code Compliance Officer red tagged the said structure on 2/02/2016 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on 2/22/2018, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for Monday, April 30, 2018 at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 816 Hickory Street to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

**CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	902 E. Kalamazoo Street
PARCEL NUMBER:	33-01-01-15-352-261

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2018-D002

LISTED TAXPAYER:	Mbelu, Augustin & Joy C
INTERESTED PARTIES:	Mbelu, Augustin & Joy C
SEV INFORMATION:	\$24,500.00
LAND VALUE:	\$7,110.00
BUILDING VALUE:	\$41,860.00
LOT SIZE:	39.500 x 120.000

HOUSING CODE VIOLATION LTR:	8/24/2016
ORIGINAL RED TAG DATE:	8/24/2016
ZONING:	C Residential
ESTIMATE OF REPAIRS:	\$193,636.00
PICTURES:	yes
OTHER:	

LEGAL DESCRIPTION:	LOT 8 BLOCK 3 LANSING IMPROVEMENT COMPANYS ADD
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	
ORDER:	
REASON/CONDITIONS:	
HEARING OFFICER:	

CURRENT PERMIT ACTIVITY

BUILDING:	2017 expired to rebuild deck, 2 2018 permits tear off tear out
ELECTRICAL:	ready to issue as of 1/05/2018, expired permit 2016
MECHANICAL:	Required, not yet pulled
PLUMBING:	ready to issue as of 11/29/2017
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	

902 E. Kalamazoo Street

● Original Red Tag Date

● 8/24/2016

● Submitted Into Make Safe Or Demolish Process

● 10/20/2017

● Property Vacant/Repairs Exceed Building SEV

● Property vacant more than 180 days

● Repairs exceed building SEV

● Title Information

● Augustin & Joy C. Mbelu

902 E. Kalamazoo Street

Property Value Information

● SEV

● \$24,500 (*as of 4/03/18*)

● Structure

● \$41,860 (*as of 4/03/2018*)

● Land

● \$7,110.00 (*as of 4/03/2018*)

● Estimate of Repairs

● \$193,636.00

902 E. Kalamzoo St.

Housing Code Correction Letters

● Code Compliance Inspection Date

● 8/24/2016

● Code Compliance Letter Written

● 8/24/2016

● Code Compliance Due Date

● 1/03/2017

902 E. Kalamzoo St.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 2/22/2018

- Order by Demolition Board

- MS or D by 03/22/2018

- Request Sent To City Council for Show Cause Hearing

- 03/29/2018

902 E. Kalamazoo St.

City Council Actions

- Show Cause Hearing Held
- Public Safety Committee Meeting
- Resolution passed by City Council
- Extension Requested By Owner

902 E KALAMAZOO STREET.

General Comments

- Property originally tagged on 8/24/2016 then was severely fire damaged on 6/30/2017.
- Owner did not show for Demolition Board Meeting no response.
- This property two expired permits that have had no inspections. Has 2 permits that have on a ready to issue

RECOMMENDATIONS

● FOR NEW CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Table case – Stays at PS Committee level for future review.

● FOR EXTENSION REQUESTS:

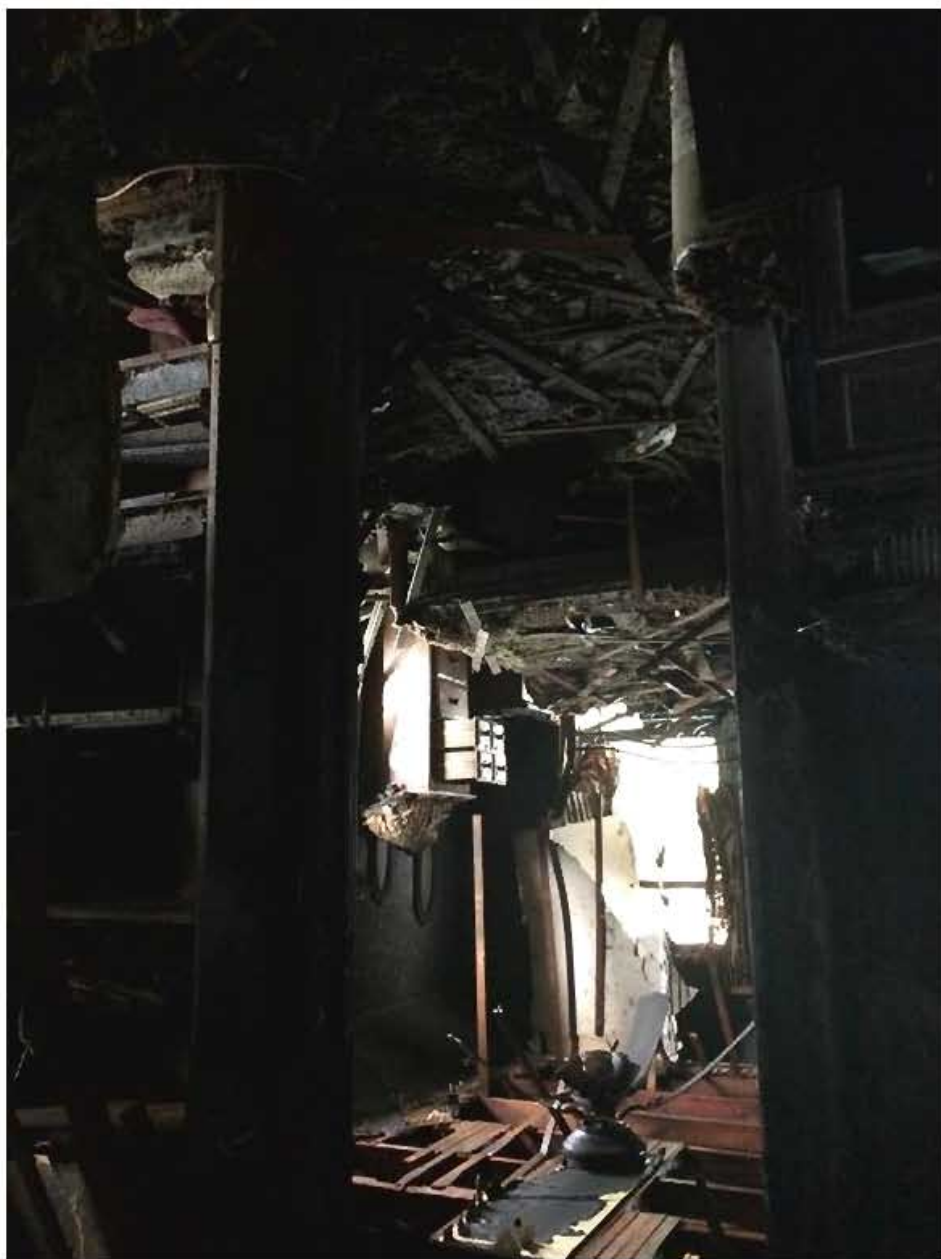
- Grant extension if requested. Requires new resolution be passed by City Council.
- Deny extension requested. Case will proceed in demo process and be sent out to bid for demolition.

● FOR TABLED CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Return case to table – Stays at PS Committee level for future review.

















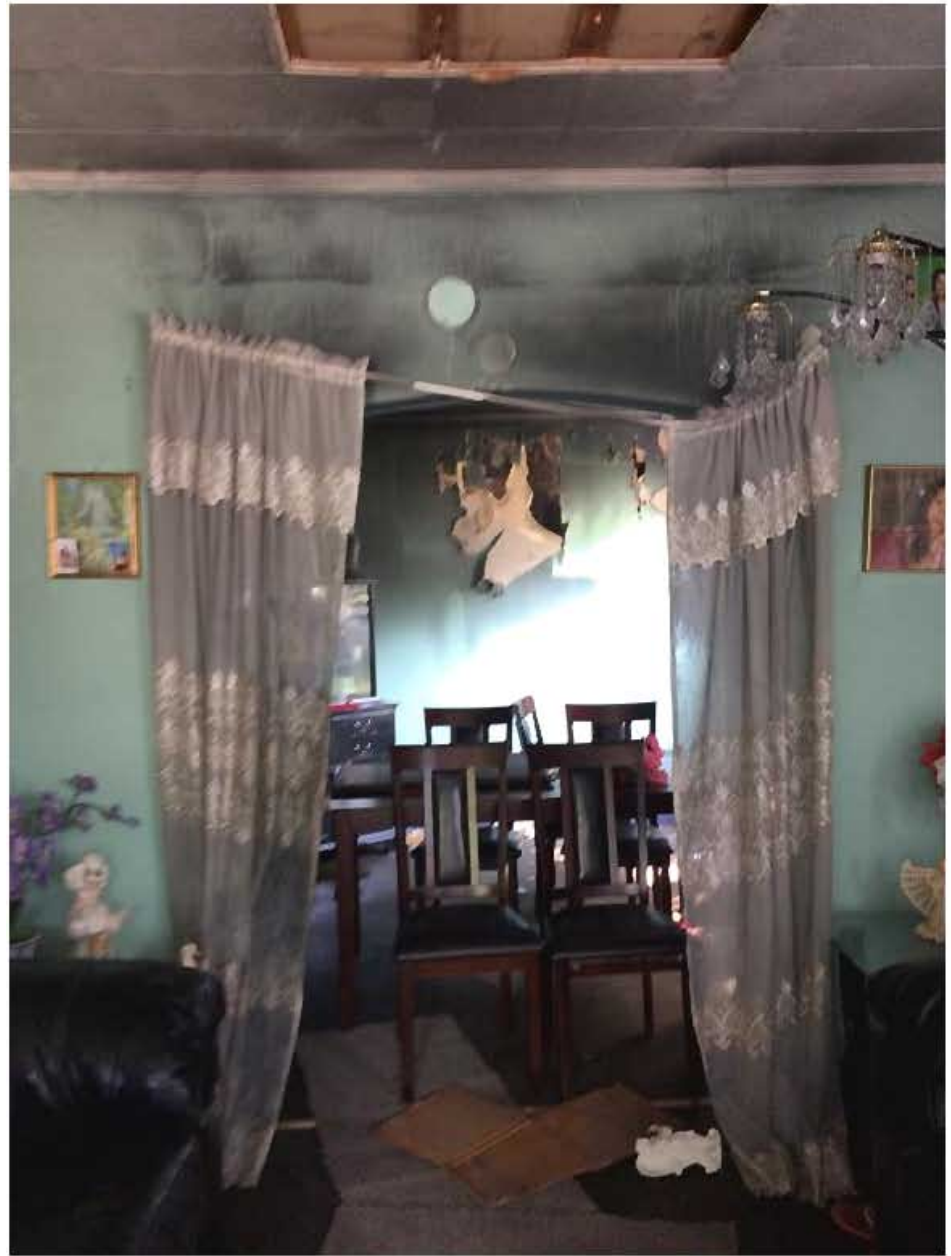
















BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure at 902 E. Kalamazoo, Parcel # 33-01-01-15-352-261 and Legal Description: LOT 8 BLOCK 3 LANSING IMPROVEMENT COMPANYS ADD to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, the Code Compliance Officer red tagged the said structure on 8/24/2016 and then was severely fire damaged on 06/14/2017 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on 2/22/2018, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for Monday, April 30, 2018 at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 902 E. Kalamazoo to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND
CHAPTER 1426 OF THE LANSING CODIFIED ORDINANCES BY INITIATING THE
FIRE AND SMOKE DAMPER INSPECTION PROGRAM.**

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1426 of the Codified Ordinances of the City of Lansing,
Michigan, be and is hereby amended to add Section 1426.07 and read as follows:

1426.07. FIRE AND SMOKE DAMPER INSPECTION PROGRAM

A. PURPOSE: THE PURPOSE FOF THIS SECTION IS TO ESTABLISH A FIRE AND
SMOKE DAMPER INSPECTION PROGRAM FOR BUILDINGS OWNED AND OPERATED
BY THE CITY OF LANSING.

B. DEFINITIONS: AS USED IN THIS SECTION:

(1) FIRE DAMPER: A LISTED DEVICE INSTALLED IN DUCT AND AIR TRANSFER
OPENINGS DESIGNED TO CLOSE AUTOMATICALLY UPON DETECTION OF HEAT
AND RESIST THE PASSAGE OF FLAME. FIRE DAMPERS ARE CLASSIFIED FOR USE
IN EITHER STATIC SYSTEMS THAT WILL AUTOMATICALLY SHUT DOWN IN THE
EVENT OF A FIRE OR IN DYNAMIC SYSTEMS THAT CONTINUE TO OPERATE
DURING A FIRE. A DYNAMIC FIRE DAMPER IS TESTED AND RATED FOR CLOSURE
UNDER ELEVATED TEMPERATURE AIRFLOW.

(2) SMOKE DAMPER: A LISTED DEVICE INSTALLED IN DUCTS AND AIR
TRANSFER OPENINGS DESIGNED TO RESIST THE PASSAGE OF SMOKE. THE
DEVICE IS INSTALLED TO OPERATE AUTOMATICALLY, CONTROLLED BY A

SMOKE DETECTION SYSTEM AND, WHERE REQUIRED, IS CAPABLE OF BEING
POSITIONED FROM FIRE COMMAND CENTER.

C. A FIRE AND SMOKE DAMPER INSPECTION PROGRAM FOR BUILDINGS
OWNED AND OPERATED BY THE CITY OF LANSING SHALL BE ESTABLISHED
WITHIN EIGHTEEN (18) MONTHS OF THE EFFECTIVE DATE OF THIS ORDINANCE.

D. IF ANY FIRE OR SMOKE DAMPER IS FOUND TO BE FAULTY OR
INOPERABLE, REPAIRS OR REPLACEMENTS SHALL BEGIN AS SOON AS POSSIBLE,
WITH THE GOAL OF COMPLETING SUCH REPAIRS WITHIN SIXTY (60) BUSINESS
DAYS FROM THE DATE THE UNIT WAS FOUND TO BE FAULTY OR INOPERABLE.

E. THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING, IN
COOPERATION WITH OTHER CITY DEPARTMENTS, SHALL PROVIDE A STATUS
UPDATE TO CITY COUNCIL WITHIN TWELVE (12) MONTHS OF THE EFFECTIVE
DATE OF THIS ORDINANCE, IDENTIFYING THE BUILDINGS ALREADY INSPECTED
OR TO BE INSPECTED, THE APPROPRIATE NUMBER OF FIRE AND SMOKE
DAMPERS IN EACH BUILDING TO BE INSPECTED, AND THE PROPOSED TIMELINE
FOR INSPECTIONS TO ENSURE COMPLIANCE WITH THIS ORDINANCE.

F. ALL TESTING AND INSPECTIONS SHALL BE DOCUMENTED INDICATING THE
LOCATION OF EACH FIRE AND SMOKE DAMPER, DATE OF INSPECTION, NAME OF
THE INSPECTOR, DEFICIENCIES DISCOVERED, AND ANY REPAIRS OR
REPLACEMENTS COMPLETED.

G. UPON TWENTY-FOUR MONTHS FOLLOWING THE EFFECTIVE DATE OF THIS
ORDINANCE, THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING

1 SHALL REPORT TO THE CITY COUNCIL, OUTLINING THE NUMBER OF FIRE AND
2 SMOKE DAMPERS TESTED PURSUANT TO THIS ORDINANCE, THE NUMBER OF
3 SUCH DAMPERS THAT NEEDED TO BE REPAIRED OR REPLACED, AND THE
4 STATUS OF SUCH REPAIRS AND/OR REPLACEMENT. THE DEPARTMENT OF
5 ECONOMIC DEVELOPMENT AND PLANNING SHALL ALSO PROVIDE TO CITY
6 COUNCIL A PROPOSED TIMELINE FOR THE NEXT SCHEDULED TESTING AND
7 INSPECTION OF THE FIRE AND SMOKE DAMPERS, IN ORDER TO MAINTAIN A
8 REGULAR TESTING SCHEDULE OF ALL BUILDINGS OWNED AND OPERATED BY
9 THE CITY OF LANSING EVERY FOUR (4) YEARS.

10 **H.** THE REPAIRS OR REPLACEMENTS OF FIRE AND SMOKE DAMPER UNITS
11 SHALL BE COMPLETED AND APPROVED BY THE DIRECTOR OF THE DEPARTMENT
12 OF ECONOMIC DEVELOPMENT AND PLANNING. THE TESTING AND INSPECTIONS
13 SHALL BE CONDUCTED BY CONTRACTORS AND TECHNICIANS THAT HAVE
14 BEEN CERTIFIED BY THE INTERNATIONAL CERTIFICATION BOARDS (ICB) AND
15 AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) TO ENSURE THE QUALITY
16 AND KNOWLEDGE OF THE INSPECTION PROCESS.

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

19 Section 3. Should any section, clause or phrase of this ordinance be declared to be
20 invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof
21 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.

Approved as to form:

City Attorney

Dated: _____



**Material Not Available at the time the
packet was published.
Please continue to check back for
updates on this document**

Act No. 169
Public Acts of 2017
Approved by the Governor
November 20, 2017
Filed with the Secretary of State
November 21, 2017
EFFECTIVE DATE: February 19, 2018

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2017**

Introduced by Senators Jones, Hansen and Marleau

ENROLLED SENATE BILL No. 107

AN ACT to amend 1917 PA 167, entitled "An act to promote the health, safety and welfare of the people by regulating the maintenance, alteration, health, safety, and improvement of dwellings; to define the classes of dwellings affected by the act, and to establish administrative requirements; to prescribe procedures for the maintenance, improvement, or demolition of certain commercial buildings; to establish remedies; to provide for enforcement; to provide for the demolition of certain dwellings; and to fix penalties for the violation of this act," by amending section 126 (MCL 125.526), as amended by 2016 PA 14.

The People of the State of Michigan enact:

Sec. 126. (1) A local governmental unit is not required to inspect a multiple dwelling or other dwelling unless the local governmental unit receives a complaint from a lessee of a violation of this act.

(2) Subject to subsection (1), the enforcing agency shall inspect multiple dwellings and other dwellings regulated by this act in accordance with this act. If a local governmental unit adopts an ordinance providing for inspections of multiple dwellings or other dwellings on a basis described in subsection (4)(a), (c), (d), or (e), both of the following apply:

(a) The period between inspections of a multiple dwelling or rooming house shall not be longer than 4 years, or 6 years if the most recent inspection of the premises found no violations of this act and the multiple dwelling or rooming house has not changed ownership during the 6-year period.

(b) All other dwellings regulated by this act may be inspected at reasonable intervals.

(3) Inspections of multiple dwellings or other dwellings conducted by the United States Department of Housing and Urban Development under the real estate assessment center inspection process or by other government agencies may be accepted by a local governmental unit and an enforcing agency as a substitute for inspections required by a local enforcing agency. To the extent permitted under applicable law, a local enforcing agency or its designee may exercise inspection authority delegated by law or agreement from other agencies or authorities that perform inspections required under other state law or federal law.

(4) An inspection shall be conducted in the manner best calculated to secure compliance with this act and appropriate to the needs of the community, including, but not limited to, on 1 or more of the following bases:

(a) An area basis, under which all the regulated premises in a predetermined geographical area are inspected simultaneously, or within a short period of time.

(b) A complaint basis, under which premises that are the subject of complaints of violations are inspected within a reasonable time.

(c) A recurrent violation basis, under which premises that have a high incidence of recurrent or uncorrected violations are inspected more frequently.

(d) A compliance basis, under which a premises brought into compliance before the expiration of a certificate of compliance or any requested repair order may be issued a certificate of compliance for the maximum renewal certification period authorized by the local governmental unit.

(e) A percentage basis, under which a local governmental unit establishes a percentage of units in a multiple dwelling to be inspected in order to issue a certificate of compliance for the multiple dwelling.

(5) An inspection shall be carried out by the enforcing agency, or by the enforcing agency and representatives of other agencies that form a team to undertake an inspection under this and other applicable acts.

(6) Except as provided in subsections (7) to (9) and (11), an inspector or team of inspectors must request and receive consent from the lessee to enter before entering a leasehold regulated by this act to undertake an inspection.

(7) The owner of a leasehold shall notify the lessee of the enforcing agency's request to inspect a leasehold, shall make a good-faith effort to obtain the lessee's consent for an inspection, and, if the owner obtains the lessee's consent for an inspection, shall arrange for the inspection by the enforcing agency.

(8) The owner of a leasehold shall provide the enforcing agency access to the leasehold for an inspection during reasonable hours if any of the following apply:

(a) The lease authorizes an enforcing agency inspector to enter the leasehold for an inspection.

(b) The lessee has made a complaint to the enforcing agency.

(c) The leasehold is vacant.

(d) The enforcing agency serves an administrative warrant ordering the owner to provide access.

(e) The lessee has consented to an inspection under subsection (7). If a lessee is not present during the inspection, the enforcing agency may rely on the owner's representation to the enforcing agency that the lessee has consented to the enforcing agency's inspection.

(9) The lessee shall provide the enforcing agency access to the leasehold for an inspection during reasonable hours if any of the following apply:

(a) The lease authorizes an enforcing agency inspector to enter the leasehold for an inspection.

(b) The lessee has made a complaint to the enforcing agency.

(c) The enforcing agency serves an administrative warrant ordering the lessee to provide access.

(d) The lessee has given consent.

(10) If a lessee who refused an inspection by the enforcing agency vacates a leasehold before an inspection by the enforcing agency, the owner of the leasehold shall notify the enforcing agency within 10 days after the leasehold is vacated.

(11) Before entering a leasehold regulated by this act, the owner of the leasehold shall request and obtain permission to enter the leasehold. However, in the case of an emergency, including, but not limited to, fire, flood, or other threat of serious injury or death, the owner may enter at any time.

(12) The owner of a leasehold shall provide access to the enforcing agency to areas of the multiple dwelling or other dwelling that are not part of the leasehold or that are open to public view.

(13) For multiple lessees in a leasehold, notifying at least 1 lessee and requesting and obtaining the consent of at least 1 lessee satisfies the notice and consent requirements of subsections (6) and (7).

(14) The enforcing agency or the owner shall not discriminate against a lessee on the basis of whether the lessee consents to or refuses entry to the leasehold for an inspection by the enforcing agency.

(15) The enforcing agency shall not discriminate against an owner who has met the requirements of subsection (7) because a lessee refuses the enforcing agency entry to a leasehold for an inspection under this act.

(16) The enforcing agency may establish and charge a reasonable fee for inspections conducted under this act. The fee shall not exceed the actual, reasonable cost of providing the inspection for which the fee is charged. An inspection fee is not required to be paid more than 6 months before the inspection is to take place. An owner or property manager is not liable for an inspection fee if the inspection is not performed and the enforcing agency is the direct cause of the failure to perform the inspection.

(17) If requested, an enforcing agency or a local governmental unit shall produce a report on the income and expenses of the inspection program for the preceding fiscal year. The report shall state the amount of the fees assessed by the enforcing agency, the costs incurred in performing inspections, and the number of units inspected. The report shall be provided to the requesting party within 90 days after the request is made. The enforcing agency or local governmental unit may produce the report electronically. If the enforcing agency does not have readily available access to the information required for the report, the enforcing agency may charge the requesting party a fee not greater than the actual reasonable cost of compiling and providing the information. If an enforcing agency charges a fee under this subsection, the enforcing agency shall include in the report the costs of compiling and providing the information.

(18) If a complaint identifies a multiple dwelling or other dwelling regulated under this act in which an individual under 18 years of age is residing, the dwelling shall be inspected before any inspection in response to a nonemergency complaint.

(19) Subject to section 8, a local governmental unit may adopt an ordinance to implement this section.

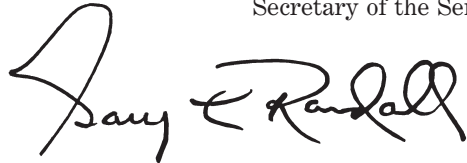
(20) When used in this act as a noun, "lease" means a written or unwritten agreement or contract that sets forth the terms and conditions, rights and obligations of each party with respect to a residential dwelling, dwelling unit, rooming unit, building, premises, or structure that is not occupied by the owner of record.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

.....
Governor



City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

MEMORANDUM

To: Public Safety Committee: Carol Wood, Adam Hussain, and Jeremy Garza

CC: Patricia Spitzley, Jody Washington, Brian Jackson, Peter Spadafore, Kathie Dunbar

From: Brandon Waddell, Assistant City Attorney 

Date: March 28, 2018

Re: Newspaper delivery licensure

Question Presented

Can the City of Lansing by and through City Council, pass an ordinance requiring licensure for all individuals who deliver periodicals, newspapers, pamphlets, and other circulars.

Short Answer

No, the US Supreme Court has dealt with this subject directly, opining that this type of ordinance is invalid on its face.

Legal Analysis

The Supreme Court has ruled directly on the subject of a city ordinance that requires a permit or license for all individuals to distribute circulars, handbooks, advertising, or literature whether said articles are being delivered free or sold. "Said ordinance absolutely prohibits the distribution of any literature of any kind within the limits of the City of Griffin without permission of the City Manager and thus abridges the freedom of the press, contrary to the provisions of said quoted amendments." *Lovell v City of Griffin, Ga.*, 303 U.S. 444 (1938).

The Court goes on to opine that although the ordinance is not limited to "literature" that is obscene or offensive to public morals, there is still a Constitutional violation on the face of the ordinance. An ordinance as contemplated by the City of Lansing "prohibits the distribution of literature of any kind at any time, at any place, and in any manner without a permit from the City" and "its character is such that it strikes at the very foundation of the freedom of the press by subjecting it to license and censorship." *Id* at 451.

Lastly, the Court addresses the subject of distributing separate from publication. “The ordinance cannot be saved because it relates to distribution and not publication. Liberty of circulating is as essential to that freedom as liberty of publishing; indeed without the circulation, the publication would be of little value.” *Id* at 452 citing *Ex parte Jackson*, 96 U.S. 727, 733, 24 L.Ed. 877.

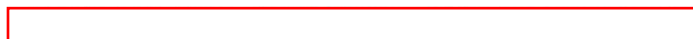
Additional Options

The US Court of Appeals has affirmed or allowed city ordinances that “permit(s) the distribution of written materials to private residences if the literature is “handed in at the door, or places on a porch, or securely fastened to prevent it from being blown or scattered about.”” The Court uses a 4 prong test to qualify an ordinance as a reasonable time-place-manner regulation of speech. The law must (1) be content-neutral, (2) serve a significant government interest, (3) be narrowly tailored to serve that government interest and (4) leave open ample alternative channels of communication.

A narrowly tailored ordinance by the City which required all delivery of periodicals and the like to be delivered on the front porch or in person, or to the alternative restrict deliveries on the driveway or front lawn, could likely pass a constitutional challenge.

Conclusion

As contemplated, an ordinance by the City of Lansing requiring licensure for all distribution of periodicals and the like within the city limits would be a violation of the First Amendment as opined by the US Supreme Court. However, an ordinance requiring deliveries to occur on the porches or in person could likely pass a Court challenge.



1 ORDINANCE NO. _____

2 AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND

3 CHAPTER 1426 AND ADD SECTION 1426.07 OF THE LANSING CODIFIED

4 ORDINANCES ~~BY INITIATING TO REGULATE THE~~ FIRE AND SMOKE DAMPER

5 ~~INSPECTION PROGRAM TESTING AND INSPECTIONS BY CERTIFIED~~

6 INSPECTORS.

7 THE CITY OF LANSING ORDAINS:

8 Section 1. That Chapter 1426 of the Codified Ordinances of the City of Lansing,

9 Michigan, be and is hereby amended to add Section 1426.07 and read as follows:

10 **1426.07. FIRE AND SMOKE DAMPER INSPECTION ~~PROGRAM~~CERTIFICATION**

11 A. **PURPOSE:** THE PURPOSE ~~FOF~~ THIS SECTION IS TO ~~ESTABLISH~~PROVIDE FOR
12 CERTIFICATION REQUIREMENTS FOR INSPECTORS OF-A FIRE AND SMOKE
13 DAMPERS INSPECTION PROGRAM FOR-IN BUILDINGS OWNED AND OPERATED BY
14 THE CITY OF LANSING.

15 B. **DEFINITIONS:** AS USED IN THIS SECTION:

16 (1) ~~"FIRE DAMPER"~~ MEANS A LISTED DEVICE INSTALLED IN DUCT AND AIR
17 TRANSFER OPENINGS DESIGNED TO CLOSE AUTOMATICALLY UPON DETECTION
18 OF HEAT AND RESIST THE PASSAGE OF FLAME. FIRE DAMPERS ARE CLASSIFIED
19 FOR USE IN EITHER STATIC SYSTEMS THAT WILL AUTOMATICALLY SHUT DOWN
20 IN THE EVENT OF A FIRE OR IN DYNAMIC SYSTEMS THAT CONTINUE TO
21 OPERATE DURING A FIRE. A DYNAMIC FIRE DAMPER IS TESTED AND RATED FOR
22 CLOSURE UNDER ELEVATED TEMPERATURE AIRFLOW.

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Submitted 04/12/18

1 ~~C. — IF ANY FIRE OR SMOKE DAMPER IS FOUND TO BE FAULTY OR~~
2 ~~INOPERABLE, REPAIRS OR REPLACEMENTS SHALL BEGIN AS SOON AS POSSIBLE,~~
3 ~~WITH THE GOAL OF COMPLETING SUCH REPAIRS WITHIN SIXTY (60) BUSINESS~~
4 ~~DAYS FROM THE DATE THE UNIT WAS FOUND TO BE FAULTY OR INOPERABLE.~~

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5 ~~F. — THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING, IN~~
6 ~~COOPERATION WITH OTHER CITY DEPARTMENTS, SHALL PROVIDE A STATUS~~
7 ~~UPDATE TO CITY COUNCIL WITHIN TWELVE (12) MONTHS OF THE EFFECTIVE~~
8 ~~DATE OF THIS ORDINANCE, IDENTIFYING THE BUILDINGS ALREADY INSPECTED~~
9 ~~OR TO BE INSPECTED, THE APPROPRIATE NUMBER OF FIRE AND SMOKE~~
10 ~~DAMPERS IN EACH BUILDING TO BE INSPECTED, AND THE PROPSD TIMELINE~~
11 ~~FOR INSPECTIONS TO ENSURE COMPLIANCE WITH THIS ORDINANCE.~~

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12 ~~G. — ALL TESTING AND INSPECTIONS SHALL BE DOCUMENTED INDICATING THE~~
13 ~~LOCATION OF EACH FIRE AND SMOKE DAMPER, DATE OF INSPECTION, NAME OF~~
14 ~~THE INSPECTOR, DEFICIENCIES DISCOVERED, AND ANY REPAIRS OR~~
15 ~~REPLACEMENTS COMPLETED.~~

16 ~~H. — UPON TWENTY FOUR MONTHS FOLLOWING THE EFFCETIVE DATE OF THIS~~
17 ~~ORDINANCE, THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING~~
18 ~~SHALL REPORT TO THE CITY COUNCIL, OUTLINING THE NUMBER OF FIRE AND~~
19 ~~SMOKE DAMPERS TESTED PURSUANT TO THIS ORDINANCE, THE NUMBER OF~~
20 ~~SUCH DAMPERS THAT NEEDED TO BE REPAIRED OR REPLACED, AND THE~~
21 ~~STATUS OF SUCH REPAIRS AND/OR REPLACEMENT. THE DEPARTMENT OF~~
22 ~~ECONOMIC DEVELOPMENT AND PLANNING SHALL ALSO PROVIDE TO CITY~~

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DRAFT 1.5
04/12/2018

Approved as to form:

City Attorney

Dated: _____