



AGENDA
Committee on Public Safety
Wednesday, June 27, 2018 @ 2:30 p.m. (note time)
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**
 - June 6, 2018
 - June 7, 2018
- 4. Public Comment on Agenda Items**
- 5. Discussion:**
 - A. ORDINANCE - Amendment to Chapter 664, Section 664.04; Gambling
 - B. UPDATES – Fence Tickets at 3801 Walton Property
 - C. UPDATES – Logan Square Enforcement
 - D. DISCUSSION – Plaza at the intersection of Pleasant Grove/Holmes
- 6. Other/Place in File**
 - Communication from T.J. Moore; RE: Gambling Ordinance

Adjourn



PUBLIC COMMENT AND SIGN IN SHEET

COMMITTEE PUBLIC SAFETY

DATE June 27, 2018

Please print

NAME	ADDRESS	Purpose for Attending	Email Address	PHONE
Juanita Peters	1500 Mary Ave	Business on Pleasant Grove	janiepet1@outlook.com	517-515-8195
Willie A. Peters	1500 Mary Ave	" "	" "	517-242-8536
DAGMAR OLDS	4708 Burchfield	Just info -	oldsd@msu.edu	517-8828308
JASON WILKES	3218 Continental Dr	Merriwood SP Rejuvenating SL	fern.wilkes724@gmail.com	517-88-6611
KATHY MILES		RSL		
Rachelle White	2027 Pleasant View	SW-AG	rachelle@copcatering.com	517-295-3570
Elaine Wamboldt	4815 Trussard LAKE	RSL		
MOHEEN SINGH	3434 Pleasant Grove			517-918-2826
Chris Jarome		RSL	CHRISVF@GROUPE.com	712-2889
AMARJIT SINGH	3434 Pleasant			402-9898
Mr. Ellen Purificato		FICA		
Joe Aboud (INTERNS)	Tim Smith LISA HAGEN	STAFF MEETING		



MINUTES
Committee on Public Safety
Wednesday, June 6, 2018 @ 3:30 p.m.
City Council Conference Room, 10th Floor

CALL TO ORDER

The meeting called to order at 3:33 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
Lisa Hagen, Assistant City Attorney
Scott Sanford, Code Compliance
Jim Smiertka, City Attorney
Andy Kilpatrick, Public Service Director
Chief Yankowski, LPD Police Chief
Amanda O'Boyle, Assistant City Attorney
Council Member Spadafore – arrived at 4:21 p.m. and left at 4:51 p.m.
David Puck, MLBA
MaryEllen Purificato

Public Comment

No comment at this time.

Minutes

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM MAY 9, 2018 AS PRESENTED. MOTION CARRIED 3-0.

DISCUSSION/ACTION:

ORDINANCE- Add Chapter 664; RE: Gambling

Council Member Wood distributed an email from Ms. Nichols with South Lansing Ministries for the record. She also distributed an email from Scott Ellis, and his concern on this ordinance and enforcement on redemption games. The last handout she distributed was the Michigan Legislature Section 750.303a.

Mr. Puck spoke on behalf of Mr. Ellis and his concerns. Mr. Smiertka stated those games of redemption are a skill game, not of game of chance, so they would not fall under this new ordinance.

Mr. Smiertka then brought it to the Committees attention of a recent inquiry into if the card games that are played periodically at senior housing establishment would fall under this new ordinance to be enforced, and those are addressed as recreational card playing under the State Casino Law.

The Chief had no comments at this time, and was assured that once the ordinance is passed it will give the LPD an opportunity to get involved without waiting on the Attorney General.

Council Member Wood asked the Chief how the LPD handles forfeiture without due process. Chief Yankowski answered that recently there was a change in law, where normally anything over \$50,000 the prosecutor's office represents. Sometimes a conviction is a need to forfeiture, but no longer do they do have to put up a certain dollar amount.

Council Member Hussain read a section of the email from Ms. Nichols:

[REDACTED] These establishments are intentionally placed in neighborhoods where people of limited finances, often no transportation and are struggling. It is overtly targeting folks that can least afford to lose money by the lure of maybe making a little, and we all know how that usually ends. These gambling places are never opened in more affluent neighborhoods where residents have many more options for entertainment and a break from their daily lives. The parking lot is packed, there are people all over the sidewalks and in the parking lot, loud music, and trash strewn all over, including liquor bottles. South West Lansing deserves better than this, organizations like the one I work at deserve better and this and certainly our city officials should be able to step up and make it illegal to prey on these people. It's bad enough we have liquor and lotto stores on every corner, next to marijuana dispensaries, and same day cash businesses. We in SW Lansing want to make it better but we need your help. [REDACTED]

Ms. Womboldt spoke in support of the ordinance and enforcement.

MOTION BY COUNCIL MEMBER GARZA TO APPROVE THE ORDINANCE TO AMEND CHAPTER 664, SECTION 664.04; GAMBLING. MOTION CARRID 3-0.

Chief Yankowski was told if he had any questions or recommendations to get those to Council staff by noon, on June 8th and the Council will pull action from the agenda.

ORDINANCE - Repeal Section 676.02 in Chapter 676

The Committee discussed the changes in this ordinance and the next agenda item. It was noted by Mr. Smiertka that the changes were language Law used from the US Court of Appeals, where it has been challenged and upheld by the Courts.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE ORDINANCE TO REPEAL SECTION 676.02. MOTION CARRIED 3-0.

ORDINANCE- Amendment to Chapter 676, Section 676.02; Prohibit Depositing, Distributing, Littering, or Creating Visual Blight of Private Residences

Mr. Smiertka stated that this ordinance was not aimed at any content; it could be any type of paper material, flyers, political, or circulations. Unless it is handed out at door or a door hanger, placed in a box or receptacle, this will be an anti-littering ordinance. Council Member Wood asked what the enforcement plan would be. Mr. Smiertka stated they did not have a plan as of yet, but this is a misdemeanor so anyone authorized to write misdemeanor tickets can write one. If Law gets a complaint they will contact the distributor. Council Member Garza asked where the funds from the tickets would go. Mr. Smiertka stated fines and forfeitures are in the general fund as part of the revenue stream. Mr. Kilpatrick stated they will

have to look at their practices, because if might be Public Service if they enforce, or Economic Development if they enforce under Code Compliance.

Ms. Womboldt spoke in support.

**MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE ORDINANCE
AMENDMENTS TO CHAPTER 676, SECTION 676.02.**

Council Member Wood encouraged Law to send a letter, after passage, to the people the City already knows are in violation. Chief Yankowski asked if the delivery person or the business would be cited. Mr. Smiertka stated it would be a case by case, because under the definition of the code it is broad. The first target would be the delivery person. If there is a pattern, they would consider it a nuisance.

UPDATE – Ordinance- Trash & Recycling Bins

Council Member Wood outlined the reason for the discussion on complaints of totes and carts remaining at the curb even though there is an ordinance on the books. Once suggestion in the past has been for the trash haulers to pick up same day in the same quadrant. The issue with enforcement with the recycle bins is that there is a fee attached to their taxes for that service. Lastly, the question of contention has always been who enforces it because if it is in the right of way, is that Public Service, or does Code Compliance enforce.

Ms. Hagan went through Draft 2 of the ordinance which she stated included recommendations from Mr. Kilpatrick in Public Service. Page one includes new language “From the side of the street” and removed “public service department employees” from the whole document. Page one added in “for a maximum of” one collection weekly. The word “City” was removed throughout the document where it spoke to “collection bag”, eliminating a designation between “city” and “private”.

There was a question on who would get the fees from the fines, and page 4, line 20 noted it went into the Municipal Ordinance Violations Bureau. The Committee and Law discussed setting fees similar to Code Compliance with a \$75 charge for second violation. Council Member Wood referenced page 4, line 10 which states the owner shall be notified. Mr. Smiertka stated it would be the owner not the tenant, and the violation would go to the owner. These would be civil infractions, and Mr. Smiertka added it would be no different then the marihuana tickets. The first violation would be a letter, then repeat violations can have court order.

Mr. McGrain asked the Committee to give staff time to work on education pieces and other options, such as a large sticker on the opening of the curb cart, to provide warnings to the public. Mr. Kilpatrick also suggested that violations could be brought to the Public Service department and they will have to pay the fine to get the cart back.

Council Member Garza asked for better clarification on if a curb cart can be placed next to the garage or would still be in violation.

Council Member Wood asked for further discussion on the fee amounts for the repeat and second offense. She also asked Mr. Kilpatrick to check to see if all the vendors, including the City, can pick up in the same areas the same day. Mr. Kilpatrick stated he would look at their agreements and licenses with the vendors along with tags and/or stickers and report back in 30 days.

Mr. McGrain asked Law if a sticker on the container is fair notice by law for enforcement if they don't remove them. After a brief discussion on enforcement options, Council Member Wood

asked staff to take action over the next 30 days and provide updates to the Committee for further action on an ordinance. An update will be on the July 11th agenda and in the meantime staff was asked to also update the Landlord Association.

Ms. Purificato provided her opinion that the homeowner should be responsible.

Ms. Womboldt supported the enforcement.

DISCUSSION/Place on File – Rules of Procedures for the Board of Police Commissioners

Council Member Wood pointed out that Boards submit their Rules of Procedures for the Committee to review and make suggestions or concerns on. Chief Yankowski was not able to confirm or deny that there were any changes since 2001, but will follow up. Council Member Wood suggested they post their agendas on the website. She then asked if the meetings hold their public comment before or after decisions. Chief Yankowski confirmed it was done before and after.

The Committee will place the document on file once the earlier question on changes is answered by the Chief.

Council Member Wood canceled the June 13th meeting, with the next date of June 27th. This meeting will include an update on the medical marihuana. The Committee will also discuss at that meeting suggestions for the Gun Safety Task Force.

Ms. Womboldt supported comments on the meeting notices on the website, asked the Council President to enforce cell phone usage on the Dias during meetings, and require public comment before and after a decision is made.

Council Member Hussain asked for an update on. Lansing Connect at the June 27th meeting.

ADJOURN

The meeting was adjourned at 5:10 p.m.

Submitted by

Sherrie Boak, Council Office Manager

Lansing City Council

Approved:



MINUTES
Committee on Public Safety Special Meeting
Thursday, June 7, 2018 @ 6:00 p.m.
Letts Community Center

CALL TO ORDER

The meeting called to order at 6:01 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
Heather Sumner, Deputy City Attorney
Brian T. Jackson, Council Member
Judy Fox
Steve Foucier
Celestine Herd
Larry Strauser
Carol Rawl
Maggie Bayers
Joy Gleason
Mark Edick
Mitzi Allen
Beth, new resident
Steve Rawl
Tim Retzloff
Cole Bouck
Marilyn Plummer, Mayors Office – arrived at 7:09 p.m.

DISCUSSION/ACTIONS

• **Ordinance on 2am – 5 am Parking**

Council Member Wood outlined the Committee's plan for the ordinance. This included an explanation for the meetings in the public, which included a previous years communication from the Police Chief asking Council to look at the 2am – 5 am parking ordinance. After hearing the public concerns, the Committee will take back all the comments and consider changes. Noted was the current ordinance which states no parking between 2 am – 5 am, and this initially had to do with street sweeping, snow plowing, and housing overcrowding. At one point, she noted, there was a parking enforcement officer to enforce this parking regulation. During review in the past there were options to consider such as a permit parking, parking on opposite side of the street during a scheduled time slot, and consideration with different

topography in difference areas of the City. Council Member Hussain encouraged the public that whatever is drafted will be reflected of what they have heard. Council Member Garza noted he was encouraged by the comments made so far in the public and was interested into what the comments would be.

PUBLIC COMMENT

Ms. Fox, resident on Kensington, noted her concerns with the safety hazard with parking on the street, and provided an example of parking on her street and calling enforcement. Ms. Fox concluded with a concern with two sided parking and the removal of the enforcement of 2 am – 5 am parking, asking for the enforcement of it.

Mr. Foucrier asked the ordinance have content and purpose. If parking is prohibited in that time frame, his concern was that they would have to park blocks away in downtown area at a ramp. Mr. Foucrier asked the ordinance to provide a purpose, not to hinder them, particularly in downtown. Council Member Wood noted that when the lofts in downtown were approved she recalled a condition that would let the residents park on the streets during the evening and for loading and unloading. Information would be provide to Mr. Foucrier.

Ms. Hert, resident of Lansing in multiple locations over the years, provided her examples of “one side of the street” parking, driveways that are not designed for two cars, and street parking enforcement be eliminated. With this there could be a schedule for snow emergencies and street sweeping. A consideration could be taken by a street by street basis, but in the end her opinion was the parking on the street regulation is cumbersome on the residents.

Council Member Wood noted that there could not be an ordinance that effects or is written differently in the City, it will need to be uniform.

Mr. Strauser, a resident on Dunlap noted this area has signage that states “no parking” on the north side, and on the south side “no parking 7am – 10 p.m.” When they have issues on parking, they call the LPD and no enforcement unless the meter maid parking enforcement comes there.

Mr. Rawl, resident on Shiawassee provided her opinion that doing away with the ordinance will cause issues with the neighbors and not share the road, and against any change.

Ms. Bayers, resident on Kerry Street, asked for a consideration for seasonal parking enforcement, but did not support year round prohibition. Council Member Wood noted to Ms. Bayers that there is already an ordinance that prohibits recreational vehicles to be parked on the street, and will send her the ordinance.

Ms. Gleason, resident on East Malcom X, voiced her comments on the differences in enforcement and width of streets. She noted she understood the uniformity of the ordinance, but questioned since each neighborhood is different. One suggestion she made was a neighborhood sticker that would permit the resident to be in front in their own home, with clarification for wards or districts. Another suggestion would be a phrase in the ordinance that would state this is in effect “unless as posted’.

Mr. Edick, resident at W Moreland and Willow, noting Willow has no parking. His concern was parking for multiple days on the street, and his experience with enforcement. His opinion with the enforcement of the 2am – 5am parking, requires the owner to find a place to park on their property. In conclusion, Mr. Edick asked the Committee to keep the rule, agreed with the permitting for special circumstances with a 30 day maximum.

Ms. Allen – supported the removal of the 2am- 5am parking on the streets, because the neighborhoods have narrow driveways, shared driveways and currently in her neighborhood there is day time street parking.

Beth, new resident in Lansing, and understands the need to be consistent in the City, but points out there is ample parking downtown on the streets.

Mr. Rawl, resident on W. Shiawassee, and his experience is in their neighborhood there are long driveways and not a need or street parking. Mr. Rawl asked if the developer is responsible to provide parking, and if not the City should require them to.

Mr. Retzloff, a resident on Drexal and has a shared drive. Mr. Retzloff was interested in what other cities do with this issue, because in his opinion if there is a one size fits all, even though every neighborhood is different, there needs to be better information.

Mr. Bouck noted his opinion that ordinance should stay intact because it is a safety issue, it is an aesthetic issue, and provided examples of street parking because residents don't want to take the time to pull them in the driveway. Mr. Bouck provided options for consideration parking for visitors, children who come home on the weekends, and build in regulations for certain circumstances.

Mr. Edick spoke again and suggested signage for designations.

Ms. Allen spoke about the early comment on a safety concern, stating she does not believe there is a safety issue.

Mr. Bouck clarified that by taking the ordinance out, they will park 24 hours a day because there is no reason to remove it.

Council Member Garza noted to the public that in some areas, the streets are so narrow that emergency vehicles cannot get down the street.

Ms. Herd voiced an opinion on queitons why remove 2-5 when can park during the day, and had no concerns with street parking.

Council Member Wood acknowledged all the comments and clarified that they will take all comments and suggestions from all the meetings and draft something that attempts to meet the needs of the community. Noted in all the meetings, she stated, all comments reflected the need for enforcement.

Mr. Retzloff asked what the time table will be. Council Member Wood stated in July their Committee meeting will include Mr. Kilpatrick to attend to provide information on the streets currently with the signs, the LFD for their input for their emergency vehicles. The Administration will be involved so that there is some type of enforcement.

Mr. Bouck asked the Committee to also consider vehicles parked over the sidewalks.

ADJOURN

The meeting was adjourned at 7:12 p.m.

Submitted by

Sherrie Boak, Council Office Manager

Lansing City Council

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND
CHAPTER 664, SECTION 664.04, OF THE LANSING CODIFIED ORDINANCES TO ADD
GAMBLING, GAMBLING OPERATIONS AND GAMING AS DISORDERLY PREMISES;
TO DECLARE ANY SUCH ACTIVITY OR PREMISES AS A PUBLIC NUISANCE; TO
PROVIDE FOR THE FORFEITURE OF PERSONAL PROPERTY USED IN THE CONDUCT
OF SUCH PROHIBITED ACTIVITIES.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 664, Section 664.04 of the Codified Ordinances of the City of
Lansing, Michigan, be and is hereby amended to read as follows:

(A) DEFINITIONS.

AS USED IN THIS SECTION.

GAMBLING MEANS TO PLAY, DEAL, OPERATE, CARRY ON, CONDUCT, MAINTAIN
OR EXPOSE FOR PAY, MONEY, CREDIT, PROPERTY OR ANYTHING OF VALUE, ANY
GAMBLING GAME.

GAMBLING GAME MEANS ANY GAME PLAYED WITH CARDS, DICE, EQUIPMENT OR
A MACHINE, INCLUDING ANY MECHANICAL, ELECTROMECHANICAL OR
ELECTRONIC DEVICE WHICH SHALL INCLUDE COMPUTERS AND CASHLESS
WAGERING SYSTEMS FOR MONEY, CREDIT, OR ANY REPRESENTATIVE OF
VALUE. **GAMBLING GAME SHALL NOT INCLUDE ANY REDEMPTION GAME; OR
GAME, LOTTERY, OR OTHER ACTIVITY AUTHORIZED OR LICENSED PURSUANT TO
STATE LAW OR REGULATION.**

1 *REDEMPTION GAME* MEANS A SINGLE PLAYER OR MULTIPLAYER MECHANICAL,
2 ELECTRONIC, OR MANUAL AMUSEMENT DEVICE INVOLVING A GAME, THE
3 OBJECT OF WHICH IS THROWING, ROLLING, BOWLING, SHOOTING, PLACING,
4 PROPELLING, OR STOPPING A BALL OR OTHER OBJECT INTO, UPON, OR AGAINST
5 A HOLE OR OTHER TARGET. REDEMPTION GAME DOES NOT INCLUDE ANY OF
6 THE FOLLOWING: (A) A GAME SUCH AS ROULETTE, BEANO, CARDS, DICE, WHEEL
7 OF FORTUNE, VIDEO POKER, A SLOT MACHINE, OR ANOTHER GAME IN WHICH
8 WINNING DEPENDS PRIMARILY UPON FORTUITOUS OR ACCIDENTAL
9 CIRCUMSTANCES BEYOND THE CONTROL OF THE PLAYER. OR (B) A GAME THAT
10 INCLUDES A MECHANICAL OR PHYSICAL DEVICE THAT DIRECTLY OR
11 INDIRECTLY IMPAIRS OR THWARTS THE SKILL OF THE PLAYER.

12 *GAMBLING OPERATION* MEANS THE CONDUCT OF GAMBLING GAMES

13 *GAMING* MEANS TO DEAL, OPERATE, CARRY ON, CONDUCT, MAINTAIN OR
14 EXPOSE OR OFFER FOR PLAY ANY GAMBLING GAME OR GAMBLING OPERATION.

15 (B) No person shall:

16 (a) (1) Permit or allow any premises owned, occupied or controlled by him or her to be
17 used or occupied by persons engaged in ~~any act of illegal gambling~~ GAMBLING, A
18 GAMBLING OPERATION, OR GAMING, or in any illegal sale of intoxicating liquor;

19 (b) (2) Permit or allow any fight or disturbance on any premises owned, occupied or
20 controlled by him or her;

21 (c) (3) Transport any person to a place where he or she knows ACTIVITIES
22 PROHIBITED BY THIS SECTION or other illegal activities are practiced, encouraged

or allowed for the purpose of enabling the person transported to engage in ANY
ACTIVITY PROHIBITED BY THIS SECTION or any other illegal activity;

(d) (4) Knowingly attend, frequent, operate or be an occupant of a place of ~~illegal~~
~~gambling~~ GAMBLING OR GAMBLING OPERATION or THE illegal sale of
intoxicating liquor, or a place where any other illegal business or occupation is
permitted or conducted;

(e) (5) Except as allowed by law, keep, maintain or permit the use of a Gaming room,
Gaming table, Gambling equipment or any policy or pool tickets, to be used for
Gaming, Gambling, OR GAMBLING OPERATION on any premises occupied or
controlled by him or her, or place, receive or transmit any bet on the outcome of any
race, contest or game of any kind whatsoever; or

(f) (6) Attend any cock fight or dog fight.

(7) THIS ORDINANCE SHALL NOT APPLY TO A REDEMPTION GAME IF
ALL OF THE FOLLOWING ARE MET:

A. THE OUTCOME OF THE GAME IS DETERMINED THROUGH THE
APPLICATION OF AN ELEMENT OF SKILL BY THE PLAYER.

B. THE AWARD OF THE PRIZE IS BASED UPON THE PLAYER'S
ACHIEVING THE OBJECT OF THE GAME OR OTHERWISE UPON THE
PLAYER'S SCORE.

C. ONLY NONCASH PRIZES, TOYS, NOVELTIES, OR COUPONS OR OTHER
REPRESENTATIONS OF VALUE REDEEMABLE FOR NONCASH PRIZES,
TOYS, OR NOVELTIES ARE AWARDED. A GIFT CARD MAY BE

AWARDED UNDER THIS SUBDIVISION IF ALL OF THE FOLLOWING

APPLY:

i. THE GIFT CARD IS USABLE ONLY AT A RETAILER OR AN

AFFILIATED GROUP OF RETAILERS.

ii. THE GIFT CARD IS ISSUED IN A SPECIFIED AMOUNT.

iii. THE GIFT CARD IS REDEEMABLE ONLY FOR GOODS AND

SERVICES AVAILABLE FROM THE RETAILER OR RETAILERS

AND NOT FOR CASH.

iv. INFORMATION ON THE GIFT CARD MAY NOT BE ALTERED

WITH THE USE OF A PERSONAL IDENTIFICATION NUMBER.

D. THE WHOLESALE VALUE OF A PRIZE, TOY, OR NOVELTY AWARDED

FOR THE SUCCESSFUL SINGLE PLAY OF A GAME IS NOT MORE THAN

\$3.75.

E. THE REDEMPTION VALUE OF COUPONS OR OTHER

REPRESENTATIONS OF VALUE AWARDED FOR THE SUCCESSFUL

SINGLE PLAY OF A GAME DOES NOT EXCEED 15 TIMES THE AMOUNT

CHARGED FOR A SINGLE PLAY OF THE GAME OR A \$3.75-PER-PLAY

AVERAGE, WHICHEVER IS LESS. HOWEVER, PLAYERS MAY

ACCUMULATE COUPONS OR OTHER REPRESENTATIONS OF VALUE

FOR REDEMPTION FOR NONCASH PRIZES, TOYS, OR NOVELTIES OF A

GREATER VALUE UP TO, BUT NOT EXCEEDING, \$500.00 WHOLESALE

VALUE.

(8) ANY ACTIVITY PROHIBITED BY THIS SECTION 664.04, OR THE
PROPERTY UPON WHICH THE PROHIBITED ACTIVITY IS OCCURRING, IS HEREBY
DECLARED TO BE A PUBLIC NUISANCE AND THE CITY ATTORNEY IS
AUTHORIZED TO BRING A CIVIL ACTION TO ENJOIN AND ABATE THE PUBLIC
NUISANCE. FURTHER, UPON CONVICTION OF A PERSON FOR ANY PROHIBITED
ACTIVITY UNDER THIS SECTION, TO COMMENCE PROCEEDINGS TO SEIZE
THROUGH FORFEITURE PROCEEDINGS ALL PERSONAL PROPERTY, INCLUDING
MONEY, UTILIZED IN CONNECTION WITH, OR THE CONDUCT OF, THE PROHIBITED
ACTIVITY OR RELATED THERETO. THE CITY ATTORNEY MAY ENTER INTO ANY
SETTLEMENT AGREEMENT OR CONSENT JUDGMENT WHICH RESOLVES THE
ACTIONS AUTHORIZED UNDER THIS SUBSECTION.

Section 3. All ordinances, parts of ordinances, resolutions or rules inconsistent with the
provisions hereof are hereby repealed.

Section 4. Should any section, clause or phrase of this ordinance be declared to be
invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof
other than the part so declared to be invalid.

Section 5. 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: _____

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Bellini, Emma

From: Tiffinie Moore <tjurrettmoore@yahoo.com>
Sent: Wednesday, June 06, 2018 12:52 PM
To: Clerk, City; Lansing Mayor
Subject: Proposed Gambling Ordinance

Hey guess what, I could give less than a turd about a gambling ordinance that the city doesn't have money or manpower to enforce. What I would REALLY like you all to focus on is the city streets/potholes that have caused me to replace three tires on a car that is less than two years old because you aren't going to or don't have money to pay for those EITHER.

Stop the posturing over dumb crap & get to the business of handling business.

Sincerely,
T. J. Moore

RECEIVED

JUN 27 2018

LANSING CITY COUNCIL

DRAFT 4
June 22, 2018

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND
CHAPTER 664, SECTION 664.04, OF THE LANSING CODIFIED ORDINANCES TO ADD
GAMBLING, GAMBLING OPERATIONS AND GAMING AS DISORDERLY PREMISES;
TO DECLARE ANY SUCH ACTIVITY OR PREMISES AS A PUBLIC NUISANCE; TO
PROVIDE FOR THE FORFEITURE OF PERSONAL PROPERTY USED IN THE CONDUCT
OF SUCH PROHIBITED ACTIVITIES.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 664, Section 664.04 of the Codified Ordinances of the City of
Lansing, Michigan, be and is hereby amended to read as follows:

(A) DEFINITIONS.

AS USED IN THIS SECTION.

GAMBLING MEANS TO PLAY, DEAL, OPERATE, CARRY ON, CONDUCT, MAINTAIN
OR EXPOSE FOR PAY, MONEY, CREDIT, PROPERTY OR ANYTHING OF VALUE, ANY
GAMBLING GAME.

GAMBLING GAME MEANS ANY GAME PLAYED WITH CARDS, DICE, EQUIPMENT OR
A MACHINE, INCLUDING ANY MECHANICAL, ELECTROMECHANICAL OR
ELECTRONIC DEVICE WHICH SHALL INCLUDE COMPUTERS AND CASHLESS
WAGERING SYSTEMS FOR MONEY, CREDIT, OR ANY REPRESENTATIVE OF
VALUE. GAMBLING GAME SHALL NOT INCLUDE ANY REDEMPTION GAME;
CRANE GAME; OR GAME, LOTTERY, OR OTHER ACTIVITY AUTHORIZED OR
LICENSED PURSUANT TO STATE LAW OR REGULATION.

1 *REDEMPTION GAME*, EXCEPT AS PROVIDED FOR IN SECTION (B)(7), MEANS A
2 SINGLE PLAYER OR MULTIPLAYER MECHANICAL, ELECTRONIC, OR MANUAL
3 AMUSEMENT DEVICE INVOLVING A GAME, THE OBJECT OF WHICH IS THROWING,
4 ROLLING, BOWLING, SHOOTING, PLACING, PROPELLING, OR STOPPING A BALL
5 OR OTHER OBJECT INTO, UPON, OR AGAINST A HOLE OR OTHER TARGET.

6 REDEMPTION GAME DOES NOT INCLUDE ANY OF THE FOLLOWING: (A) A GAME
7 SUCH AS ROULETTE, BEANO, CARDS, DICE, WHEEL OF FORTUNE, VIDEO POKER, A
8 SLOT MACHINE, OR ANOTHER GAME IN WHICH WINNING DEPENDS PRIMARILY
9 UPON FORTUITOUS OR ACCIDENTAL CIRCUMSTANCES BEYOND THE CONTROL
10 OF THE PLAYER. OR (B) A GAME THAT INCLUDES A MECHANICAL OR PHYSICAL
11 DEVICE THAT DIRECTLY OR INDIRECTLY IMPAIRS OR THWARTS THE SKILL OF
12 THE PLAYER.

13 *CRANE GAME* MEANS AN AMUSEMENT MACHINE ACTIVATED BY THE INSERTION
14 OF A COIN BY WHICH THE PLAYER USES 1 OR MORE BUTTONS, JOYSTICKS, OR
15 SIMILAR MEANS OF CONTROL, OR A COMBINATION OF THOSE MEANS OF
16 CONTROL, TO POSITION A MECHANICAL OR ELECTROMECHANICAL CLAW, OR
17 OTHER RETRIEVAL DEVICE, OVER A PRIZE, TOY, NOVELTY, OR AN EDIBLE ITEM
18 HAVING A WHOLESALE VALUE OF NOT MORE THAN \$3.75, AND THEREBY
19 ATTEMPTS TO RETRIEVE THE PRIZE, TOY, NOVELTY, OR EDIBLE ITEM. EVERY
20 PRIZE, TOY, OR EDIBLE ITEM MUST BE RETRIEVABLE BY THE CLAW. A SLOT
21 MACHINE IS NOT CONSIDERED A CRANE GAME.

22 *GAMBLING OPERATION* MEANS THE CONDUCT OF GAMBLING GAMES

1 *GAMING* MEANS TO DEAL, OPERATE, CARRY ON, CONDUCT, MAINTAIN OR
2 EXPOSE OR OFFER FOR PLAY ANY GAMBLING GAME OR GAMBLING OPERATION.

3 (B) No person shall:

4 (a) (1) Permit or allow any premises owned, occupied or controlled by him or her to be
5 used or occupied by persons engaged in ~~any act of illegal gambling~~ GAMBLING, A
6 GAMBLING OPERATION, OR GAMING, or in any illegal sale of intoxicating liquor;

7 (b) (2) Permit or allow any fight or disturbance on any premises owned, occupied or
8 controlled by him or her;

9 (c) (3) Transport any person to a place where he or she knows ACTIVITIES
10 PROHIBITED BY THIS SECTION or other illegal activities are practiced, encouraged
11 or allowed for the purpose of enabling the person transported to engage in ANY
12 ACTIVITY PROHIBITED BY THIS SECTION or any other illegal activity;

13 (d) (4) Knowingly attend, frequent, operate or be an occupant of a place of ~~illegal~~
14 ~~gambling~~ GAMBLING OR GAMBLING OPERATION or THE illegal sale of
15 intoxicating liquor, or a place where any other illegal business or occupation is
16 permitted or conducted;

17 (e) (5) Except as allowed by law, keep, maintain or permit the use of a Gaming room,
18 Gaming table, Gambling equipment or any policy or pool tickets, to be used for
19 Gaming, Gambling, OR GAMBLING OPERATION on any premises occupied or
20 controlled by him or her, or place, receive or transmit any bet on the outcome of any
21 race, contest or game of any kind whatsoever; or

22 (f) (6) Attend any cock fight or dog fight.

(7) THIS ORDINANCE SHALL NOT APPLY TO A REDEMPTION GAME IF

ALL OF THE FOLLOWING ARE MET:

A. THE OUTCOME OF THE GAME IS DETERMINED THROUGH THE
APPLICATION OF AN ELEMENT OF SKILL BY THE PLAYER.

B. THE AWARD OF THE PRIZE IS BASED UPON THE PLAYER'S
ACHIEVING THE OBJECT OF THE GAME OR OTHERWISE UPON THE
PLAYER'S SCORE.

C. ONLY NONCASH PRIZES, TOYS, NOVELTIES, OR COUPONS OR OTHER
REPRESENTATIONS OF VALUE REDEEMABLE FOR NONCASH PRIZES,
TOYS, OR NOVELTIES ARE AWARDED. A GIFT CARD MAY BE
AWARDED UNDER THIS SUBDIVISION IF ALL OF THE FOLLOWING
APPLY:

i. THE GIFT CARD IS USABLE ONLY AT A RETAILER OR AN
AFFILIATED GROUP OF RETAILERS.

ii. THE GIFT CARD IS ISSUED IN A SPECIFIED AMOUNT.

iii. THE GIFT CARD IS REDEEMABLE ONLY FOR GOODS AND
SERVICES AVAILABLE FROM THE RETAILER OR RETAILERS
AND NOT FOR CASH.

iv. INFORMATION ON THE GIFT CARD MAY NOT BE ALTERED
WITH THE USE OF A PERSONAL IDENTIFICATION NUMBER.

D. THE WHOLESALE VALUE OF A PRIZE, TOY, OR NOVELTY AWARDED
FOR THE SUCCESSFUL SINGLE PLAY OF A GAME IS NOT MORE THAN
\$3.75.

1 E. THE REDEMPTION VALUE OF COUPONS OR OTHER
2 REPRESENTATIONS OF VALUE AWARDED FOR THE SUCCESSFUL
3 SINGLE PLAY OF A GAME DOES NOT EXCEED 15 TIMES THE AMOUNT
4 CHARGED FOR A SINGLE PLAY OF THE GAME OR A \$3.75-PER-PLAY
5 AVERAGE, WHICHEVER IS LESS. HOWEVER, PLAYERS MAY
6 ACCUMULATE COUPONS OR OTHER REPRESENTATIONS OF VALUE
7 FOR REDEMPTION FOR NONCASH PRIZES, TOYS, OR NOVELTIES OF A
8 GREATER VALUE UP TO, BUT NOT EXCEEDING, \$500.00 WHOLESALE
9 VALUE.

10 (8) ANY ACTIVITY PROHIBITED BY THIS SECTION 664.04, OR THE
11 PROPERTY UPON WHICH THE PROHIBITED ACTIVITY IS OCCURRING, IS HEREBY
12 DECLARED TO BE A PUBLIC NUISANCE AND THE CITY ATTORNEY IS
13 AUTHORIZED TO BRING A CIVIL ACTION TO ENJOIN AND ABATE THE PUBLIC
14 NUISANCE. FURTHER, UPON CONVICTION OF A PERSON FOR ANY PROHIBITED
15 ACTIVITY UNDER THIS SECTION, TO COMMENCE PROCEEDINGS TO SEIZE
16 THROUGH FORFEITURE PROCEEDINGS ALL PERSONAL PROPERTY, INCLUDING
17 MONEY, UTILIZED IN CONNECTION WITH, OR THE CONDUCT OF, THE PROHIBITED
18 ACTIVITY OR RELATED THERETO. THE CITY ATTORNEY MAY ENTER INTO ANY
19 SETTLEMENT AGREEMENT OR CONSENT JUDGMENT WHICH RESOLVES THE
20 ACTIONS AUTHORIZED UNDER THIS SUBSECTION.

21 Section 3. All ordinances, parts of ordinances, resolutions or rules inconsistent with the
22 provisions hereof are hereby repealed.

1 Section 4. Should any section, clause or phrase of this ordinance be declared to be
2 invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof
3 other than the part so declared to be invalid.

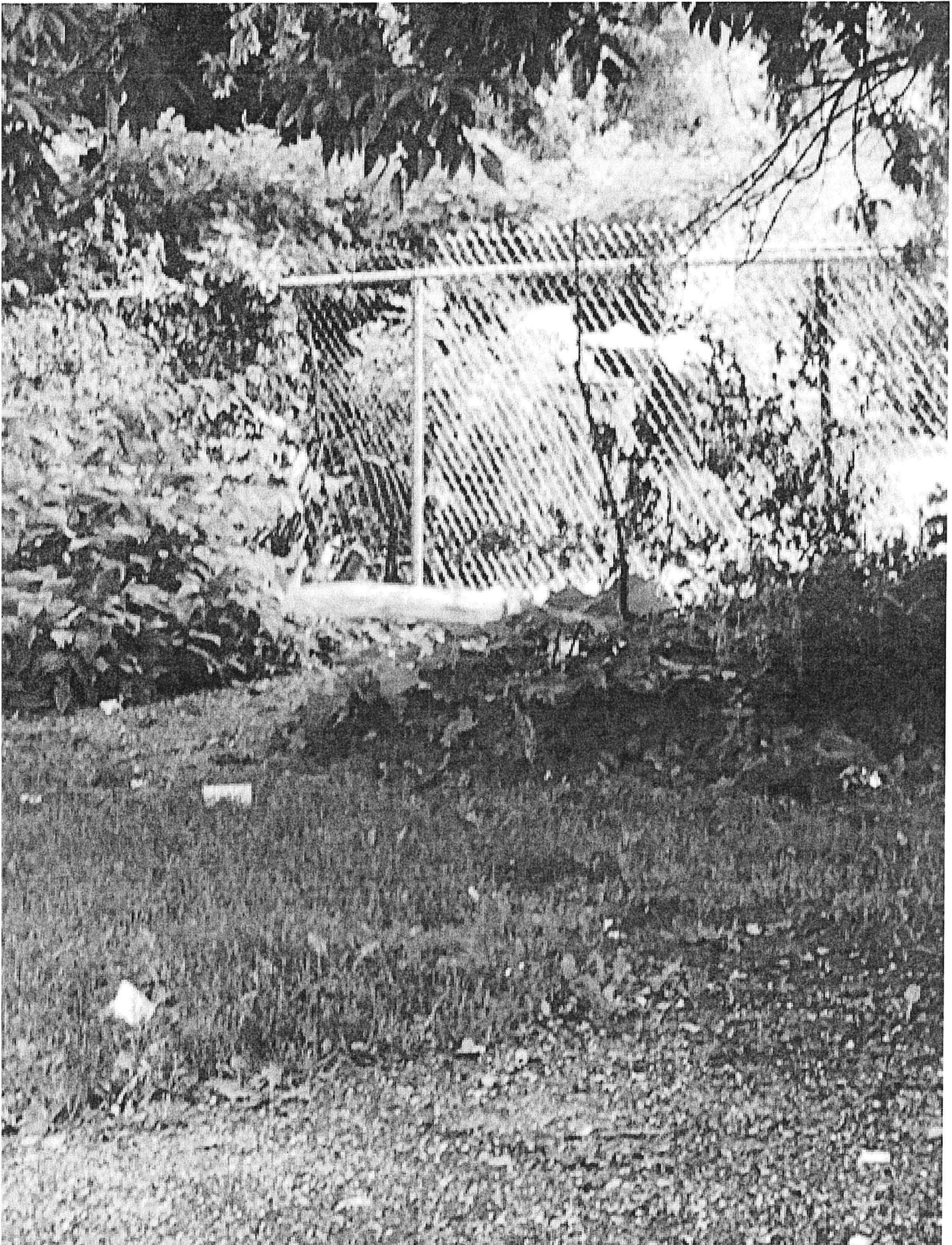
4 Section 5. This ordinance shall take effect on the 30th day after enactment, unless given
5 immediate effect by City Council.

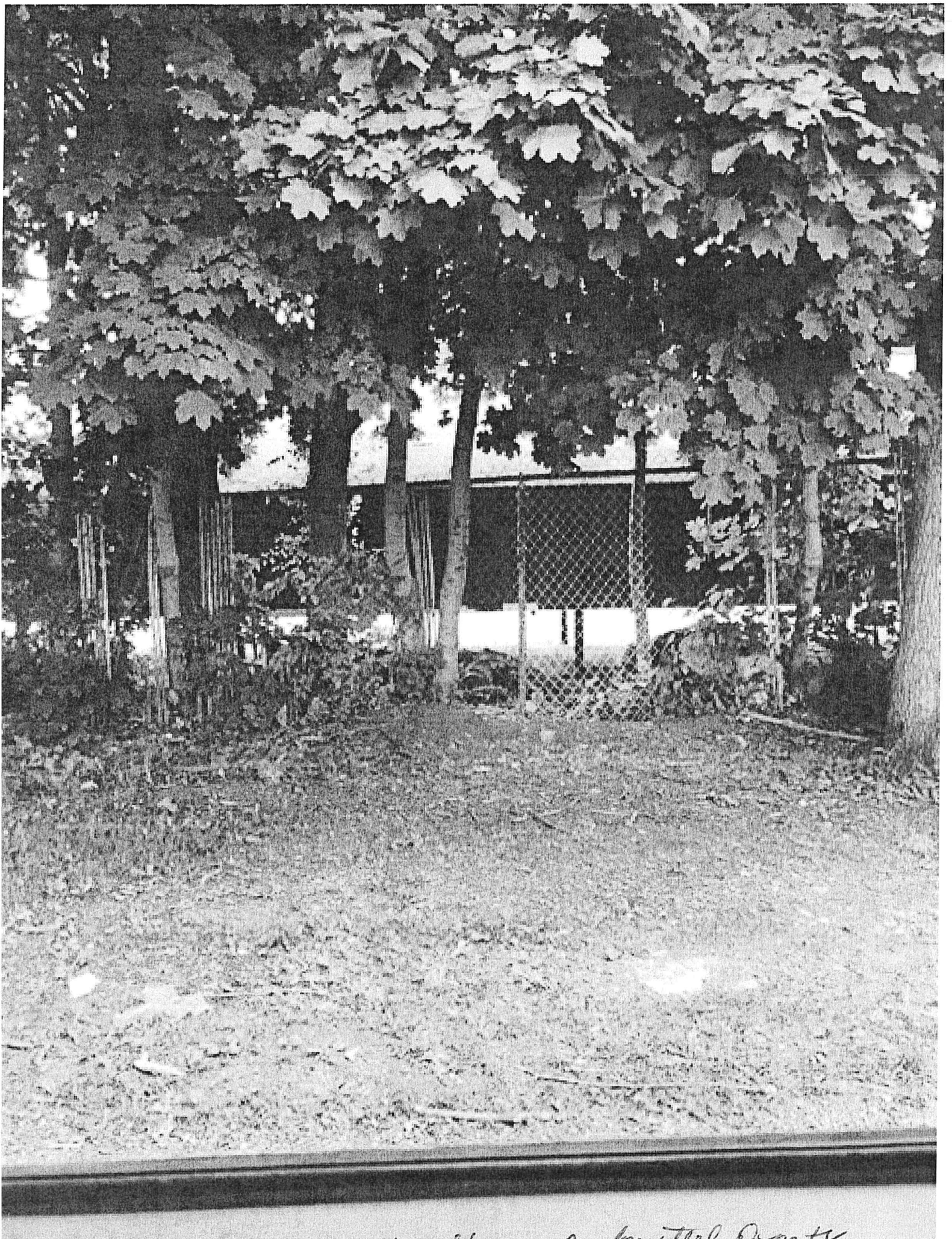
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Approved as to form:

City Attorney

Dated: _____





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