



AGENDA
Committee on Public Safety
Thursday, July 18, 2019 @ 3:30 p.m.
City Council Conference Room, 10th Floor

Council Member Wood, Chair
Council Member Spitzley, Vice Chair
Council Member Hussain, Member

- 1. Call to Order**
- 2. Roll Call**

3. Minutes

- June 20, 2019

4. Public Comment on Agenda Items

5. Discussion:

- A.) RESOLUTION - Make Safe or Demolish; 3005 Herrick Drive
- B.) RESOLUTION - Make Safe or Demolish; 410 S. Francis
- C.) RESOLUTION – Set Show Cause Hearing; Make Safe or Demolish; 5624 Joshua
- D.) ORDINANCE - Amendments to Chapter 664, Section 664.01; Conduct Breach of Peace; Municipal Infraction
- E.) ORDINANCE - Amendments to Chapter 658, Section 658.04; Clarification on Blocking, Crowding or Obstructing Passage
- F.) ORDINANCE - Amendments to Chapter 658, Section 658.05; Regulating Conduct of Telecommunications
- G.) DISCUSSION: Update - Walnut Park LPD Sub Station
- H.) DISCUSSION: City Attorney Update - 3801 Walton
- I.) DISCUSSION: Parking Ordinance; Chapter 404, Section 404.13

6. Other

7. Adjourn



COMMITTEE *Public Safety*

DATE July 18, 2019

NAME _____

ADDRESS

Purpose for Attending

Email Address

PHONE

Jillian Colby

120 W. Michigan

update on 3801
walton + 3200S. wash

517-512-3609

Helen Henseas

5310 Tulip Ave

update on Tulip due dog attacks	
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hhmusical@gmail.com 577 410 8230

Log Above

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Staff

Mary ~~Bowen~~ ~~Bowen~~

OCA

Slapp

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MINUTES
Committee on Public Safety
Thursday, June 20, 2019 @ 3:30 p.m.
City Council Conference Room, 10th Floor

CALL TO ORDER

The meeting was called to order at 3:30 p.m.

ROLL CALL

Council Member Carol Wood, Chair
Council Member Patricia Spitzley, Vice Chair- excused
Council Member Adam Hussain, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Lisa Hagen, Council Legal Analyst
Scott Sanford, Code Compliance
Andy Kilpatrick, Public Service Director
Aaron Milton
Harold Leeman
Kyle Kaminski, Lansing City Pulse

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM JUNE 6, 2019. MOTION CARRIED 2-0.

Public Comment

No public comment at this time.

DISCUSSION/ACTION

RESOLUTION – Appointment; Aaron I Milton; At-Large Member of the Board of Police Commissioners; Term to Expire June 30, 2023

Mr. Milton provided a brief overview of his past experiences, and an overview of his application and resume. Council Member Wood referenced the application and his interested Boards to serve on. Council Member Hussain asked him what his number one concern was with the Police Department and what he thought the officers needed to serve the community. Mr. Milton stated he believed he could bring his character and provide support and service in the areas of the community. Council Member Wood spoke about the Citizens Academy and encouraged him to also participate and Mr. Milton supported that suggestion.

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MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR THE APPOINTMENT OF AARON MILTON TO THE BOARD OF POLICE COMMISSIONERS.
MOTION CARRIED 2-0.

Mr. Leeman asked who Mr. Milton was replacing, and Council Member Wood stated her belief was Keisha Coates whose term was up and chose not to serve another term.

RESOLUTION –Code Compliance Request: Make Safe Demolish Extension:3815 Marion

Mr. Sanford outlined his memo of June 14, 2019 highlighting the activity the owners have taken, and per a conversation with the owner on Monday June 17th their contractor will be done by the end of the next week. Therefore, Mr. Sanford stated his department was asking for another 60 day extension. Council Member Wood clarified that their request was for 60 days from the original deadline of May 29th and asked Mr. Sanford to confirm that was his intent and he concurred.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION FOR A MAKE SAFE OR DEMOLISH EXTENSION FOR ADDITIONAL 60 DAYS FROM MAY 29, 2019 AT 3815 MARION STREET. MOTION CARRIED 2-0.

RESOLUTION – Introduction & Set Public Hearing; Ordinance Amendments to Chapter 664, Section 664.01; Conduct Breach of Peace; Municipal Infraction

Mr. Smiertka explained the OCA proposed and recommended per the City prosecutors because some cases clearly should be misdemeanors and there are others that do not rise to that, so this would add a second category of disorderly which is a civil infraction and would allow the OCA flexibility to deal with. Under a civil infraction the fine could be as high as \$250 or whatever the court decides. Council Member Wood asked if this was a request from the judges in 54A District Court and was told it was not, but by the City Prosecutors in the office of the City Attorney. She then inquired into the cost if it a misdemeanor, and was told by Mr. Smiertka it would be up to 90 days in jail and up to a \$500 fine.

Mr. Leeman asked if the OCA was proposing this change because of the recent issue at CATA that the courts heard, and Mr. Smiertka acknowledged it was not based on any cases, it has been an ongoing discussion in his office and the City Prosecutors have asked for it to deal with and administer their cases. Council Member Wood added that this amendment would give the OCA the discretion to make it a less severe charge and Mr. Smiertka noted it would also remove “profanity” because of first amendment.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR JULY 8, 2019 FOR THE ORDINANCE AMENDMENTS TO CHAPTER 664 SECTION 664.01. MOTION CARRIED 2-0.

RESOLUTION – Introduction & Set Public Hearing; Ordinance Amendments to Chapter 658, Section 658.04; Clarification on Blocking, Crowding or Obstructing Passage

Mr. Smiertka informed the Committee that this amendment creates clarification to include more activities which would obstruct and the amendments now also would require a first warning. Council Member Wood asked if the “blocking” is a physical person or would also address a vehicle used to block. Mr. Smiertka stated any activity but it would have to be done by a person and tied to someone doing it. In this ordinance the violation would be a misdemeanor.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR JULY 8, 2019 FOR THE ORDINANCE AMENDMENTS TO CHAPTER 658 SECTION 658.04.

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Mr. Kaminski asked why the changes were being proposed. Mr. Smiertka stated that when the City Prosecutors run into issues with applying the acts and laws this will now define it, and Council Member Wood pointed out that currently there are no specifics on what a “public place” is and where the public is permitted. This will define it and not leave it open to interpretation. Mr. Smiertka added that they also struck that a first warning was for organized groups, but now everyone will get a first warning.

MOTION CARRIED 2-0.

RESOLUTION – Introduction & Set Public Hearing; Ordinance Amendments to Chapter 658, Section 658.05; Regulating Conduct of Telecommunications

Mr. Smiertka referred to page 3 of the ordinance specific to telephone harassment. Council Member Wood asked what the chance of enforcing would be, and Mr. Smiertka stated if they can prove there is an intent to harass with repeated communications, such as with a “robo call” if they can prove there is the intent to disturb with continued communications. Examples he provided were issues with disgruntled relationships, government offices receiving harassment repeated calls. Council Member Wood asked if this ordinance will provide a first warning, and was told that it would not, but there will have to be proof they are using the device with the intent to disturb someone’s peace and quiet. Council Member Wood asked if this includes computers and was informed by Mr. Smiertka it would be any device that creates the transmission, so it would include computers.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO INTRODUCE AND SET THE PUBLIC HEARING FOR JULY 8, 2019 FOR THE ORDINANCE AMENDMENTS TO CHAPTER 658 SECTION 658.05. MOTION CARRIED 2-0.

DISCUSSION: Update - Walnut Park LPD Sub Station

Council Member Wood recapped the owner’s willingness to have a sub-station, but had nothing the LPD could utilize because the room offered was not safe to store equipment and have officers there. After numerous attempts a letter was sent from the Committee to Mr. Whitsett and in turn the LPD Chief and Mr. Whitsett spoke and coordinated a site visit on Monday June 17th. A copy of the letter, and email with photos received after the meeting by the Committee from the Chief was distributed. This referenced the determination of a room for the sub-station on site. Council Member Wood asked Ms. Hagen to follow up with the Chief in 14 days to find out where things are at and report back at the July 18th Committee meeting with a completion date. Council Member Hussain asked if anything was being done with other issues he heard about outside of the sub-station, including crime, lack of staff and building maintenance. Council Member Wood stated the LPD would be asked to attend the July 18th meeting to provide an update on those items.

Mr. Leeman asked if the same developer was developing the rest of the site and if he could be held accountable for the issues at Walnut Park. Council Member Wood confirmed it was, but they have a PILOT with HUD so are working within those guidelines as well.

DISCUSSION: City Attorney Update - 3801 Walton

Mr. Smiertka stated that Mr. Abood communicated to him that Officer Colby, Mr. Kruger and Mr. Abdo with the security company are coordinating a meeting to go over the new security cameras. Council Member Wood asked that Council Member Hussain be included in the meeting as this Committee’s representative and if he is unavailable, then Council Member Garza will be invited as the Ward Council Member. Council Member Hussain acknowledged he will plan to participate and he would also like to have Council Member Garza participate. Council Member Wood asked that the meeting occur before July 18th, she then asked that the LPD Chief be contacted to request Officer Colby attend the July 18th meeting to provide an

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update. Council Member Hussain asked for Officer Colby to also provide an update on 3200 S. Washington.

DISCUSSION: Parking Ordinance; Chapter 404, Section 404.12

Mr. Smiertka stated the only changes in Draft 3 reflect the change from Section 404.12 to 404.13 and the addition to page 7 line 10 which added the number for the limit on permits to “no more than one annual permit and one temporary permit per each dwelling or structure”.

Mr. Smiertka then added they are still working to fill the blanks for zones on page 9 lines 1 and 3, and he also asked for a describe of what a “unit of living “ is. The Committee pointed to the last meeting where it was noted that “unit of living” would be “resident parcel”. Mr. Kilpatrick noted that currently there is only one zone, and Mr. Smiertka stated he can take that out. He then reminded the Committee that there will be a companion ordinance amendment to specify the limits to downtown. Mr. Kilpatrick asked how the Committee wanted to set the zones, either by this ordinance which would require an ordinance amendment every time a zone was added or they can call for traffic control orders (TCO) in this ordinance, then in the future only a TCO resolution will be needed for changes, which he thought would be easier. Mr. Smiertka stated he could take out “zones” and the language that requires an ordinance change.

Council Member Wood listed the following six (6) items that will need to be addressed before any further action is taken on the ordinance:

- 1) - a decision on what is going to be used as part of the permitting process; window sticker, mirror hanger, plate sticker, etc. It will need to be used with the equipment the City has so Council will need to know the mechanism. Mr. Kilpatrick stated at this time he was not able to answer that because it could change over time. He stated he would follow up with the Parking Manager.
- 2)–what is the cost for a permit; based on the amount of staff time it takes to review an application, which will include all required documents, and might even require a staff person to go to the site to look the property to determine if they have other option for parking.
- 3) – Enforcement; Council will need to be able to explain, and have in place, how the enforcement is going to take place. There has been discussions on having a parking officer work a different shift to enforce. Mr. Kilpatrick confirmed there has been discussions on changing a shift for an officer or getting a part time person to do this enforcement.
- 4) – what is the system to notify people; email, voicemail or other communications. One system out there is “One Call Now”. Mr. Kilpatrick confirmed it would be an automated call and leaving a message, but using email would be just as easy with a preset email group.
- 5) – what is the plan for signage because the Committee is reluctant to have multiple signs all over the City. Mr. Kilpatrick suggested they could address that when they do their mapping and if the permit is outside the area they can handle that case by case. Currently there is one zone identified which is the downtown developer that needed them. Council Member Wood stated that in her opinion the other zone is the balance of the residential streets in the City. They discussed the needs for permits, and the permits should be issued on their need not because they want to park on the street. Mr. Kilpatrick noted that there may not be a need to identify a zone, just where they are not allowed.

Council Member Hussain asked for brief explanation on what happened last time it was enforced, and Mr. Kilpatrick noted that it would depend on who you spoke to; some stated it was successful because they issued tickets and addressed the issues, and others would say it was not successful because people who parked on the street for years with no tickets were now getting fined because the ordinance was being enforced. Council Member Wood suggested a strong public relations promotion when the enforcement begins.

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6) – what is the application. Mr. Kilpatrick confirmed it would be the current standard application modified to add this type of permit and list all the documents that will be needed when they apply.

Council Member Hussain asked for clarification on the number of temporary permits. It was confirmed it would no more than one (1) at a time, no more than (4) a year.

Council Member Wood noted the Committee will not take action until the above items have been addressed, and once the final draft is done they can start discussions with the rest of Council so they are aware before it is adopted.

Mr. Kilpatrick confirmed he would have answers to the above six (6) items and be able to discuss an implementation timeline on July 18th.

OTHER

Mr. Leeman asked if the City has resolved the issues with containers in the right of way. Mr. Kilpatrick confirmed they initially were writing them up under the stipulation they had 14 days to comply, but since that time are now issuing tickets the first time they locate them. He could not speak to what violations have gone to court or the results.

ADJOURN

Adjourned at 4:30 p.m.

Submitted by Sherrie Boak,

Recording Secretary

Lansing City Council

Approved as presented: _____

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

ADDRESS:	3005 HERRICK DRIVE
PARCEL NUMBER:	33-01-01-30-454-151

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2019-D003

LISTED TAXPAYER:	HOUSER, TYLER K & DENISE G
INTERESTED PARTIES:	
SEV INFORMATION:	\$38,000.00
LAND VALUE:	\$17,836.00
BUILDING VALUE:	\$57,992.00
LOT SIZE:	FRONTAGE 80.05' X DEPTH 158.97'

HOUSING CODE VIOLATION LTR:	9/1/2017
ORIGINAL RED TAG DATE:	9/1/2017
ZONING:	A' RESIDENTIAL
ESTIMATE OF REPAIRS:	\$78,000.00
PICTURES:	YES
OTHER:	WINTER 2018 TAXES DUE

LEGAL DESCRIPTION:	LOT 636 PLEASANT GROVE SUB NO 2
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	2/28/2019
ORDER:	60 DAYS MAKE SAFE OR DEMOLISH
REASON/CONDITIONS:	UNSAFE
HEARING OFFICER:	DAVE MUYLLE

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:	

3005 HERRICK DRIVE

● Original Red Tag Date

● 9/01/2017

● Submitted Into Make Safe Or Demolish Process

● 12/21/2018

● Property Vacant/Repairs Exceed Building SEV

● Property vacant more than 180 days

● Repairs exceed building SEV

● Title Information

● HOUSER, TYLER K & DENISE G

3005 HERRICK DRIVE

Property Value Information

● SEV

● \$38,000.00 (*as of 4/25/2019*)

● Structure

● \$57,99, (*as of 4/25/2019*)

● Land

● \$17,836 (*as of 4/25/2019*)

● Estimate of Repairs

● \$78,000.00

3005 HERRICK DRIVE.

Housing Code Correction Letters

● Code Compliance Inspection Date

● 9/01/2017

● 12/01/2018 SECOND INSPECTION

● Code Compliance Letter Written

● 09/01/2017

● 12/01/2018

● Code Compliance Due Date

● 10/01/2017 & 1/01/2019(SECOND LETTER)

3005 HERRICK DRIVE.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 02/28/2019

- Order by Demolition Board

- MS or D by 4/28/2019

- Request Sent To City Council for Show Cause Hearing

- 04/28/2019

3005 HERRICK DRIVE.

City Council Actions

- Show Cause Hearing Held

- 00/00/00

- Public Safety Committee Meeting

- 00/00/00

- Resolution passed by City Council

- Extension Requested By Owner

3005 HERRICK DRIVE.

General Comments

- None of the required permits have been pulled as of 04/28/2019.
- Winter 2018 property taxes are due.

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.









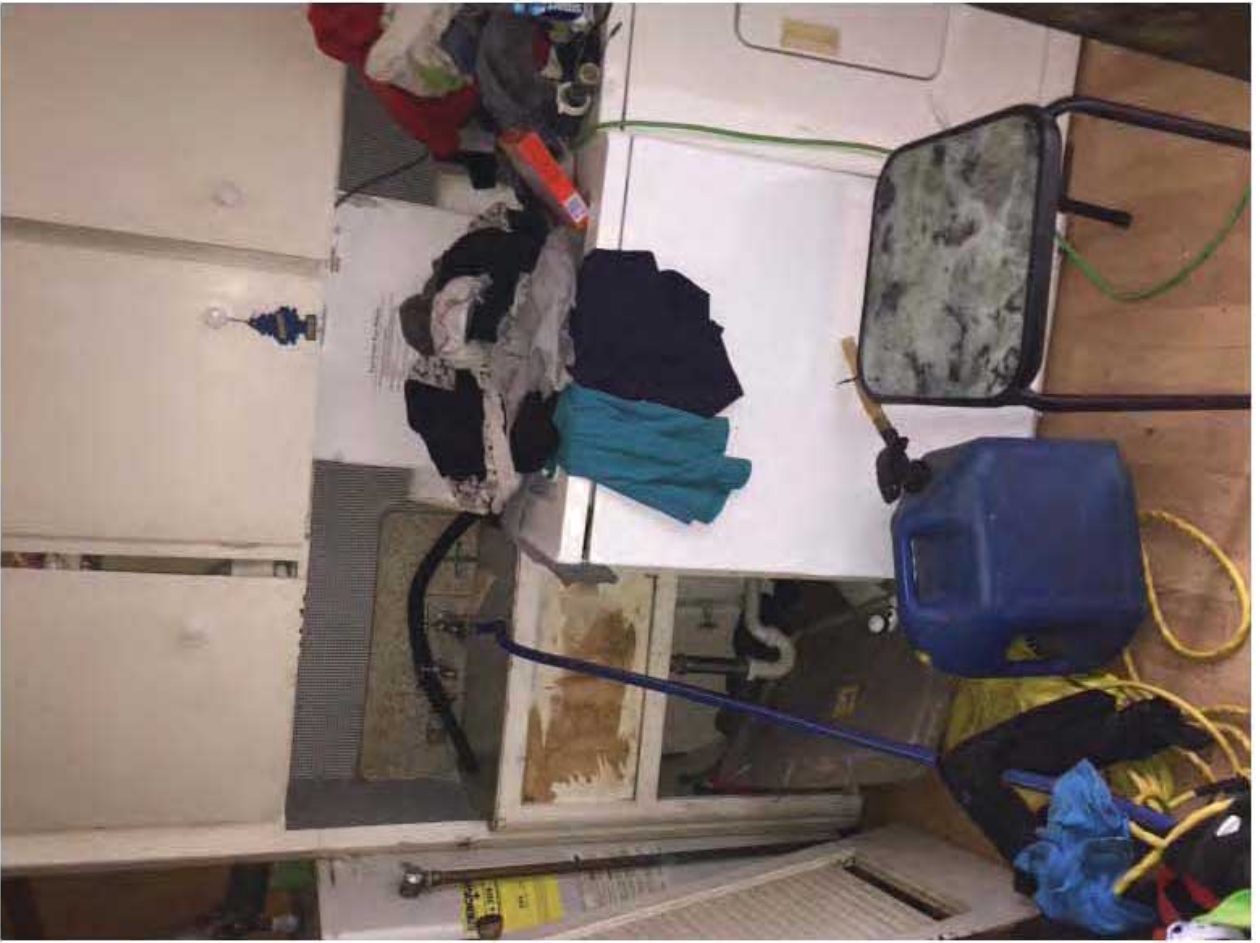






















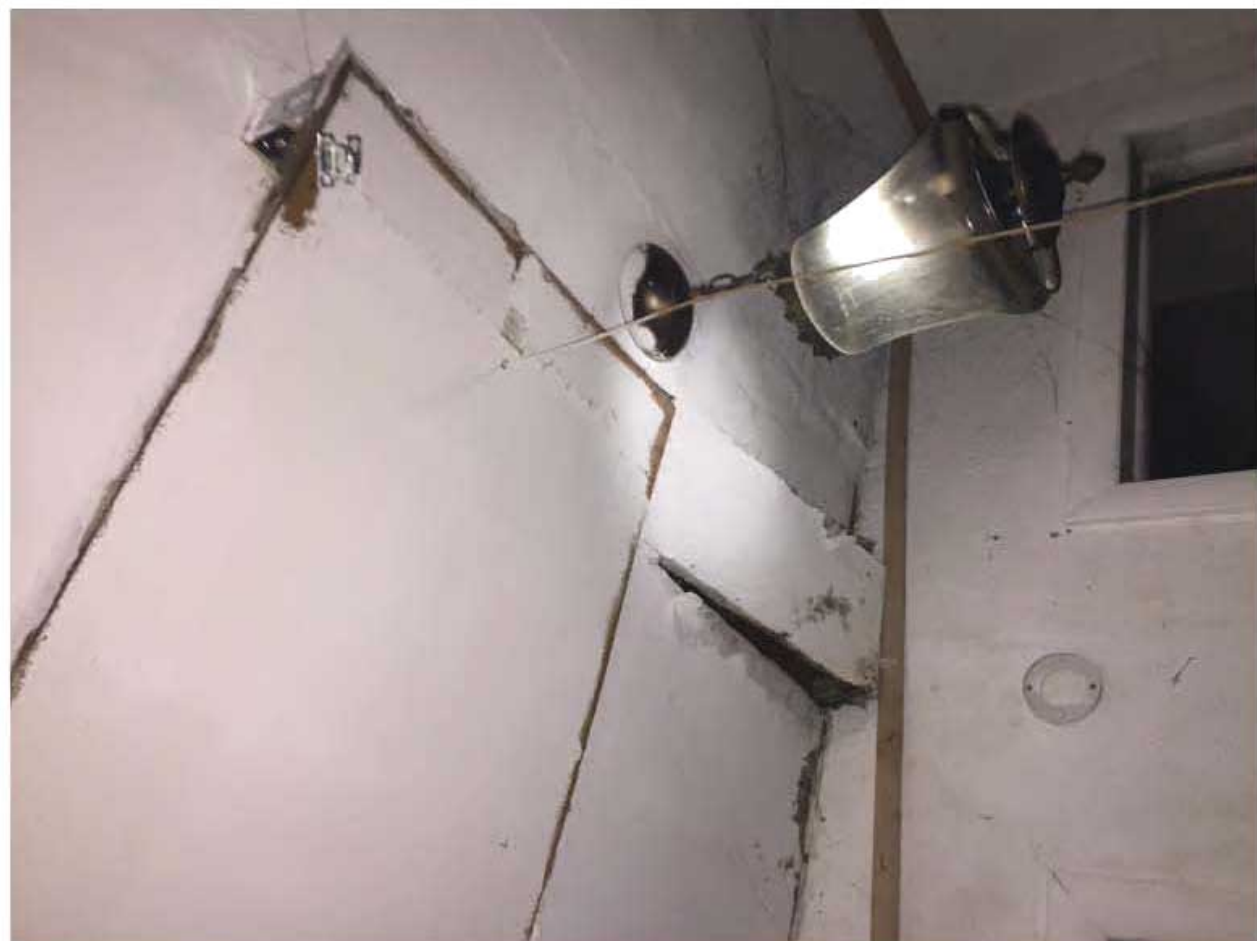
























































































































BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 3005 HERRICK DRIVE, Lansing, MI 48911, Parcel # 33-01-01-30-454-151 legally described as: LOT 636 PLEASANT GROVE SUB NO 2 is an unsafe or dangerous building as defined in Section 108.1 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on 9/01/2017; and

WHEREAS, a hearing was held by the Hearing Officers on 2/28/2019, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by 4/28/2019 ; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require 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; and

WHEREAS, the City Council held a show cause hearing on July 8, 2019, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

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

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of 3005 HERRICK DRIVE, Lansing, MI 48911 are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within _____ days from the date of this resolution, _____.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

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

ADDRESS:	410 S FRANCIS AVENUE
PARCEL NUMBER:	33-01-01-14-376-091

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2019-D004

LISTED TAXPAYER:	SUNNYSIDE OF THE STREET LLC
INTERESTED PARTIES:	SUNNYSIDE OF THE STREET LLC
SEV INFORMATION:	\$15,600.00
LAND VALUE:	\$6,111.00
BUILDING VALUE:	\$25,050.00
LOT SIZE:	33' X 127'

HOUSING CODE VIOLATION LTR:	6/2/2018
ORIGINAL RED TAG DATE:	6/2/2018
ZONING:	"C" RESIDENTIAL
ESTIMATE OF REPAIRS:	\$63,095.00
PICTURES:	YES
OTHER:	PROPERTY IS DELINQUENT ON PROPERTY TAXES OWES 2017 WINTER TO PRESENT TAXES

LEGAL DESCRIPTION:	LOT 160 SNYDERS SUB
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	3/28/2019
ORDER:	30 DAYS MAKE SAFE OR DEMOLISH
REASON/CONDITIONS:	FIRE DAMAGED UNSAFE
HEARING OFFICER:	DAVE MUYLLE

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:	

410 S FRANCIS AVENUE

● Original Red Tag Date

● 6/02/2018

● Submitted Into Make Safe Or Demolish Process

● 03/05/2019

● Property Vacant/Repairs Exceed Building SEV

● Property vacant more than 180 days

● Repairs exceed building SEV

● Title Information

● SUNNYSIDE OF THE STREET LLC

410 S FRANCIS AVENUE

Property Value Information

● SEV

● \$15,600.00 *(as of 5/02/2019)*

● Structure

● \$25,050.00 *(as of 5/02/2019)*

● Land

● \$6,111.00 *(as of 5/02/2019)*

● Estimate of Repairs

● \$63,095.00

410 S FRANCIS AVENUE.

Housing Code Correction Letters

● Code Compliance Inspection Date

● 06/02/2018

● Code Compliance Letter Written

● 06/02/2018

● Code Compliance Due Date

● 07/02/2018

410 S FRANCIS AVENUE.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 03/228/2019

- Order by Demolition Board

- MS or D by 04/28/2019

- Request Sent To City Council for Show Cause Hearing

- 05/02/2019

410 S FRANCIS AVENUE.

City Council Actions

- Show Cause Hearing Held

- 00/00/00

- Public Safety Committee Meeting

- 00/00/00

- Resolution passed by City Council

- Extension Requested By Owner

410 S. FRANCIS AVENUE

General Comments

- None of the required permits have been pulled as of 05/02/19.
- Property is delinquent on property taxes from winter 2017 taxes to present.

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 Code Compliance Manager has determined that the building located at 410 S. FRANCIS AVENUE, Lansing, MI 48912, Parcel # 33-01-01-14-376-091 legally described as: LOT 160 SNYDERS SUB is an unsafe or dangerous building as defined in Section 108.1 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on 6/02/2018; and

WHEREAS, a hearing was held by the Hearing Officers on 3/28/2019, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by 4/28/2019 ; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require 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; and

WHEREAS, the City Council held a show cause hearing on July 8, 2019, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

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

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of 410 S. FRANCIS AVENUE, Lansing, MI 48912, are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within _____ days from the date of this resolution, _____.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Enforcement is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the

lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

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

ADDRESS:	5624 JOSHUA STREET
PARCEL NUMBER:	33-01-05-04-427-101

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2019-D006

LISTED TAXPAYER:	MALIK BALLA
INTERESTED PARTIES:	MARY & VIRGIL G NELLIS
SEV INFORMATION:	\$29,300.00
LAND VALUE:	\$19,109.00
BUILDING VALUE:	\$39,573.00
LOT SIZE:	82 X 165

HOUSING CODE VIOLATION LTR:	6/27/2018
ORIGINAL RED TAG DATE:	6/27/2018
ZONING:	"A" RESIDENTIAL
ESTIMATE OF REPAIRS:	\$120,960.00
PICTURES:	YES
OTHER:	

LEGAL DESCRIPTION:	E 10 R LOT 2 EXC N 50 FT SUPERVISORS PLAT NO 3 T3N R2W
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	APRIL 25,2019
ORDER:	60 DAYS MAKE SAFE OR DEMOLISH
REASON/CONDITIONS:	UNSAFE
HEARING OFFICER:	DAVE MUYLLE

CURRENT PERMIT ACTIVITY

BUILDING:	ISSUED NO INSPECTIONS TO DATE
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:	

5624 JOSHUA STREET

- Original Red Tag Date

- 06/27/2018

- Submitted Into Make Safe Or Demolish Process

- 02/15/2019

- Property Vacant/Repairs Exceed Building SEV

- Property vacant more than 180 days
 - Repairs exceed building SEV

- Title Information

- MARY & VIRGIL G NELLIS
 - MALIK BALLA

5624 JOSHUA STREET

Property Value Information

- SEV

- \$29,300.00 (*as of 6/28/2019*)

- Structure

- \$39,573.00 (*as of 6/28/2019*)

- Land

- \$19,109.00 (*as of 6/28/19*)

- Estimate of Repairs

- \$120,960.00

5624 JOSHUA STREET HOUSING CODE LETTER

- Code Compliance Inspection Date

- 6/27/2018

- Code Compliance Letter Written

- 06/27/2018 (Tagged by both the Building Safety Department & Code Enforcement)

- Code Compliance Due Date

- 7/27/2018

5624 JOSHUA STREET.

Demolition Board Actions

- Demolition Board Show Cause Hearings
 - 02/28/2019
- Order by Demolition Board
 - MS or D by 04/28/2019
- Request Sent To City Council for Show Cause Hearing
 - 6/25/2019

5624 JOSHUA STREET.

City Council Actions

- Show Cause Hearing Held

- 00/00/00

- Public Safety Committee Meeting

- 00/00/00

- Resolution passed by City Council

- Extension Requested By Owner

5624 JOSHUA STREET.

General Comments

- Building Permit issued 5/16/2019 no inspections per Building Inspector Larry Connelly conducted an inspection on 6/27/2019 no work has taken place.

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.

5624 JOSHUA STREET











5624 JOSHUA STREET







Boak, Sherrie

From: Connelly, Larry
Sent: Friday, June 28, 2019 8:45 AM
To: Sanford, Scott
Cc: Puente, Lynne
Subject: 5624 Joshua st
Attachments: 2019-06-27 15.20.45.jpg; 2019-06-27 15.21.07.jpg; 2019-06-27 15.21.31.jpg

I did a drive by on Thursday June 27th and found the condition of the structure has not changed, and no one has called me for any inspections as of this date

Respectfully:

Larry Connelly
Building Inspector
Building Safety Office
Department of Economic Development and Planning
316 N Capitol Ave Suite C1 | Lansing, MI 48933
O: 517-483-4363 | E: larry.connelly@lansingmi.gov
[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)





06 27 2019



06 27 2019



06 27 2019

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

WHEREAS, the Building Inspector & Code Enforcement Officer has declared a certain structure at 5624 Joshua Street, Parcel # 33-01-05-04-427-101 and Legal Description: E 10 R LOT 2 EXC N 50 FT SUPERVISORS PLAT NO3 T3N R2W 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 Building Inspector red tagged the said structure on 06/25/2019 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on 2/28/2019, 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, July 29, 2019 at 7:00 p.m. in the Lansing City Council Chambers, 10thFloor 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 840 MAPLEHILL AVENUE 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 THE
LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 664, SECTION 664.01
TO MAKE VIOLATION OF SUBSECTION (C), WHICH PROHIBITS LANGUAGE THAT
WOULD TEND TO CAUSE AN IMMEDIATE BREACH OF THE PEACE, A MUNICIPAL
CIVIL INFRACTION.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 664, Section 664.01, of the Codified Ordinances of the City of
Lansing, Michigan, be and is hereby amended to read as follows:

664.01. DISORDERLY; fighting; loud and boisterous conduct, BREACH OF THE
PEACE, ~~profanity~~.

No person shall:

- (a) Create or engage in any disturbance or fight in a public place;
- (b) Disturb the public peace and quiet by loud or boisterous conduct; or
- (c) Utter profane, obscene or offensive language directed at or in the presence of
another person, which language causes or would tend to cause an immediate
breach of the peace. VIOLATION OF THIS SUBSECTION (C) SHALL BE
A MUNICIPAL CIVIL INFRACTION.

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

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

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City Attorney

Dated: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE
LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 658, SECTION 658.04
TO CLARIFY THE PLACES WHERE CROWDING, OBSTRUCTING OR BLOCKING OF
PASSAGE IS PROHIBITED; AND PROVIDING FOR WARNING BY A LAW
ENFORCEMENT OFFICER TO CEASE SUCH BEHAVIOR.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 658, Section 658.04, of the Codified Ordinances of the City of
Lansing, Michigan, be and is hereby amended to read as follows:

658.04. Obstruction of public ways.

No person shall CROWD, obstruct, OR BLOCK THE free or uninterrupted
passage on, OR USE OF, any street, sidewalk, ALLEY, ENTRANCE OF ANY PUBLIC OR
PRIVATE BUILDING OR ENCLOSURE, OR THE USE OF, OR PASSAGE, THROUGH
ANY PUBLIC BUILDING OR CONVEYANCE; AND CONTINUE OR RESUME THE
CROWDING, OBSTRUCTING, OR BLOCKING AFTER BEING INSTRUCTED BY A LAW
ENFORCEMENT OFFICER TO CEASE THE CROWDING, OBSTRUCTING, OR
BLOCKING. ~~or public place, or any other place to which the public is admitted. However, if
passage is being obstructed by an organized or group demonstration or picketing, an offense does
not occur unless such obstruction continues after the person or persons creating the obstruction
have been directed by an authorized law enforcement officer to cease obstructing the public
street, sidewalk or place.~~

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

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

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

Approved as to form:

City Attorney

Dated: _____

ORDINANCE NO: _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE
TELEPHONE HARASSMENT ORDINANCE IN ITS ENTIRETY, SECTION 658.05 OF THE
LANSING CODIFIED ORDINANCES, BY DEFINING AND REGULATING THE
CONDUCT OF TELECOMMUNICATIONS ACCESS DEVICE HARASSMENT, AND TO
PROVIDE PENALTIES THEREOF.

THE CITY OF LANSING ORDAINS:

That Section 658.05 of the Codified Ordinances of the City of Lansing, Michigan, be and
is hereby amended to read as follows:

658.05.

(A) DEFINITIONS.

(1) “TELECOMMUNICATIONS” AND “TELECOMMUNICATIONS
SERVICE” MEAN ANY SERVICE LAWFULLY PROVIDED TO FACILITATE THE
ORIGINATION, TRANSMISSION, RETRANSMISSION, EMISSION, OR RECEPTION OF
SIGNS, DATA, IMAGES, SIGNALS, WRITINGS, SOUNDS, OR OTHER INTELLIGENCE
OR EQUIVALENCE OF INTELLIGENCE OF ANY NATURE OVER ANY
TELECOMMUNICATIONS SYSTEM BY ANY METHOD, INCLUDING, BUT NOT
LIMITED TO, ELECTRONIC, ELECTROMAGNETIC, MAGNETIC, OPTICAL, PHOTO-
OPTICAL, DIGITAL, OR ANALOG TECHNOLOGIES.

(2) “TELECOMMUNICATIONS ACCESS DEVICE” MEANS ANY OF THE
FOLLOWING:

(i) ANY INSTRUMENT, DEVICE, CARD, PLATE, CODE,
TELEPHONE NUMBER, ACCOUNT NUMBER, PERSONAL IDENTIFICATION NUMBER,
ELECTRONIC SERIAL NUMBER, MOBILE IDENTIFICATION NUMBER, COUNTERFEIT
NUMBER, OR FINANCIAL TRANSACTION DEVICE.

(ii) ANY TYPE OF INSTRUMENT, DEVICE, MACHINE,
EQUIPMENT, TECHNOLOGY, OR SOFTWARE THAT FACILITATES
TELECOMMUNICATIONS OR WHICH IS CAPABLE OF TRANSMITTING, ACQUIRING,
INTERCEPTING, DECRYPTING, OR RECEIVING ANY TELEPHONIC, ELECTRONIC,
DATA, INTERNET ACCESS, AUDIO, VIDEO, MICROWAVE, OR RADIO
TRANSMISSIONS, SIGNALS, TELECOMMUNICATIONS, OR SERVICES, INCLUDING
THE RECEIPT, ACQUISITION, INTERCEPTION, TRANSMISSION, RETRANSMISSION,
OR DECRYPTION OF ALL TELECOMMUNICATIONS, TRANSMISSIONS, SIGNALS, OR
SERVICES PROVIDED BY OR THROUGH ANY CABLE TELEVISION, FIBER OPTIC,
TELEPHONE, SATELLITE, MICROWAVE, DATA TRANSMISSION, RADIO, INTERNET
BASED OR WIRELESS DISTRIBUTION NETWORK, SYSTEM, OR FACILITY, OR ANY
PART, ACCESSORY, OR COMPONENT, INCLUDING ANY COMPUTER CIRCUIT,
SECURITY MODULE, SMART CARD, SOFTWARE, COMPUTER CHIP, PAGER,
CELLULAR TELEPHONE, PERSONAL COMMUNICATIONS DEVICE, TRANSPONDER,
RECEIVER, MODEM, ELECTRONIC MECHANISM OR OTHER COMPONENT,
ACCESSORY, OR PART OF ANY OTHER DEVICE THAT IS CAPABLE OF
FACILITATING THE INTERCEPTION, TRANSMISSION, RETRANSMISSION,

1 DECRYPTION, ACQUISITION, OR RECEPTION OF ANY TELECOMMUNICATIONS,
2 TRANSMISSIONS, SIGNALS, OR SERVICES.

3 (B) No person shall, by means or use of a ~~telephone~~, TELECOMMUNICATIONS
4 ACCESS DEVICE disturb or tend to disturb the peace, quiet or privacy of any other person or
5 family by repeated and continued ~~telephone messages~~ COMMUNICATIONS intended to harass
6 or disturb the person or family to whom the ~~call~~ COMMUNICATION is directed; or by a single
7 ~~call~~ COMMUNICATION or repeated ~~calls~~ COMMUNICATIONS, use obscene, profane, indecent
8 or offensive language, or suggest any lewd or lascivious act; or attempt to extort money or other
9 thing of value from any person or family; or threaten any physical violence or harm to any person
10 or family, or repeatedly and continuously ~~ring~~ CONTACT the ~~telephone~~
11 TELECOMMUNICATIONS ACCESS DEVICE(S) of any person or family with intent to disturb
12 or harass them. However, the use of ~~the telephone~~ TELECOMMUNICATIONS ACCESS
13 DEVICES for the purpose of requesting payment of debts or obligations in a legal manner or for
14 other legitimate business purposes shall not constitute a violation hereof.

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

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

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

DRAFT #4
June 4, 2019
Approved as to form:

City Attorney

Dated: _____

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 404 OF THE LANSING CODIFIED ORDINANCES BY CREATING SECTION 404.13 TO PROVIDE FOR CREATION OF OVERNIGHT STREET PARKING ZONES IN PRIMARILY RESIDENTIAL DISTRICTS; TO PROVIDE FOR HOURS OF USE FOR OVERNIGHT STREET PARKING ZONES; TO PROVIDE FOR APPLICATION, PERMITTING, AND PAYMENT RATES FOR OVERNIGHT STREET PARKING ZONES.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 404 of the Lansing Code of Ordinances of the City of Lansing is hereby amended to add Section 404.13 as follows:

404.13 – PERMIT FOR OVERNIGHT STREET PARKING IN PRIMARILY RESIDENTIAL DISTRICTS

OVERNIGHT PERMIT PARKING ZONE REGULATIONS AND RESTRICTIONS, INCLUDING LOCATION, TIME PERIODS, AND OFFICIAL SIGNAGE, SHALL BE ESTABLISHED BY ORDINANCE AND CONFIRMED BY ISSUANCE OF TRAFFIC CONTROL ORDERS IN COMPLIANCE WITH UTC R28.1153 (RULE 153). THE CITY ISSUANCE OF PERMITS FOR OVERNIGHT PARKING ON STREETS SHALL BE IN ACCORDANCE WITH THIS SECTION. A PERSON ISSUED A PERMIT UNDER THIS SECTION SHALL COMPLY WITH ALL THE TERMS, CONDITIONS AND RESTRICTIONS OF THE PERMIT AS PROVIDED IN THIS SECTION.

(A) ADMINISTRATION

1 PERMITTING FOR THE OVERNIGHT STREET PARKING PROGRAM SHALL BE UNDER
2 THE SUPERVISION AND ADMINISTRATIVE CONTROL OF THE OFFICE OF THE
3 PARKING MANAGER, INCLUDING PREPARATION OF FORMS, RECEIPT OF
4 APPLICATIONS, ISSUANCE OF PERMITS, AND COLLECTION OF FEES. THE PARKING
5 MANAGER SHALL WORK WITH THE PUBLIC SERVICE DEPARTMENT TO
6 FACILITATE TEMPORARY SUSPENSION OF PERMITS AND / OR ACCOMMODATE
7 PARKING DURING SNOW REMOVAL, EMERGENCY OR CONSTRUCTION PURPOSES.

8 (B) APPLICATION

9 A PERSON REQUESTING AN OVERNIGHT STREET PARKING PERMIT FOR A MOTOR
10 VEHICLE SHALL FIRST FULLY AND ACCURATELY PROVIDE A COMPLETED CITY
11 APPLICATION FORM AND, UPON REQUEST, SUPPLY THE CITY WITH SUPPORTING
12 SUPPLEMENTAL DOCUMENTATION. THE APPLICATION FORM SHALL REQUIRE AT
13 A MINIMUM THE FOLLOWING INFORMATION:

- 14 1. THE NAME OF THE OWNER OR OPERATOR OF THE MOTOR VEHICLE
15 TO BE PERMITTED;
- 16 2. THE PRIMARY RESIDENTIAL ADDRESS OF THE OWNER OR OPERATOR
17 OF THE MOTOR VEHICLE;
- 18 3. THE EMAIL ADDRESS AND CELL PHONE NUMBER AND/OR LAND LINE
19 PHONE NUMBER OF THE OWNER OR OPERATOR OF THE MOTOR
20 VEHICLE TO BE USED FOR CONTACT IN CASE OF TEMPORARY
21 SUSPENSION FOR SNOW REMOVAL, EMERGENCY OR CONSTRUCTION
22 PURPOSES;

1 4. THE MOTOR VEHICLE'S MAKE, MODEL, VEHICLE IDENTIFICATION
2 NUMBER, AND LICENSE PLATE REGISTRATION NUMBER;

3 5. AN EXPLANATION BY THE APPLICANT OF THE NEED TO PARK ON A
4 RESIDENTIAL STREET WITHIN THE ZONE BETWEEN THE HOURS OF 2
5 A.M. AND 5 A.M.

6 SUPPORTING SUPPLEMENTAL DOCUMENTATION INCLUDES, BUT IS NOT LIMITED
7 TO:

8 1. AN EXECUTED LEASE OR OTHER REASONABLE PROOF EVIDENCING
9 THAT THE PERMIT APPLICANT'S PRIMARY RESIDENCE DWELLING
10 UNIT OR ADDRESS IS WITHIN THE ZONE FOR WHICH THE PERMIT IS
11 SOUGHT.

12 2. THE CURRENT, VALID REGISTRATION FOR THE MOTOR VEHICLE FOR
13 WHICH THE PERMIT IS BEING APPLIED;

14 a. IF THE APPLICANT FOR AN OVERNIGHT STREET PARKING
15 PERMIT IS THE OWNER OF THE VEHICLE SOUGHT TO BE
16 REGISTERED AND HIS/HER PERMANENT RESIDENCE IS AT THE
17 ADDRESS FOR WHICH THE PERMIT IS SOUGHT, THEN SAID
18 VEHICLE SHALL BE REGISTERED AT THE PERMANENT
19 ADDRESS AND SHALL HAVE VALID STATE OF MICHIGAN
20 MOTOR VEHICLE PLATES; OR

21 b. IF THE APPLICANT FOR AN OVERNIGHT STREET PARKING
22 PERMIT HAS HIS/HER PERMANENT RESIDENCE AT THE
23 ADDRESS FOR WHICH THE PERMIT IS SOUGHT BUT THE

1 VEHICLE UNDER HIS/HER CONTROL INDICATES ANOTHER
2 ADDRESS OF RESIDENCE FOR THE OWNER OF SAID VEHICLE,
3 THE APPLICANT SHALL BE REQUIRED TO CERTIFY THAT SAID
4 VEHICLE IS KEPT BY THE APPLICANT AND ONLY AT THE
5 ADDRESS FOR WHICH THE PERMIT IS REQUESTED AND THAT IT
6 WILL NOT BE KEPT AT ANY OTHER LOCATION FOR THE
7 DURATION OF THE PERMIT'S VALIDITY.

8 THE PARKING MANAGER IS NOT REQUIRED TO GRANT A PERMIT TO ANY
9 APPLICANT.

10 (C) ANNUAL PERMIT

11 THE ISSUANCE OF AN ANNUAL OVERNIGHT STREET PARKING PERMIT IS SUBJECT
12 TO ALL THE FOLLOWING REQUIREMENTS:

- 13 1. THE ANNUAL PERMIT IS VALID ONLY FOR THE MOTOR VEHICLE FOR
14 WHICH IT IS ISSUED;
- 15 2. THE ANNUAL PERMIT SHALL DISPLAY THE MOTOR VEHICLE'S
16 LICENSE PLATE NUMBER AND EXPIRATION DATE, AND THE ZONE
17 WHERE THE PERMIT IS VALID;
- 18 3. THE ANNUAL PERMIT SHALL BE A STICKER THAT IS NOT EASILY
19 REMOVED, AND MUST BE AFFIXED IN A VISIBLE PLACE ON THE
20 FRONT DRIVER SIDE WINDSHIELD OF THE PERMITTED MOTOR
21 VEHICLE;

- 1 4. THE ANNUAL PERMIT IS VALID ONLY WHEN VISIBLY AND PROPERLY
- 2 DISPLAYED ON THE VEHICLE, WHEN PARKED IN THE DESIGNATED
- 3 ZONE WHERE THE RESIDENT LIVES;
- 4 5. THE ANNUAL FEE FOR ANY OVERNIGHT STREET PARKING ZONE
- 5 PERMITS SHALL BE SET BY RESOLUTION OF COUNCIL, AND SHALL BE
- 6 FOR THE PERIOD OF JULY 1, UNTIL JUNE 30 OF THE NEXT YEAR;
- 7 6. AN ANNUAL PERMIT IS ONLY VALID FOR AS LONG AS THE OWNER OR
- 8 OPERATOR OF THE PERMITTED MOTOR VEHICLE CONTINUES TO
- 9 HAVE AS HIS OR HER PRIMARY RESIDENCE THE ADDRESS THAT IS
- 10 WITHIN THE DESIGNATED OVERNIGHT STREET PERMIT PARKING
- 11 ZONE;
- 12 7. THE ANNUAL FEE SHALL BE PAID AT THE BEGINNING OF THE PERMIT
- 13 YEAR OR WHEN THE APPLICATION IS GRANTED, EXCEPT THAT A
- 14 PAYMENT PLAN MAY BE SET UP AT THE DISCRETION OF THE
- 15 PARKING MANAGER;
- 16 8. A REPLACEMENT ANNUAL PERMIT MAY BE ISSUED ONLY IF ALL OR
- 17 PART OF THE ORIGINAL PERMIT IS PRODUCED AT THE TIME THAT A
- 18 REPLACEMENT PERMIT IS APPLIED FOR, OR IF PROOF OF THEFT OF
- 19 THE VEHICLE IS DEMONSTRATED TO THE SATISFACTION OF THE
- 20 PARKING MANAGER;
- 21 9. THE FEE FOR ANY REPLACEMENT ANNUAL PERMIT SHALL BE SET BY
- 22 RESOLUTION OF CITY COUNCIL.

23 (D) TEMPORARY PERMIT

1 TEMPORARY OVERNIGHT STREET PARKING PERMITS MAY BE ISSUED BY THE
2 OFFICE OF THE PARKING MANAGER IF IT IS DETERMINED THAT CAPACITY EXISTS
3 WITHIN THE APPLICANT'S ZONE. TEMPORARY PERMITS FOR PERSONS WHO DO
4 NOT LIVE IN THE APPLICANT'S ZONE, AND THEIR VEHICLES, MUST BE APPLIED
5 FOR BY AN APPLICANT WITHIN THE ZONE WHO IS WILLING TO SPONSOR THE
6 PERSON WHO WILL USE THE TEMPORARY PERMIT. THE ISSUANCE OF A
7 TEMPORARY OVERNIGHT STREET PARKING PERMIT IS SUBJECT TO ALL THE
8 FOLLOWING REQUIREMENTS:

- 9 1. THE TEMPORARY PERMIT IS VALID ONLY FOR A PERIOD OF 72 HOURS;
- 10 2. THE TEMPORARY PERMIT SHALL DISPLAY THE ADDRESS OF THE
11 APPLICANT AS WELL AS THE START DATE AND END DATE OF THE 72
12 HOUR PERIOD;
- 13 3. THE TEMPORARY PERMIT SHALL BE A HANGTAG WITH ALL
14 RELEVANT INFORMATION FILLED IN PRIOR TO ITS ISSUANCE AND
15 MUST BE HUNG FROM THE REAR VIEW MIRROR OF THE VEHICLE;
- 16 4. THE TEMPORARY PERMIT IS VALID ONLY WHEN VISIBLY AND
17 PROPERLY DISPLAYED ON THE VEHICLE, WHEN PARKED IN THE
18 DESIGNATED ZONE WHERE THE APPLICANT LIVES;
- 19 5. THE FEE FOR ANY TEMPORARY OVERNIGHT STREET PARKING ZONE
20 PERMITS SHALL BE SET BY RESOLUTION OF COUNCIL, AND MUST BE
21 PAID PRIOR TO ISSUANCE OF THE TEMPORARY PERMIT.

22 (E) CONDITIONS ON THE PERMIT AND PERMIT HOLDER

1 THE USE AND VALIDITY OF AN OVERNIGHT STREET PARKING ZONE PERMIT IS
2 SUBJECT TO ALL THE FOLLOWING CONDITIONS:

- 3 1. A PERMIT MAY BE USED ONLY IN THE OVERNIGHT STREET PARKING
4 PERMIT ZONE FOR WHICH IT HAS BEEN ISSUED;
- 5 2. A PERMIT MAY BE USED ONLY BY THE PERMIT HOLDER TO WHOM IT
6 IS ISSUED;
- 7 3. A PERMIT SHALL NOT BE ISSUED FOR RECREATIONAL VEHICLES,
8 MOBILE HOMES, TRAILERS, BOATS, OR MOTOR VEHICLES WITH MORE
9 THAN TWO AXLES;
- 10 4. NO MORE THAN ONE ANNUAL PERMIT AND ONE TEMPORARY PERMIT
11 MAY BE GRANTED PER EACH DWELLING OR STRUCTURE [note: a
12 “dwelling” includes an apartment within a “structure”; consider using “residential
13 parcel” if trying to limit proliferation by houses converted to multiunit apartments?]
14 WITHIN A PERMIT ZONE AT ANY GIVEN TIME; NO MORE THAN 4
15 TEMPORARY PERMITS MAY BE GRANTED PER CALENDAR YEAR;
- 16 5. A PERMIT SHALL NOT GUARANTEE OR RESERVE TO THE HOLDER A
17 PARKING SPACE IN THE PERMIT ZONE;
- 18 6. A PERMIT SHALL NOT EXEMPT THE HOLDER FROM THE OBSERVANCE
19 OF ANY PARKING OR TRAFFIC REGULATION OR ORDINANCE, OTHER
20 THAN THE SPECIFIED OVERNIGHT PARKING RESTRICTION;
- 21 7. THE CITY MAY TEMPORARILY SUSPEND A PERMIT FOR SNOW
22 REMOVAL, EMERGENCY OR CONSTRUCTION PURPOSES;

- 1 8. A PERMIT SHALL BE COMPLETELY REMOVED FROM A VEHICLE UPON
2 ITS EXPIRATION OR TERMINATION;
- 3 9. A PERMIT HOLDER MAY NOT TRANSFER A PERMIT TO ANY OTHER
4 PERSON OR VEHICLE;
- 5 10. IN THE EVENT A VALID ANNUAL PERMIT HOLDER SELLS, TRANSFERS,
6 OR OTHERWISE DISPOSES OF THE MOTOR VEHICLE FOR WHICH A
7 PERMIT IS GRANTED, THE PERMIT SHALL TERMINATE
8 AUTOMATICALLY;
- 9 11. AN ANNUAL PERMIT HOLDER WHO DESIRES TO TRANSFER THEIR
10 VALID PERMIT TO A DIFFERENT VEHICLE MUST MAKE A
11 SUPPLEMENTAL APPLICATION TO THE PARKING MANAGER
12 INDICATING THE CHANGE IN VEHICLE, AND MUST TURN IN ALL OR A
13 PART OF THE ORIGINAL PERMIT AS PROOF THAT IT HAS BEEN
14 REMOVED FROM THE MOTOR VEHICLE FOR WHICH THE PERMIT WAS
15 PREVIOUSLY GRANTED;
- 16 12. IF A PERMIT HOLDER COMMITS THREE PARKING VIOLATIONS IN THE
17 OVERNIGHT PARKING ZONE FOR WHICH THE PERMIT HAS BEEN
18 ISSUED, THE PERMIT, UPON REVIEW, MAY BE REVOKED BY THE
19 PARKING MANAGER;
- 20 13. IF A PERMIT HOLDER VIOLATES ANY OF THE CONDITIONS IN THIS
21 SECTION, THE PERMIT SHALL AUTOMATICALLY BECOME VOID AND
22 BE TERMINATED AND REVOKED WITHOUT NOTICE.
- 23 (F) OVERNIGHT STREET PARKING ZONE 1

1 1. [DESCRIBE THE STREETS IN THE ZONE]

2 (G) OVERNIGHT STREET PARKING ZONE 2

3 1. [DESCRIBE THE STREETS IN THE ZONE]

4 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
5 inconsistent with the provisions hereof are hereby repealed in their entirety and shall be null and
6 void and of no effect.

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

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