



AGENDA
Committee on Public Safety
Thursday, October 24, 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

- October 3, 2019

4. Public Comment on Agenda Items

5. Discussion:

- A.) RESOLUTION – Set Show Cause Hearing; Make Safe or Demolish; 818 Nipp Avenue
- B.) RESOLUTION – Set Show Cause Hearing; Make Safe or Demolish; 819 Cleveland
- C.) RESOLUTION – Set Show Cause Hearing; Make Safe or Demolish; 3309 Viking
- D.) DISCUSSION – Update on LPD Substation at Walnut St. Apts.
- E.) DISCUSSION – CPTED- Crime Prevention through Environmental Design
- F.) DISCUSSION – Committee Report On Ordinance Amendments to Chapter 404, Section 404.13 Parking

6. Other

7. Adjourn

[illegible]

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MINUTES **Committee on Public Safety** **Thursday, October 3, 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
Amanda O'Boyle, Assistant City Attorney
Lisa Hagen, Assistant City Attorney, Council Research Assistant
Jim Smiertka, City Attorney – arrived at 3:37 p.m.
Mary Bowen, Assistant City Attorney
Brian McGrain, Economic Development & Planning Director
Scott Sanford, Code Compliance
Eric Brewer, Council Internal Auditor
Mary Ellen Purificato

Public Comment

No public comment at this time.

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM SEPTEMBER 19, 2019 AS PRESENTED. MOTION CARRIED 2-0.

DISCUSSION

DISCUSSION – Ingham County 911 Dispatch Director

Council Member Wood informed the group that Council staff received a last minute communication that the 911 Dispatch Director would not be able to attend, and the Committee determined the next date they would be attending would be the November 7, 2019.

Due to quorum, the Committee meeting on October 17th has been moved to October 24th.

DISCUSSION -

Discussion – Correction Notice Fees and Fines

Mr. McGrain acknowledged he could not speak to the justification of the amounts but could talk about repeat offenders. Council Member Wood stated at the last meeting there was a

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discussion on if it is a fee or fine, and a fee cannot exceed the cost of what it costs to do business, so before making any amendments the Committee was trying to find out what metric was used to determine the amount. Mr. Sanford confirmed that the administrative fee is \$265, and he calculated the fees and fines in the document before the Committee he looked at hourly, fringe, cost of car and discussed with Mr. McGrain and OCA. The changes included second notice fees of \$75, a 3rd notice of \$150 and subsequent to \$300 per visits. The fine for grass is at \$265, but those complaint, they noted, have decreased. Council Member Wood ask how many complaints were repeat complaints. Mr. Sanford stated they are not able to sort them that way. Council Member Hussain asked if there was a decrease due to the symptom of down officers or no rechecks. Mr. Sanford acknowledged premise is consistent, but residents are realizing that it is cheaper for them to just comply and mow then to have the city send a contractor. Council Member Wood asked Mr. McGrain what the impact on the budget would be and Mr. McGrain stated it would not be a giant impact to budget, get because they are currently getting 90% of compliance, and this would be an additional incentive. Council Member Wood inquired into how many complaints they get on trash and mowing from people who cannot afford to correct it. Mr. McGrain confirmed they try to work with them. Council Member Wood asked Mr. Sanford to work with Mr. Brewer on a spreadsheet to document repeat complaints.

MOTION TO APPROVE THE RESOLUTION TO RAISE THE FEES FINES FOR CORRECTION AND CODE ISSUES. MOTION CARRIED 2-0.

Discussion – Ordinance on Relocation Assistance

Ms. Hagen acknowledged she was still working on it and had no updates. Mr. Smiertka asked to combine this item with "Discussion - Ordinance on Fines for City Staff Man-Hours on Continual Offenders/Landlords of Rental Properties". The OCA representatives stated they working on these items, including speaking to District Court and researching the former Ordinance Violations Bureau the City used to have. Mr. Smiertka did added that they found that the Ordinance Violations Bureau does not serve a purpose, and the process in place now with District Court is working and all money comes back to the City. If the civil infraction is issued then they would be into the District Court and the court could file for receivership, and handle it there. Mr. Smiertka encouraged an early intervention approach that would be to write a ticker immediately on the property owner and get it in front of the courts. Ms. O'Boyle spoke briefly on Woodside and the current status. Mr. McGrain added to the discussion that his department has been using the pink tags and actively working on getting some serious issues addressed. He asked that the Committee allow the department to work with the OCA cases; case by case. Council Member Wood asked if there was a log to show the number of hours spent on each property by the OCA, Code and Building Safety, so when they go to court to get the costs they can also go to the judge for costs incurred by the City. Ms. O'Boyle stated the OCA court costs and time are set by statutory standards, so she was not sure if these can be collected. Mr. Smiertka added to the response that they are all under the State civil infraction limit and might be able to think about increasing the civil infraction fines. Council Member Wood noted to the OCA, that their document could at least be used show the City tax payers how much is being spent. She then asked the OCA to be back before the Committee on both these items before the end of the year. The OCA confirmed he was currently working on a booklet he hoped to have complete in the next 2 weeks, and Mr. McGrain noted he already had a meeting set up with Jackson Code Enforcement on their process.

Discussion – CPTED – Crime Prevention through Environmental Design

Chief Green at the last meeting stated he would reach out to MSU and Ms. Hagen was going to continue to reach out to Grand Rapids on their ordinance. This will be added to the agenda on October 24, 2019.

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Discussion – Committee Report on Ordinance Amendments to Chapter 404, Section 404.13 Parking

Council Member Wood noted to the Committee that earlier in the week the Mayor's office proposed the document that was in front of them now, Section 404.11. The OCA was asked their comments on who work on it with the Mayor, and Mr. Smiertka stated they only looked at the language. The Committee asked that Ms. Harkins and the Mayor be invited to the October 24, 2019 meeting. Ms. Hagen was asked by Council Member Wood to compare the Committee Ordinance for Chapter 404 Section 404.13 with the recent document from the Mayor.

OTHER

Council Member Wood asked Mr. McGrain for an update on the vacant positions in Code Compliance. Mr. McGrain confirmed they will be hiring within the next month, current do have an officer out, so essentially down a code and premise officer. The clerical openings are currently filled with temporary staff, and they hope to have those posted within the week.

ADJOURN

Adjourned at 4:09 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:	818 NIPP AVENUE
PARCEL NUMBER:	33-01-01-20-128-091

LISTED TAXPAYER:	REDMOND, DAMEN
INTERESTED PARTIES:	
SEV INFORMATION:	\$42,400.00
LAND VALUE:	\$11,360.00
BUILDING VALUE:	\$73,344.00
LOT SIZE:	40' X '125

LEGAL DESCRIPTION:

LOT 44 & COM NE COR LOT 43, TH S 15
FT, W 85 FT, NW'LY TO PT 7 FT E OF NW
COR LOT 43, E 93 FT TO BEG; TAYLORS
RIVER VIEW SUB NO 1

ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	7/25/2019
ORDER:	MAKE SAFE OR DEMOLISH 60 DAYS
REASON/CONDITIONS:	UNSAFE/GARAGE ONLY
HEARING OFFICER:	JOSEPH VITALE

CURRENT CITY COUNCIL ACTIVITY

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

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	D2019-011

HOUSING CODE VIOLATION LTR:	1/2/2019
ORIGINAL RED TAG DATE:	1/2/2019
ZONING:	"B" RESIDENTIAL
ESTIMATE OF REPAIRS:	6,350.00 (GARAGE ONLY)
PICTURES:	YES
OTHER:	

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

818 NIPP AVENUE

- Original Red Tag Date

- 01/02/2019 (GARAGE ONLY)

- Submitted Into Make Safe Or Demolish Process

- 7/02/2019

- Property Vacant/Repairs Exceed Building SEV

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

- Title Information

- DAMEN REDMOND

818 NIPP AVENUE

Property Value Information

- SEV

- \$42,400.00 (*as of 10/04/2019*)

- Structure

- \$73,344.00 (*as of 10/04/2019*)

- \$12,020.00 (*GARAGE as of 10/04/2019*)

- Land

- \$11,360.00 (*as of 10/04/2019*)

- Estimate of Repairs

- \$9,072.00

818 NIPP AVENUE.

Housing Code Correction Letters

- Code Compliance Inspection Date

- 01/02/2019

- Code Compliance Letter Written

- 01/02/2019

- Code Compliance Due Date

- 02/02/2019

818 NIPP AVENUE.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 7/25/2019

- Order by Demolition Board

- MS or D by 09/25/2019

- Request Sent To City Council for Show Cause Hearing

- 10/04/2019

818 NIPP 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

818 NIPP AVENUE.

General Comments

- None of the required permits have been pulled as of 10/04/2019.

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.

CODE ENFORCEMENT SECTION
DEPARTMENT OF ECONOMIC DEVELOPMENT & PLANNING
INTER-OFFICE MEMO

To: Scott Sanford, Lead Housing Inspector
From: Gregg Scrimger, Code Compliance Officer
Date: 02 July 2019
Subject: Request for demolition of 818 Nipp Ave – Garage Only!

STATEMENT OF FINDINGS:

A Safety Inspection of the garage was conducted on January 02, 2019 by Code Enforcement Officer Gregg Scrimger. This inspection revealed violations which constituted threats to the health, life & safety of any persons using this accessory structure. This garage has been vacant & placarded condemned/unsafe since the safety inspection.

Therefore, I am requesting this structure be demolished.

Estimate of Cost of Repairs:
(Total cost to remodel per square foot):

Total Cost to Rebuild the Garage	\$9,072.
Total Cost to Rebuild the Garage (Reusing the Foundation).....	\$6,350.

SMS

The assessed/depreciated cost of this accessory structure \$5,361.

CITY OF LANSING DEMOLITION HEARING BOARD	ORDER TO MAKE SAFE, DEMOLISH OR MAINTAIN BUILDING OR STRUCTURE	FILE NO. D2019-011
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Matter of the building/structure at 818 NIPP AVENUE which is a ☒ dwelling ☐ garage ☐ other

1. Date of hearing: July 25, 2019 Hearing Officers: DAVE MUYLLE, JOSEPH VITALE
2. Scott Sanford, Code Compliance Lead Housing Inspector of the City of Lansing, has filed a copy of a notice that the subject building/structure is dangerous. The copy of the notice is attached.

THE HEARING OFFICER FINDS THAT:

3. Notice of this hearing was properly served on the
☐ rental registration owner(s)
☒ Owner's or party in interest on City tax assessment record
4. The building/structure ☒ is ☐ is not a dangerous building as defined in MCL 125.539, specifically (see attached)
5. ☒ The building/structure has remained unoccupied for 180 consecutive days or more and is not listed for sale, lease or rent with a licensed real estate broker.
6. ☐ The building/structure has been substantially destroyed by ☐ fire ☐ wind ☐ flood
☐ other:
7. The state equalized value of the building/structure (GARAGE ONLY) is \$5,361.00
8. The cost to repair the building or structure to make it safe is \$6,350.00
9. The real estate is described as follows:

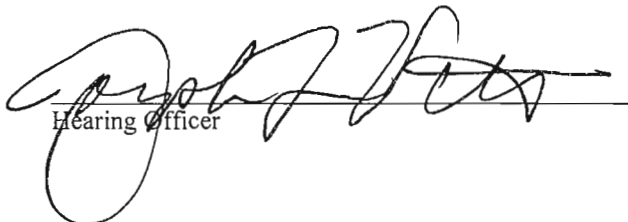
Parcel Number: 33 01 01 20 128 091

LOT 44 & COM NE COR LOT 43, TH S 15 FT, W 85 FT, NW'LY TO PT 7 FT E OF NW COR LOT 43, E 93 FT TO BEG; TAYLORS RIVER VIEW SUB NO 1, CITY OF LANSING

IT IS ORDERED THAT:

10. ☐ The matter is closed.
- ☒ The building/structure shall be made safe or demolished on or before Sept 25, 2019
- ☐ The case be tabled until _____.
- ☐ The building or structure shall be demolished on or before _____ if not made safe as ordered herein.
- ☐ (If finding #5 is made) The exterior of the building shall be maintained, including
☐ lawns, trees and shrubs ☐ paint on structure ☐ other _____ on or before _____.

7/25/19
Date


Hearing Officer



8 4 3 8 5 2 6

Tx:4279449

7/26/2019 9:04:00 AM

INST. # 2019-025368

DERRICK QUINNEY

REGISTER OF DEEDS

INGHAM COUNTY MICHIGAN

RECORDED ON:

07/29/2019 12:00 PM

PAGES: 2

THE SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE



Derrick Quinney

Ingham County Register of Deeds

THIS PAGE IS ADDED TO ALLOW ADEQUATE ROOM FOR RECORDING INFORMATION

PLEASE DO NOT REMOVE

NOTICE: HEARING REGARDING UNSAFE BUILDING WITHIN THE CITY OF LANSING

The City of Lansing Manager of the Code Compliance Office has determined that the building located at
818 NIPP AVENUE (GARAGE ONLY)

the location being more particularly described as:

**LOT 44 & COM NE COR LOT 43, TH S 15 FT, W 85 FT, NW'LY TO PT 7 FT E OF NW COR LOT 43, E 93 FT TO
BEG; TAYLORS RIVER VIEW SUB NO 1 33 01 01 20 128 091 Ingham County, MI**

Owner: **DAMEN REDMOND**

is a dangerous building and under the provisions of the Lansing Ordinance, Section 1460.11, Lansing Housing & Premises Code and MCL 125.538 et. seq., Housing Law of Michigan, and has ordered this matter to be heard by an appointed Hearing Officer(s) on the 25th day of JULY, 2019.

As a result of the above hearing, the Hearing Officer(s) may order the building be made safe for its intended use or demolished. Therefore, the City of Lansing City Council may be called upon to affirm the Hearing Officer(s) determination by Resolution, and thereafter the City of Lansing may make said building safe for occupancy or demolish it. All cost incurred by the City of Lansing in demolishing or making safe of the building to include administrative costs, title searches, etc. shall be a lien against the real property in accordance with MCL 125.538 et. seq.

Issuance of any building and/or trade permit(s) does not, in any way, alter the demolition schedule or give rise to a cause of action to prevent the demolition of this property. The permit applicant/owner assumes any risks and costs associated with obtaining the permit(s) for the property listed above.



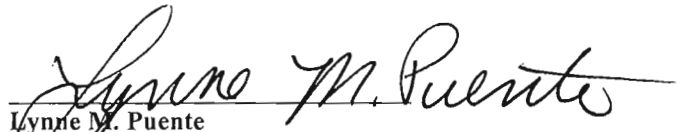
Scott Sanford, Lead Housing Inspector
Code Enforcement Section
316 N. Capitol Avenue, Suite C-2
Lansing, MI 48933-1238

STATE OF MICHIGAN)
)ss.

COUNTY OF INGHAM)

Subscribed and sworn to before me this 16th day of July, 2019.

LYNNE M PUENTE
Notary Public, State of Michigan
County Of Ingham
My Commission Expires 03-07-2021
Acting in the County of Ingham



Lynne M. Puente
Notary Public, State of Michigan
County of Ingham
My Commission expires on March 7th, 2021.
Acting in the County of Ingham

THIS INSTRUMENT DRAFTED BY:

James Smiertka City Attorney, City Attorney's Office, 5th Floor, City Hall, Lansing, MI 48933

RETURN TO:

Code Enforcement Section, City of Lansing, 316 N. Capitol Ave., Ste. C-2, Lansing, MI 48933-1238

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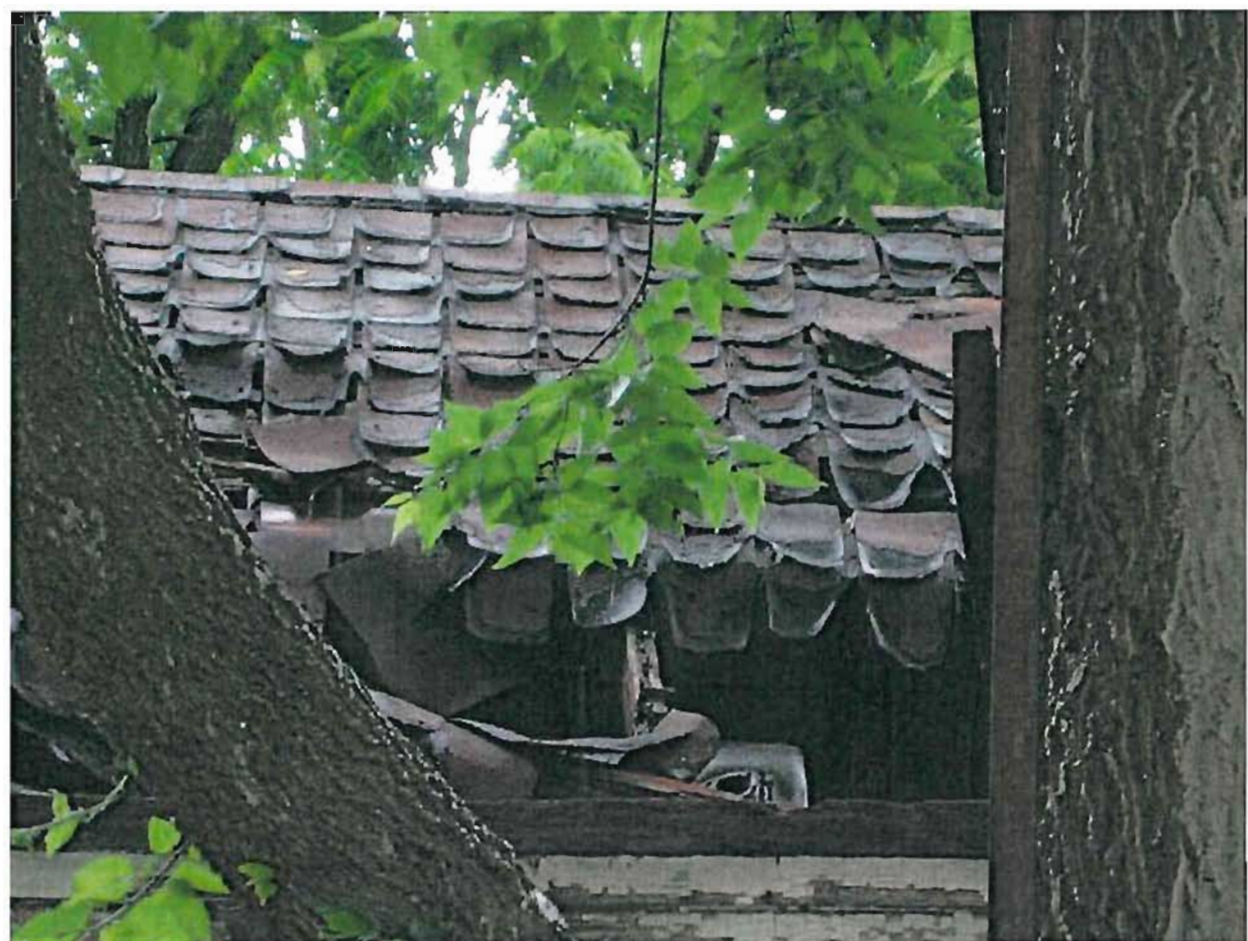








































BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure at 818 NIPP AVENUE, Parcel # 33-01-01-20-128-091 and Legal Description: LOT 44 & COM NE COR LOT 43, TH S 15 FT, NW'LY TO PT 7 FT E OF NW COR LOT 43, E 93 FT TO BEG; TAYLORS RIVER VIEW SUB NO 1 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 (GARAGE ONLY) on 1/02/2019 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on 7/25/2019, 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, November 18, 2019 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:	819 CLEVELAND STREET
PARCEL NUMBER:	33-01-01-10-377-231

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2019-D009

LISTED TAXPAYER:	AL-SHANKOOL, MARVIN G
INTERESTED PARTIES:	
SEV INFORMATION:	\$24,500.00
LAND VALUE:	\$7,701.00
BUILDING VALUE:	\$41,277.00
LOT SIZE:	33 X 135.84

HOUSING CODE VIOLATION LTR:	8/30/2016
ORIGINAL RED TAG DATE:	8/30/2016 FIRE 11/29/2017
ZONING:	"B" RESIDENTIAL
ESTIMATE OF REPAIRS:	\$71,400.00
PICTURES:	YES
OTHER:	

LEGAL DESCRIPTION:	LOT 8 BLOCK 4 F C TAYLORS REPLAT OF DELLS SUB REC L 5 P 13
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ORDER OF DEMOLITION BOARD

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

CURRENT PERMIT ACTIVITY

BUILDING:	EXPIRED 2017
ELECTRICAL:	EXPIRED 2017
MECHANICAL:	EXPIRED 2017
PLUMBING:	CLOSED 2017
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	10/3/2019
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	

819 CLEVELAND STREET

● Original Red Tag Date

- 08/30/2016
- Fire Damaged 11/29/2017

● Submitted Into Make Safe Or Demolish Process

- 5/03/2019

● Property Vacant/Repairs Exceed Building SEV

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

● Title Information

- Marvin G. Al-Shankool

819 CLEVELAND STREET

Property Value Information

● SEV

● \$24,500.00 (*as of 10/04/2019*)

● Structure

● \$41,27.00 (*as of 10/04/2019*)

● Land

● \$7,701.00 (*as of 10/04/2019*)

● Estimate of Repairs

● \$71,400.00

819 CLEVELAND STREET.

Housing Code Correction Letters

● Code Compliance Inspection Date

● 8/30/2016

● 11/29/2017

● Code Compliance Letter Written

● 8/30/2017

● 11/29/2017

● Code Compliance Due Date

● 9/30/2016 AND 12/29/2017

819 CLEVELAND STREET.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 06/27/2019

- Order by Demolition Board

- MS or D by 07/27/2019

- Request Sent To City Council for Show Cause Hearing

- 10/04/2019

819 CLEVELAND 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

819 CLEVELAND STREET.

General Comments

- None of the required permits have been pulled as of 10/04/19.

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.

CODE ENFORCEMENT SECTION
DEPARTMENT OF ECONOMIC DEVELOPMENT & PLANNING
INTER-OFFICE MEMO

To: Scott Sanford, Lead Housing Inspector
From: Zachary Driver, Code Compliance Officer
Date: 3 May 2019
Subject: Request for demolition of 819 Cleveland St.

STATEMENT OF FINDINGS:

This property has been condemned since a Safety Inspection conducted on August 30th, 2016. A structure fire also occurred on November 17th, 2017. This dwelling is unfit for occupancy due to the inspection revealing violations which constituted threats to the health, life & safety of any persons living in the structure. This dwelling has been vacant & placarded with a condemned/unsafe tag since the 2016 safety inspection.

Therefore, I am requesting this structure be demolished.

Estimate of Cost of Repairs:
(Total cost to remodel per square foot):

Building, Mechanical, Plumbing, Electrical.....\$71,400

5-6-19
SM

The assessed value of the buildings is \$24,300



Andy Schor, Mayor

CITY OF LANSING

Department of Economic Development and Planning

316 N. Capitol Ave., Suite C-1 — Lansing, MI 48933-1238

(517) 483-4355 — Fax (517) 377-0169

Brian McGrain, Director

www.LansingMi.gov

Show Cause Notice Make Safe or Demolish

July 26, 2018

Marvin G. Al-Shankool
819 Cleveland St.
Lansing, MI 48906

Regarding: Parcel # 33-01-01-10-377-231
Known as: 819 Cleveland St.

Dear Mr. Al-Shankool:

This letter is in regard to the unsafe conditions found at the aforementioned address. The structure shall be made safe or removed as stated below. It is imperative and time is of the essence that steps be taken to move forward with the correction or removal of the hazard.

The house at the above address has been damaged by fire and is in an unsafe/dangerous condition. You are required to make the necessary corrections to the structure, with the required permits, to bring it into compliance with the applicable codes and standards or remove the structure.

To ensure the health, safety and welfare for you, your neighbors and the public, the City of Lansing and the State of Michigan requires that the building and site be protected, repaired or removed. **Therefore, this letter serves as notice that this property shall be made safe as set forth by the STILLE-DEROSSETT-HALE- SINGLE STATE CONSTRUCTION CODE ACT, Act 230 of 1972 known as the 2015 Michigan Rehabilitation Code with amendments, in particular section 115.1; Conditions.**

"Buildings, structures or equipment that are or hereafter become unsafe, shall be taken down, removed or made safe as the code official deems necessary and as provided for in this code."

Please contact this office immediately upon receipt of this notice and show good cause in writing your approach of complying with this notice along with a time line or proposed completion.

Failure to comply with this notice will result in this structure to be turned over to the City of Lansing's Demolition Board.

Should you have any questions please feel free to contact me at (517) 483-4363 or at larry.connelly@lansingmi.gov or visit our City web site at LansingMi.gov

You have the right to appeal this notice under section 112.1 of the code.

Thank you,

A handwritten signature in cursive script that reads "Larry Connelly".

Larry Connelly
Building Inspector
City of Lansing, Michigan

CITY OF LANSING DEMOLITION HEARING BOARD	ORDER TO MAKE SAFE, DEMOLISH OR MAINTAIN BUILDING OR STRUCTURE	FILE NO. 2019-D009
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Matter of the building/structure at 819 Cleveland Street which is a ☒ dwelling ☐ garage ☐ other

1. Date of hearing: June 27, 2019 Hearing Officers: DAVE MUYLLE, JOSEPH VITALE
2. Scott Sanford, Code Compliance Lead Housing Inspector of the City of Lansing, has filed a copy of a notice that the subject building/structure is dangerous. The copy of the notice is attached.

THE HEARING OFFICER FINDS THAT:

3. Notice of this hearing was properly served on the
☐ rental registration owner(s)
☒ Owner's or party in interest on City tax assessment record
4. The building/structure ☒ is ☐ is not a dangerous building as defined in MCL 125.539, specifically (see attached)
5. ☒ The building/structure has remained unoccupied for 180 consecutive days or more and is not listed for sale, lease or rent with a licensed real estate broker.
6. ☐ The building/structure has been substantially destroyed by ☒ fire ☐ wind ☐ flood
☐ other:
7. The state equalized value of the building/structure is \$24,300.00
8. The cost to repair the building or structure to make it safe is \$71,400.00
9. The real estate is described as follows:

Parcel Number: 33 01 01 10 377 231

Lot 8 Block 4 F C Taylors Replat of Dells Sub Rec L 5 P 13, City of Lansing

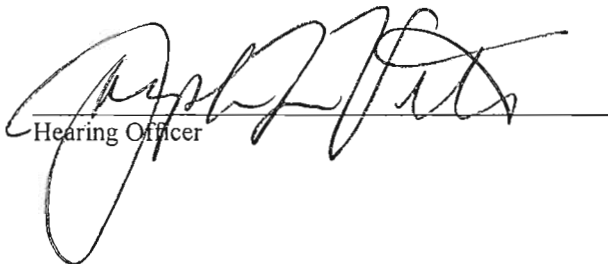
IT IS ORDERED THAT:

10. ☐ The matter is closed.
☒ The building/structure shall be made safe or demolished on or before July 27, 2019
☐ The case be tabled until _____.
- ☐ The building or structure shall be demolished on or before _____ if not made safe as ordered herein.
- ☐ (If finding #5 is made) The exterior of the building shall be maintained, including
☐ lawns, trees and shrubs ☐ paint on structure ☐ other _____ on or before _____.

Date

6/27/19

Hearing Officer





Mayor Virg Bernero

Lansing Fire Department

Fire Marshal's Office

Code Enforcement Section

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

Notice Printed: 09/01/2016

Unsafe and Dangerous Correction Notice

Inspection Type: Safety
Inspection Date: 08/30/2016
Compliance Due Date: 09/29/2016

JORDAN KACEY R
2312 RISDALE AVE
LANSING, MI 48911

Warning: *Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: \$500 per day for each violation)*

Violation Location: 819 CLEVELAND ST
Parcel No: 33-01-01-10-377-231

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 108 of the Code of Ordinances. **The violations are listed below and must be corrected by the compliance due date.**

Sec 605.1

- 1. Permit for electrical wiring installation has not been issued and lacks inspection and approval by the City of Lansing, Electrical Inspector. The Building Safety Office, ph. 483-4355. Due to the amount of electrical issues and opening up of walls, etc. bring the entire wiring system to code.*
- 2. 220 wire to dryer circuit is not protected along wall above receptacle.*
- 3. Open wall cavities exposing wiring.*
- 4. Electrical service panel is askew.*
- 5. Loose/hanging wiring in basement.*

Sec 603.1

- 1. Permit for furnace installation has not been issued and lacks inspection and approval by the City of Lansing Mechanical Inspector. You must have a licensed mechanical contractor pull a mechanical permit, check the installation, make any corrections and then; contact Brian Shields at 483-4577 for final approval.*
- 2. Furnace filter is missing.*
- 3. Furnace service panel cover is missing.*
- 4. Return air ductwork is missing.*

Sec 504.1

- 1. Plumbing work is being done without a permit and inspection. Bring the plumbing up to code. Water supply piping (pex) has been installed without permit.*
- 2. Waste pipe is leaking at two places under kitchen sink.*
- 3. Flexible shower hose extends to area below flood rim of tub. This condition has the potential for cross-contamination (back siphon). Limit reach of shower head to area above flood rim or install vacuum-break.*
- 4. The toilet is loose at the connection to the floor.*

SEC 305.3

- 1. Non-absorbent flooring is damaged in bathroom.*
- 2. Tub surround is deteriorated.*

Sec 307.1

- 1. Lack of guardrail at the open side of stairwell in uppermost level.*
- 2. The handrail is missing at the stairwell accessing basement.*
- 3. Wall board, lath, etc. has been removed in several locations throughout. A building permit is required to bring to code after electrical inspection has been inspected and approved.*
- 4. The door knob is missing at the rear door off the kitchen.*
- 5. The rear steps were installed without a permit and do not meet the code requirements. Add to permit for interior work being performed.*
- 6. Treads are not uniform at stairwell accessing uppermost level.*

Section 304.15

Refer to exterior notice about paint/protective coating that was mailed out earlier this year.

Sec 304.15

Screens are torn/missing throughout.

Sec 704.2

Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.

Note: All required smoke detectors throughout entire structure shall have a minimum 5 year battery or be hardwired.

This dwelling has been declared an UNSAFE STRUCTURE as defined in section 108 of the Lansing Housing and Premises Code. Signs have been posted at each entrance that read - DO NOT ENTER, UNSAFE TO OCCUPY. It is a misdemeanor to occupy this building, or to remove or deface this notice. Said dwelling shall remain vacant until this office has conducted a complete inspection and approved all corrections.

Failure to comply by the compliance due date may result in the issuance of a Municipal Civil Infraction. Violation with **Fines: \$500 per day for each violation.**

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

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 4379 Monday through Friday between the hours of **8-9 - AM** or **12-1 - PM**.

Officer: Dave Vincent

This does not guarantee discovery or reporting of all code violations or property defects, manifest or latent, which exist at the property inspected. The City of Lansing, its officers and employees, shall not be liable for any injury or damage, including incidental or consequential damages, claimed to be a result of any failure to discover or report code violations or property defects.

As specified by section 107- Notices and Orders - a copy of this violation was sent to:

Taxpayer of Record: HADDAD WAIL, 6003 CLAREMONT CT, LANSING, MI 48917-5112

NOTICE: HEARING REGARDING UNSAFE BUILDING WITHIN THE CITY OF LANSING

The City of Lansing Manager of the Code Compliance Office has determined that the building located at
819 Cleveland Street

the location being more particularly described as:

Lot 8 Block 4 F C Taylors Replat of Dells Sub Rec L 5 P 13 33 01 01 10 377 231 Ingham County, MI

Owner: **Marvin Al-Shankool**

is a dangerous building and under the provisions of the Lansing Ordinance, Section 1460.11, Lansing Housing & Premises Code and MCL 125.538 et. seq., Housing Law of Michigan, and has ordered this matter to be heard by an appointed Hearing Officer(s) on the **27th day of June, 2019.**

As a result of the above hearing, the Hearing Officer(s) may order the building be made safe for its intended use or demolished. Therefore, the City of Lansing City Council may be called upon to affirm the Hearing Officer(s) determination by Resolution, and thereafter the City of Lansing may make said building safe for occupancy or demolish it. All cost incurred by the City of Lansing in demolishing or making safe of the building to include administrative costs, title searches, etc. shall be a lien against the real property in accordance with MCL 125.538 et. seq.

Issuance of any building and/or trade permit(s) does not, in any way, alter the demolition schedule or give rise to a cause of action to prevent the demolition of this property. The permit applicant/owner assumes any risks and costs associated with obtaining the permit(s) for the property listed above.

STATE OF MICHIGAN)

)ss.

COUNTY OF INGHAM)

Subscribed and sworn to before me this 16th day of May, 2019.

LYNNE M PUENTE
Notary Public, State of Michigan
County Of Ingham
My Commission Expires 03-07-2021
Acting in the County of _____

Lynne M. Puente
Lynne M. Puente
Notary Public, State of Michigan
County of Ingham
My Commission expires on March 7th, 2021.
Acting in the County of Ingham

THIS INSTRUMENT DRAFTED BY:

James Smiertka City Attorney, City Attorney's Office, 5th Floor, City Hall, Lansing, MI 48933

RETURN TO:

Code Enforcement Section, City of Lansing, 316 N. Capitol Ave., Ste. C-2, Lansing, MI 48933-1238









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 819 CLEVELAND STREET, Parcel # 33-01-01-10-377-231 and Legal Description: LOT 8 BLOCK 4 TAYLORS REPLAT OF DELLS SUB REC L 5 P 13 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 8/30/2019 AND THEN BECAME FIRE DAMAGED ON 11/29/2017 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on 06/27/2019, 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, November 18, 2019 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:	3309 VIKING ROAD
PARCEL NUMBER:	33-01-01-30-478-011

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	D2019-012

LISTED TAXPAYER:	IRA SERVICES TRUST CO CFBO
INTERESTED PARTIES:	
SEV INFORMATION:	\$41,500.00
LAND VALUE:	\$23,124.00
BUILDING VALUE:	\$59,811.00
LOT SIZE:	140.00 X 186.50

HOUSING CODE VIOLATION LTR:	12/28/2018
ORIGINAL RED TAG DATE:	12/28/2018
ZONING:	"A" RESIDENTIAL
ESTIMATE OF REPAIRS:	\$107,000.00
PICTURES:	YES
OTHER:	

LEGAL DESCRIPTION:	LOTS 441 & 442 PLEASANT GROVE SUB NO 1
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	JULY 25,2019
ORDER:	60 DAYS MAKE SAFE OR DEMOLISH
REASON/CONDITIONS:	UNSAFE
HEARING OFFICER:	JOESEPH VITALE

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:	10/3/2019
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	

3309 VIKING ROAD

- Original Red Tag Date

- 12/28/2018

- Submitted Into Make Safe Or Demolish Process

- 06/28/2019

- Property Vacant/Repairs Exceed Building SEV

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

- Title Information

- IRA Services Trust Co CFBO c/o Elizabeth Ramsey

3309 VIKING ROAD

Property Value Information

- SEV

- \$41,500.00 (*as of 10/04/2019*)

- Structure

- \$59,811 (*as of 10/04/2019*)

- Land

- \$23,124.00 (*as of 10/04/2019*)

- Estimate of Repairs

- \$107,000.00

3309 VIKING ROAD.

Housing Code Correction Letters

- Code Compliance Inspection Date

- 12/28/2018

- Code Compliance Letter Written

- 12/28/2018

- Code Compliance Due Date

- 01/27/2019

3309 VIKING ROAD.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 07/25/2019

- Order by Demolition Board

- MS or D by 09/25/2019

- Request Sent To City Council for Show Cause Hearing

- 10/04/2019

3309 VIKING ROAD .

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

3309 VIKING ROAD.

General Comments

- None of the required permits have been pulled as of 10/04/19.

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.

CODE ENFORCEMENT SECTION
DEPARTMENT OF ECONOMIC DEVELOPMENT & PLANNING
INTER-OFFICE MEMO

To: Scott Sanford, Lead Housing Inspector
From: Gregg Scrimger, Code Compliance Officer
Date: 28 June 2019
Subject: Request for demolition of 3309 Viking Road

STATEMENT OF FINDINGS:

A Safety Inspection was conducted on December 28, 2018 by Code Enforcement Officer David Klein. This dwelling is unit is unfit for occupancy due to the inspection revealing violations which constituted threats to the health, life & safety of any persons living in the structure. This dwelling has been vacant & placarded condemned/unsafe since the safety inspection.

Therefore, I am requesting this structure be demolished.

Estimate of Cost of Repairs:
(Total cost to remodel per square foot):

Building, Mechanical, Plumbing, Electrical.....\$107,000

SMS

The assessed value of the buildings is \$41,200

CITY OF LANSING DEMOLITION HEARING BOARD	ORDER TO MAKE SAFE, DEMOLISH OR MAINTAIN BUILDING OR STRUCTURE	FILE NO. D2019-012
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Matter of the building/structure at 3309 VIKING ROAD which is a ☒ dwelling ☐ garage ☐ other

1. Date of hearing: July 25, 2019 Hearing Officers: DAVE MUYLLE, JOSEPH VITALE
2. Scott Sanford, Code Compliance Lead Housing Inspector of the City of Lansing, has filed a copy of a notice that the subject building/structure is dangerous. The copy of the notice is attached.

THE HEARING OFFICER FINDS THAT:

3. Notice of this hearing was properly served on the
☐ rental registration owner(s)
☒ Owner's or party in interest on City tax assessment record
4. The building/structure ☒ is ☐ is not a dangerous building as defined in MCL 125.539, specifically (see attached)
5. ☒ The building/structure has remained unoccupied for 180 consecutive days or more and is not listed for sale, lease or rent with a licensed real estate broker.
6. ☐ The building/structure has been substantially destroyed by ☐ fire ☐ wind ☐ flood
☐ other:
7. The state equalized value of the building/structure is \$41,200.00
8. The cost to repair the building or structure to make it safe is \$107,000.00
9. The real estate is described as follows:

Parcel Number: 33 01 01 30 478 011

LOTS 441 & 442 PLEASANT GROVE SUB NO 1, CITY OF LANSING

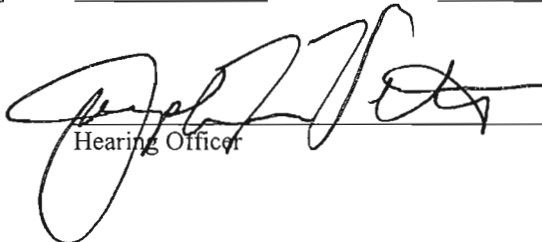
IT IS ORDERED THAT:

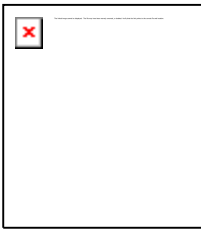
10. ☐ The matter is closed.
☒ The building/structure shall be made safe or demolished on or before Sept 25, 2019
☐ The case be tabled until _____.
☐ The building or structure shall be demolished on or before _____ if not made safe as ordered herein.
☐ (If finding #5 is made) The exterior of the building shall be maintained, including
☐ lawns, trees and shrubs ☐ paint on structure ☐ other _____ on or before _____.

Date

7/25/19

Hearing Officer





Economic Development & Planning Code Enforcement Office

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

Notice Printed: 12/28/2018

Unsafe and Dangerous Correction Notice

IRA SERVICES TRUST CO CFBO
P O BOX 7080
SAN CARLOS, CA 94070

Inspection Type: Safety
Inspection Date: 12/28/2018
Compliance Due Date: 01/27/2019

Warning:

Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: \$500 per day for each violation)

Violation Location:	3309 VIKING RD
Parcel No:	33-01-01-30-478-011

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 108 of the Code of Ordinances. **The violations are listed below and must be corrected by the compliance due date.**

Sec 108.1.3 Lack of required utilities to the dwelling. The gas / electric / water service is turned off. The dwelling lacks sanitary / heating facilities.

INSPECTOR COMMENTS: *BWL and Consumer are locked out and off.*

Sec 304.3 Premises Identification numbers missing or are not plainly legible and visible from the street or road fronting the property. Address numbers shall be a minimum of 4 inches high and a maximum of 12 inches high with a minimum stroke width of 0.5 inch.

Sec 604.3 Wiring is exposed - unprotected faulty and unsafe.

Sec 604.3 Wiring is deteriorated and/or unsafe. Have a licensed contractor check the wiring, bring it up to code, and submit a copy of their report to our office.

Sec 604.3 Wires are loose - hanging.

Sec 604.3 Wire splices not enclosed in junction box.

Sec 604.3 Wall switch is loose - missing - damaged - inoperable.

Sec 605.1 Permit for service panel / electrical wiring installation has not been issued / been canceled and lacks inspection and approval by the City of Lansing, Electrical Inspector. The Building Safety Office, ph. 483-4355.

Sec 604.3 Outlet is loose - missing - damaged - inoperable - defective outlet is missing in bedroom. Install an outlet on a wall opposite or adjacent wall with current outlet.

Sec 604.3 Light switch is loose - missing - damaged - inoperable

Sec 605.3 Light fixtures missing - inadequate.

Sec 604.3 Light fixture is loose - missing - damaged - inoperable E-18.

Sec 604.3 Junction box cover plates are missing.

Sec 1460.08(A) (4) GFCI protection is lacking at outlets above the kitchen countertop, within six feet of the sink.

Sec 605.2 Receptacle outlets have been replaced in the home. GFCI protection required within 6' of a water source.

Sec 108.1.2 Extension cords used excessively - fastened to structure.

Sec 108.1.3 Electrical service is off. Inoperable light fixtures, switches and outlets.

Sec 604.3 Cover plates missing and or damaged at outlets - switches.

Section 304.15 Gaps around - at bottom of entrance door.

Section 304.15 Paint or protective coating is missing and deteriorated at siding and/or trim on house and garage.

Section 304.6 Siding - trim is deteriorated - damaged - missing.

Section 304.13.1 Window glass is broken and/or missing.

Section 304.13.2 Window sash is deteriorated - damaged - missing - loose.

Section 304.13 Windows and/or trim around the windows are deteriorated and need to be repaired or replaced.

Sec 308.1 Large accumulation of combustibles are stored in basement / throughout dwelling

Sec 702.4 Bedroom window lacks required dimensions. (Existing egress or escape windows must have a minimum net clear opening of 5 square feet, a minimum net clear opening height of 22 inches, a minimum net clear opening width of 20 inches and with a maximum sill height of 48 inches.) Note: New egress or escape windows from sleeping rooms shall have a minimum net clear opening of 5.7 square feet. The minimum net clear opening height shall be 24 inches. The minimum net clear opening width shall be 20 inches and they shall have a finished sill height of not more than 44 inches above the floor.

Sec 403.2 Bathroom vent fan is defective and or inoperable.

Sec 304.13.2 Every window, other than fixed windows, shall be easily openable and capable of being held in position by window hardware.

Sec 304.15 Front storm door has a damaged or missing self-closing device and/or door panel(s)

Sec 304.15 All windows and exterior doors, including storm windows and doors, shall be weather-tight and in good repair. During the months of May through October, every opening directly from a dwelling unit to outdoor space shall have supplied screens and self-closing device, and every window or door with openings to outdoor space, used or could be used for ventilation, shall likewise be supplied with screens. All screen doors and screens shall be in good repair.

Sec 603.1 Clothes dryer vent exterior weather hood is missing / damaged.

Sec 603.1 Furnace: Due to age and or condition, have a qualified mechanical contractor that is registered with the City of Lansing, visually inspect and perform a recognized test of the furnace heat exchanger for CO/CO2 leaks. Inspect the heat exchanger for cracks, openings, excessive rust and corrosion. Inspect furnace casing, check for proper venting and check chimney for restrictions and obstructions. Submit a written report by contractor detailing the results and repairs completed per code.

Sec 603.1 Work to be done to code by a licensed qualified contractor with benefit of permit, inspection and final approval.

Sec 404.4.5 Sleeping rooms in attic do not meet code. Ceiling height is less than 7' and/or lacks an appropriate window or exterior door approved for emergency egress or rescue which is operable from the inside to provide a full clear opening without the use of separate tools. (Existing egress or rescue windows must have a minimum net clear opening of five square feet, with a minimum net clear opening height dimension of twenty-two inches and a maximum sill height of forty-eight inches.) The use of this area as a sleeping room must be authorized by the Building Board of Appeals.

Sec 404.3 Ceiling height is less than 7'. Discontinue using this area as a sleeping room. This continued use must be authorized by the Building Board of Appeals.

Sec 702.4 Lack of window or exterior door approved for emergency egress or rescue which is operable from the inside to provide a full clear opening without the use of separate tools. (Existing egress or rescue windows must have a minimum net clear opening of five square feet, with a minimum net clear opening height dimension of twenty-two inches and a maximum sill height of forty-eight inches).

Sec 702.1 Lack of a safe, continuous and unobstructed path of travel from any point in a structure to the public way.

Sec 504.1 Condition of water heater: Due to condition, of the water heater have a qualified licensed contractor, that is registered with the City of Lansing test and check the condition and safety of the water heater and all its components for proper safe operation, Repair, or replace as needed and bring to code obtaining proper permits when required. Submit a copy of the contractors work order detailing the results to our office.

Sec 504.1 Plumbing permit required for new water heater / water supply piping / waste piping

Sec 506.1 Waste pipe is leaking - deteriorated - damaged - lacking support.

Sec 505.2 Water supply lacks contamination protection by an approved atmospheric-type vacuum breaker or an approved hose connection vacuum breaker at exterior hose bibs / faucets where hoses may be attached and left in place.

Sec 504 Cabinet floor is deteriorated at sink - vanity.

SEC 305 Carpet is loose / torn / deteriorated and worn-out.

SEC 305.3 Caulking / Ceramic tile / Nonabsorbent paneling / Window trim is damaged / loose at bathroom shower area walls.

Sec 305.3 Countertop in kitchen - bathroom is deteriorated - damaged - lacks nonabsorbent capacity.

Sec 305.3 Floor covering soiled - deteriorated - damaged.

SEC 305.3 Nonabsorbent floor - wall coverings damaged - lacking in kitchen - bathroom - shower area.

SEC 305.3 Peeling, chipping, flaking, or abraded paint on interior surfaces of a structure must be properly removed or covered.

SEC 305.3 Plaster / Gypsum board at ceiling / wall is damaged / loose

SEC 305.3 Uncleanliness - Decay of surfaces within a dwelling that is likely to cause sickness or disease and render air, food or drink unwholesome or detrimental to the health of humans. All floors, walls, ceilings windows, doors, cabinets, countertops, plumbing fixtures and appliances must be cleaned and maintained in a sanitary condition.

Sec 305 Vanity/kitchen cabinet is deteriorated/damaged and/or loose from the wall. Kitchen cabinet has deteriorated, damaged and/or missing drawers or doors.

Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars. Note: All required smoke detectors shall have a minimum 5 year battery or be hardwired.

Sec 304.15 Door is deteriorated - damaged - missing.

Sec 304.15 Door jamb - door sill is deteriorated and or damaged to the front - side - rear door.

Sec 304.7 Missing downspout and extension to gutter.

Sec 304.7 Eave troughs are deteriorated and or damaged and or missing. It is recommended to install downspouts with extensions to divert water at least 5 feet away.

Sec 307.1 Handrail is missing loose - damaged - improperly installed.

Sec 305.6 Hardware damaged or missing from door to bedroom/bathroom/exterior.

Sec 702.3 Hasp/double-key lock must be removed from the bedroom/exterior door(s).

Sec 304.7 Roof on house/garage is deteriorated and damaged. Replace all deteriorated wood and shingles.

Sec 304.10 Steps are deteriorated - damaged - unstable - tipped and are not level.

Sec 305.3 Walls are deteriorated - damaged with holes - bowed - leaning.

This dwelling has been declared an UNSAFE STRUCTURE as defined in section 108 of the Lansing Housing and Premises Code. Signs have been posted at each entrance that read - DO NOT ENTER, UNSAFE TO OCCUPY. It is a misdemeanor to occupy this building, or to remove or deface this notice. Said dwelling shall remain vacant until this office has conducted a complete inspection and approved all corrections.

Failure to comply by the compliance due date may result in the issuance of a Municipal Civil Infraction. Violation with **Fines: \$500 per day for each violation.**

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

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 4377 Monday through Friday between the hours of **8-9** - AM or **12-1** - PM.

Officer: Dave Klein Dave.Klein@lansingmi.gov

This does not guarantee discovery or reporting of all code violations or property defects, manifest or latent, which exist at the property inspected. The City of Lansing, its officers and employees, shall not be liable for any injury or damage, including incidental or consequential damages, claimed to be a result of any failure to discover or report code violations or property defects.

As specified by section 107- Notices and Orders - a copy of this violation was sent to:

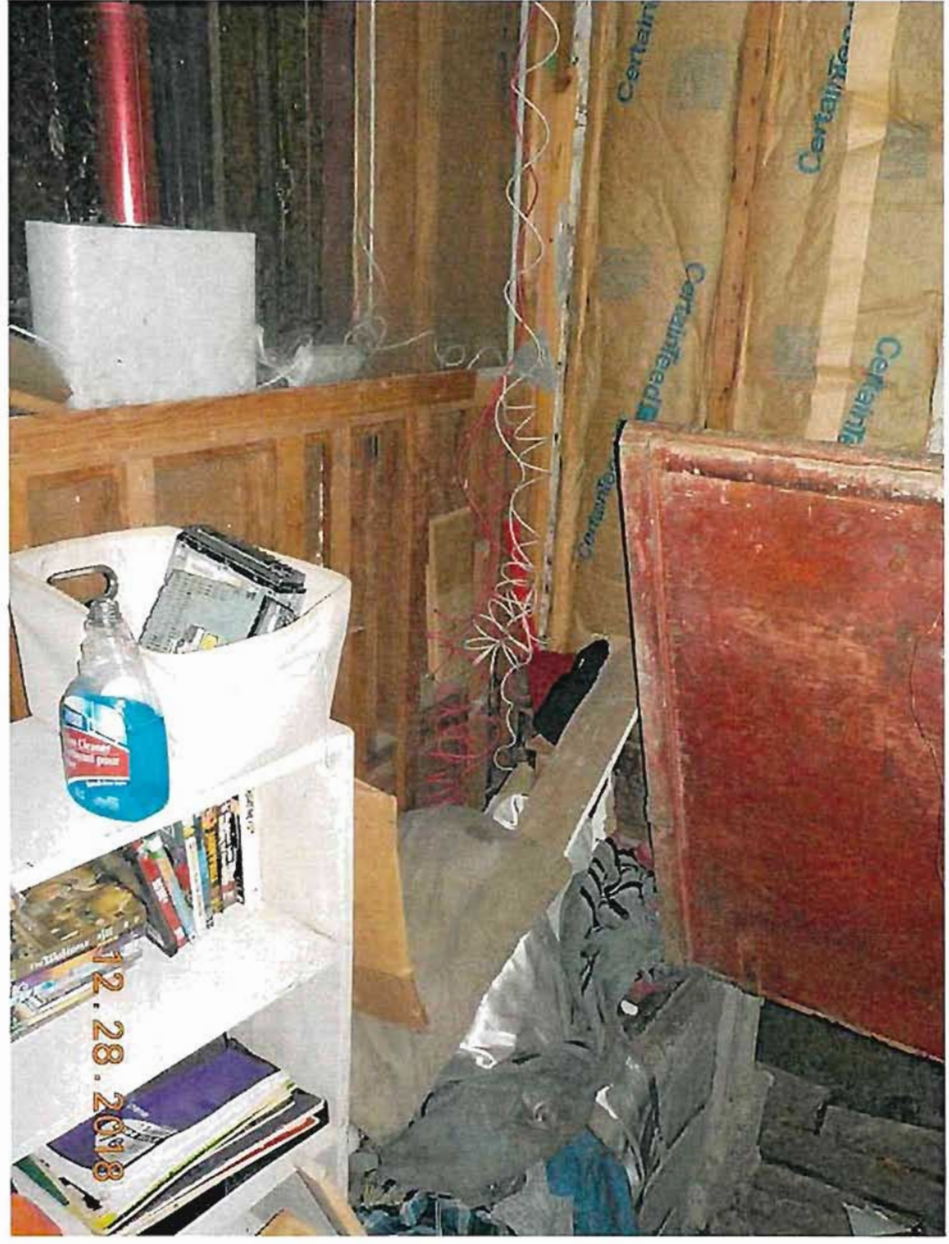
Taxpayer of Record: IRA SERVICES TRUST CO CFBO, P O BOX 7080, SAN CARLOS, CA 94070

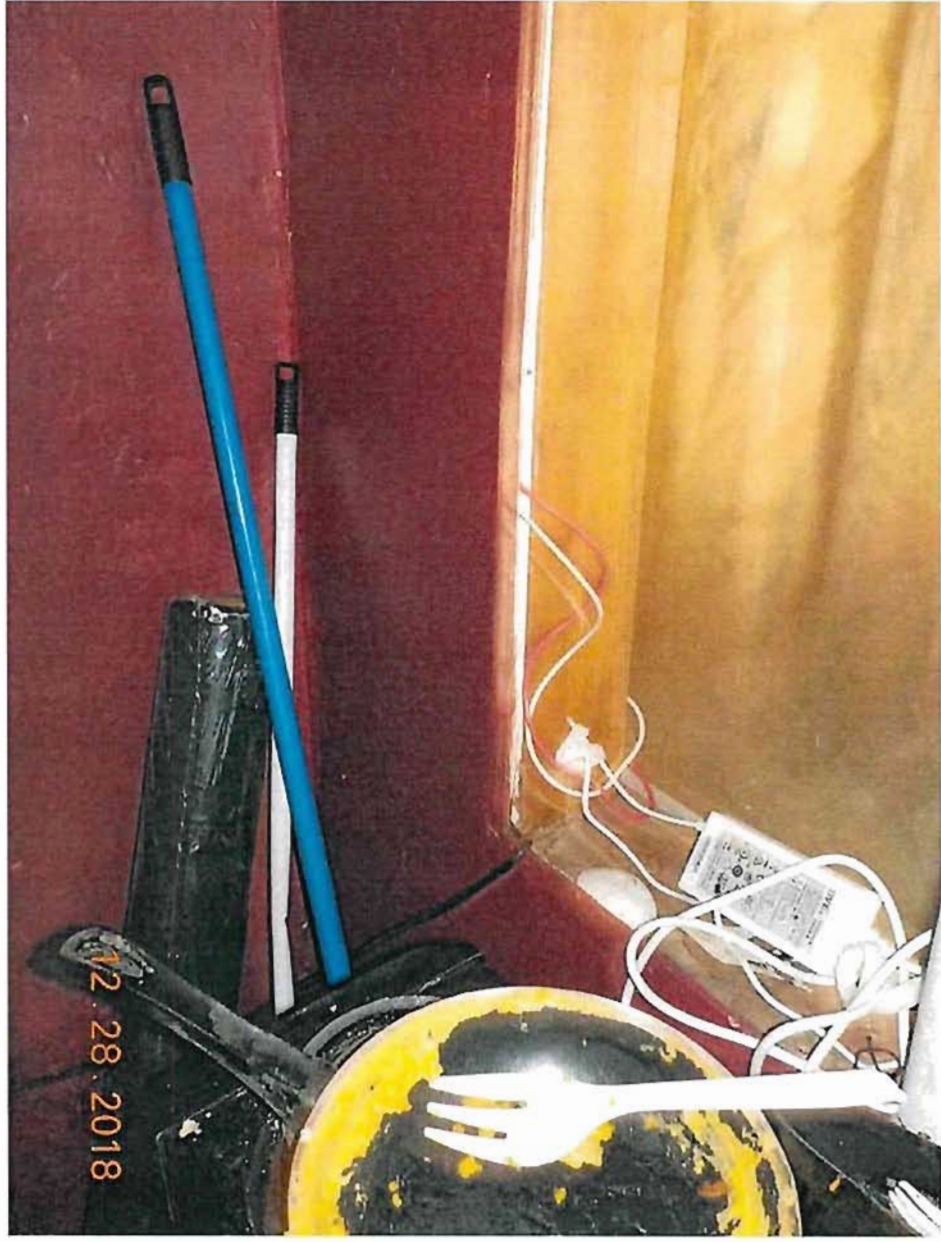




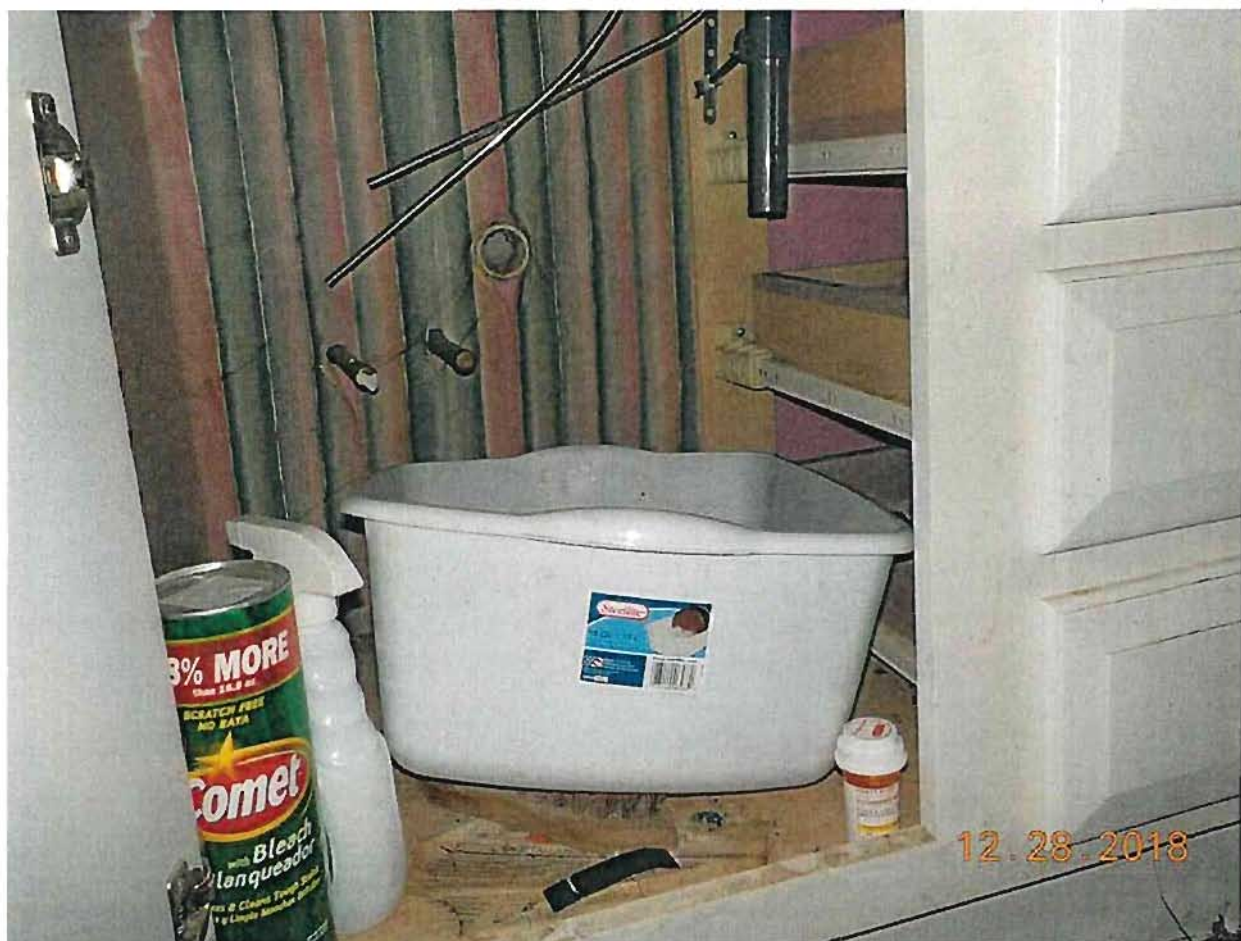


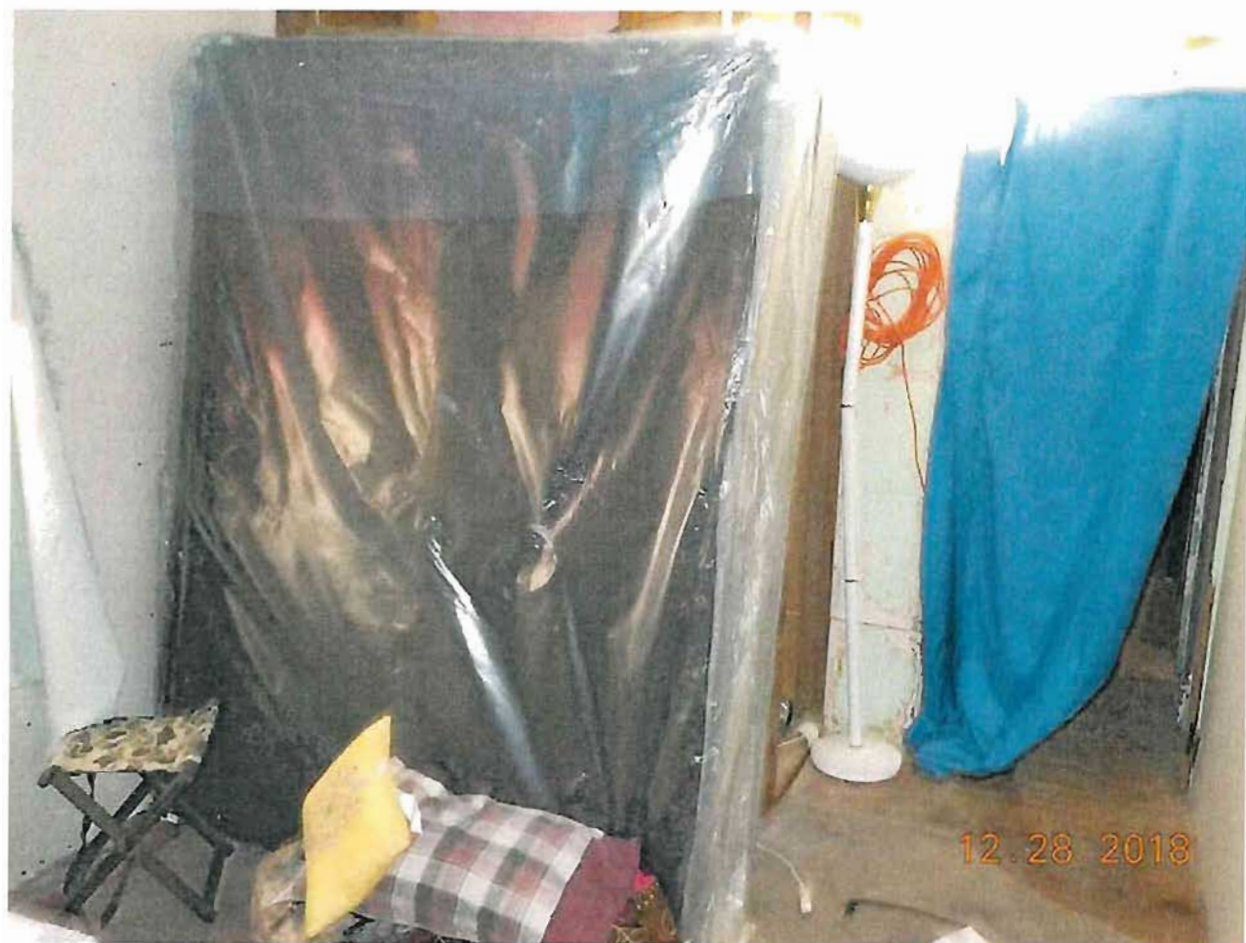














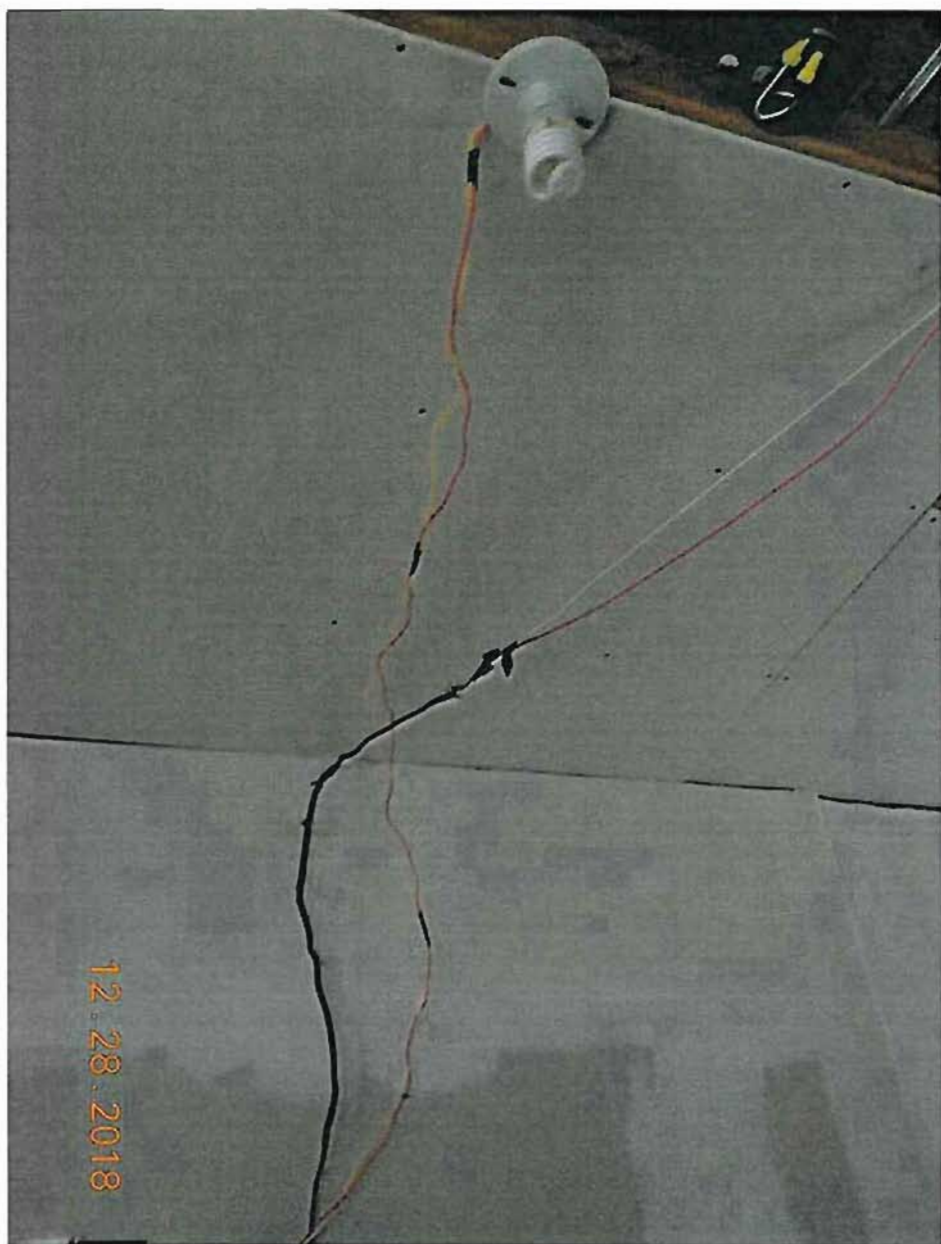


12.28.2018















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 3309 VIKING ROAD, Parcel # 33-01-01-30-478-011 and Legal Description: LOTS 441 & 442 PLEASANT GROVE SUB NO 1 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 12/28/2018 and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on 07/25/2019, 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, November 18, 2019 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.

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AN ORDINANCE TO ADD CHAPTER 175 ENTITLED "CRIME PREVENTION
THROUGH ENVIRONMENTAL DESIGN (CPTED)" TO TITLE IX POLICE
REGULATIONS OF THE CODE OF THE CITY OF GRAND RAPIDS

ORDINANCE NO. 2019-__

THE PEOPLE OF THE CITY OF GRAND RAPIDS DO ORDAIN:

Section 1. That Chapter 175, Title IX of the Code of the City of Grand Rapids be added, to read as follows:

**"CHAPTER 175 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)
ORDINANCE**

ARTICLE 1 TITLE, PURPOSE, AND SCOPE.

Section 9.929. Title.

These regulations shall be known as the "CPTED" Ordinance of the City of Grand Rapids, Michigan.

Section 9.930. Purpose and Intent.

- A. Crime Prevention through Environmental Design, known as CPTED (pronounced "sep-ted"), is a philosophy of crime prevention that utilizes a multidisciplinary approach to the built environment that is intended to deter criminal behavior, foster improved quality of life, assist in achieving community-policing goals, and facilitate self-policing by the community. CPTED draws on passive strategies incorporated into the normal planning, design, and management of the built environment. This ordinance focuses on goals that relate to the physical built environment and generally addresses the following key elements of CPTED philosophy:
 - 1. Natural access management for the physical guidance of people and vehicles;
 - 2. Natural surveillance to promote and maximize visibility;
 - 3. Territorial reinforcement to delineate space and express a positive sense of ownership; and
 - 4. Physical maintenance and management for the general upkeep of a building or area.
- B. CPTED enhances community-policing, self-policing by the community, and collaboration between property owners, businesses, residents and neighborhoods in the following ways:

1. The creation of a safe environment, both real and perceived, is coupled with place-making to foster community belonging and ownership that discourages criminal behavior.
2. In healthy and safe communities, people are able to generate and implement practical solutions to neighborhood issues because residents are able to coordinate and communicate when not under environmental stress.
3. Human-scaled, pedestrian-oriented environments allow for face-to-face social interaction, relationship building, the self-management of behaviors and community accountability.
4. A relationship-based community can help encourage and maintain community self-policing efforts to reduce the need for City resources and police intervention in places that may be sensitive to a police presence.

C. These provisions are intended to maintain and enhance the attractiveness and economic vitality of business districts and commercial areas by providing a comprehensive approach focused on establishments that sell tobacco, alcohol for off-premises consumption, and marijuana; ~~therapeutic massage facilities~~ bodyworks facilities and those potentially engaged in the illicit ~~massage~~ adult sexual services industry; and businesses that are open past midnight, subject to certain conditions, in the implementation of CPTED principles to create a safe environment for Grand Rapiadians in the following ways:

Alignment of Provisions with CPTED Principles					
Ordinance Provisions	Elements	Access Management	Natural Surveillance	Territorial Reinforcement	Property Maintenance
Visibility	Window coverage, interior fixtures, window transparency, security devices, parking lots, cash register viewing window, video surveillance		X		
	Customer entrances	X			
Lighting	Sharp cut-off lighting, architectural lighting		X		
	Exterior doors and parking area	X	X	X	
Property Maintenance	Trash, litter, graffiti			X	X
	Vegetation maintenance to maintain vision, lighting, removal, maintain safe passage for pedestrians and vehicles	X	X	X	X

- D. The provisions of this Chapter are deemed to be the minimum requirements necessary for the promotion of the public health, safety and general welfare of the people of Grand Rapids. In addition to the standard requirements of this ordinance, enhanced measures are also provided to reduce recurring issues on sites of chronic non-compliance.
- E. These regulations should be used in conjunction with the associated relevant chapters of City Code, including the Zoning Ordinance, Nuisance Code, and Building Maintenance Code.

Section 9.931. Definitions.

The following definitions shall apply for purposes of this Chapter. Terms not defined in this Chapter shall be given their ordinary and common meaning. Where not otherwise evident, terms shall have the meaning given in the latest edition of Merriam Webster's Collegiate Dictionary.

ACCENT LIGHTING

Lighting which serves to provide visual emphasis and attract attention rather than illuminate space for human activity.

ALCOHOL RETAIL SALES

A retail establishment licensed by the State of Michigan for the sale of beer, wine, liquor and other alcoholic beverages (also known as package goods) for consumption off-premises holding a Specially Designated Merchant (SDM) or Specially Designated Distributor (SDD) license. Restaurants shall be exempt from the requirements of this Ordinance.

BODYWORKS

Any personal service that is not licensed by the State of Michigan and uses one or more of the following practices: the use of touch, words, or directed movement to deepen awareness of patterns of movement in the body (including the Feldenkrais method and the Trager approach); the affectation of the human energy system or acupoints or qi meridians of the human body (including polarity therapy, Asian bodywork therapy, Reiki, and Shiatsu); reflexology; or structural integration. Bodyworks does not include massage therapy.

CASH REGISTER VIEWING WINDOW.

A window through which the cash register for a convenience or package goods store shall be clearly visible from the street. The viewing window shall have a contiguous area of at least twenty (20) square feet of clear glass, minimum dimension of three (3) feet on any side, and have an unobstructed view into the store.

CHRONIC NUISANCE ESTABLISHMENT

An establishment that has been the subject of four (4) compliance letters, orders, or citations for violations of any state or local law issued by the City within any one-hundred eighty (180) day period or, within a twenty-four (24) month period data demonstrates that the establishment contributes to impaired safety within the immediate vicinity which necessitates the deployment of additional city resources.

CLEAR GLASS

Clear or lightly tinted glass in windows, doors, and display windows with a glass that meets Visible Light Transmittance (VLT) and Visible Light Reflectance (VLR) standards. See TRANSPARENCY.

CONVENIENCE STORE

A retail establishment with a limited sales area which may be a freestanding use or associated with another principal use.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

Architectural design, site design, and landscape design principles and standards intended to reduce the fear and incidence of crime, and to improve quality of life.

CUSTOMER ENTRANCE

The doorway into a building used for customers or patrons of the business establishment.

ESTABLISHMENT

A place of business that is licensed by the State of Michigan for tobacco, alcohol (off-premises consumption) and marijuana; provides "bodyworks" personal services; and businesses engaged in retail sales and assembly uses that have hours that extend past midnight.~~business that is licensed by the State of Michigan for tobacco, alcohol (for off-premises consumption), marijuana; provides therapeutic massage or "bodyworks"; businesses that have hours that extend past midnight for retail sales and assembly uses;~~ or businesses where repeated zoning, nuisance, building and other public safety issues arise that may benefit from the application of CPTED provisions. Retail businesses that are greater than 25,000 square feet in size ~~with assigned security personnel~~ shall be exempt from the requirements of this Ordinance.

EXTERIOR DOORS

Doorways that allow ingress to or egress from a building.

GLARE

The condition that results from insufficiently shielded light sources or areas of excessive light within the field of view.

GRAFFITI

Any inscription, design, word, figure, or mark of any type drawn, marked, painted, tagged, etched, scratched, or written upon any building, bridge, fence, gate, rock, structure, tree, wall, or other property that defaces, damages, or destroys any public or private, real or personal property, without the privilege to do so.

IES

Illuminating Engineering Society.

MARIJUANA PROVISIONING CENTER OR MARIJUANA RETAIL SALES

An establishment licensed by the State of Michigan for the sale of medical marijuana or adult-use marijuana.

MESSAGE ~~BUSINESS~~THERAPY

~~Any business that provides massage services, including massage establishments licensed by the State of Michigan for therapeutic massage or those that purport to provide "bodyworks" services. Full-service salons that include hair, makeup and nails open to the general public shall be exempt from the requirements of this Ordinance. Message Therapy means the "practice of massage therapy" as that term is defined and regulated in the Public Health Code, Public Act 368 of 1978, Part 179A, MCL 333.17951 et seq. Only state-licensed massage therapists shall conduct massage therapy.~~

PARKING AREA, PARKING LOT

A paved area not within the right-of-way of any public or private street dedicated to vehicular ingress and egress, off-street parking, parking aisles, internal travel ways, fire lanes, and other areas dedicated to vehicular use, but not including vehicular storage or display areas.

RESPONSIBLE PERSON

Any person or persons related ~~of to~~ the use or development of the land, including participating, assisting, directing, creating, causing, or maintaining a condition that results in a violation of this Chapter. The responsible person may include the property or land owner, tenant or occupant, agent, or any other person who has control over, or responsibility for, the property. Synonymous with responsible party.

RETAIL SALES

Establishments primarily engaged in the sale of goods and materials to the general public.

RIGHT-OF-WAY

Any public street or other public place used for street or sidewalk purposes, including the area between the sidewalk and curb line.

SECONDARY LOCATION

A secondary business operation of the holder of an SDM license that has a primary building of 25,000 square feet or larger and an ancillary gas station as the secondary business, located on the same lot or adjacent lots, shall be considered as one integrated development and exempt from this Ordinance so long as the businesses remain under common ownership; including as a subsidiary or affiliate.

SIGN

Any name, number, symbol, identification, description, display, illustration, object, graphic, sign structure, or part thereof, whether permanent or temporary, which is affixed to, painted on, represented directly or indirectly upon, or projected onto a building, structure, lot, or other device, whether mobile or affixed to the ground, and which directs attention to any object, product, place, activity, person, institution, organization, or business.

TRANSPARENCY

The ability to see through with clarity. An opening in the building wall allowing light and views between interior and exterior. Measured as clear glass areas for buildings and as open areas for parking structures. Compare to CLEAR GLASS.

WINDOW SIGN

Any sign affixed to or within twelve (12) inches of the interior or exterior of a window and which is intended to be seen by the public from the outside.

Section 9.932. Administration.

The City Manager or designee is responsible for the administration of this Chapter.

Section 9.933. Severability.

If any provision of this Chapter or application thereof to any person or circumstance is held invalid by any court, other provisions or applications of the Ordinance which can be given effect without the invalid provision or applications shall not be affected, and to this end the provisions of the Ordinance.

Section 9.934. Fees.

Fees associated with the administration of this Chapter shall be set from time to time by resolution of the City Commission.

ARTICLE 2 - GENERAL REQUIREMENTS APPLICABLE TO ESTABLISHMENTS THAT SELL TOBACCO, ALCOHOL, AND MARIJUANA; MESSAGE BUSINESSES; AND ESTABLISHMENTS OPEN LATER THAN MIDNIGHT.

Section 9.935. Applicability.

The requirements of this Article apply to a place of business that is licensed by the State of Michigan for tobacco, alcohol (off-premises consumption) and marijuana; provides ~~therapeutic massage or~~ "bodyworks" personal services; and businesses engaged in retail sales and assembly uses that have hours that extend past midnight. Businesses where repeated zoning, nuisance, building and other public safety issues arise that meet this Chapter's criteria of a chronic nuisance and where the public would benefit from the application of this Ordinance for reasons of health, safety and welfare shall also be considered eligible.

Section 9.936. Contact Information.

Establishments meeting the requirements of this Ordinance shall provide 24-hour contact information to the City of Grand Rapids Planning Department. This information shall contain the contact name of the responsible party for the business, legal identification, mailing address, email and phone number. This information shall be updated annually.

Section 9.937. Visibility.

- A. Purpose and Intent. The following regulations employ natural surveillance, natural access management, and territorial reinforcement techniques to establish a safe and comfortable environment. These regulations are intended to facilitate a clear, unobstructed view into and out of establishments, ensure customers can see and be seen when entering and leaving the premises, provide physical orientation and a

pedestrian-friendly environment, and to discourage would-be offenders by making noncompliance obvious.

B. Effective date.

1. All existing windows shall comply with window coverage, interior fixture, window treatment, transparency, entrance identification, and security device requirements of this Section after the effective date of this Ordinance.
2. Improvements to customer entrances and parking areas, as described in this Section, shall be installed within three (3) years after the effective date of this Ordinance. Glass replacement at customer entrances in order to meet transparency requirements shall comply after the effective date of this Ordinance.

C. Identification. Customer entrances shall be clearly identifiable by means of signage, architectural features, awnings, lighting, or other means, as otherwise permitted by other City codes and ordinances.

D. Window Coverage. The view from outside of the building through windows, doors or other transparent surfaces shall not be obstructed or blocked by more than twenty-five percent (25%) by any painted, stenciled, applied sign or film; bars or other security device; interior display, shelving, cooler, furniture; or other solid fixtures or covering, separately or in combination, except as outlined below. Window panes separated by muntins shall not be counted separately as windows but shall be included in the cumulative total square footage of window area.

E. Interior fixtures. Movable fixtures including but not limited to interior displays, shelving, coolers, furniture, or other solid, movable fixtures above three (3) feet in height located on the interior of the establishment shall be set back a minimum of five (5) feet from the window. Interior fixtures closer than five (5) feet from the window shall be considered window coverage.

F. Window treatments. Shades, blinds, curtains or other window treatments shall allow visibility into the establishment from the outside during business hours but may be used to temporarily filter or block direct sunlight during hours of operation.

G. Transparency.

1. Glass in ground floor windows, doors, and display windows shall be transparent or lightly tinted, maintain a visible light transmittance measurement of at least sixty-eight percent (68%), and have a reflectivity value of no greater than twelve percent (12%) from both inside and outside. Mirrored or darkly tinted glass is not permitted.

1.2. The area of the front and sides of a building between two (2) and eight (8) feet above the sidewalk (or ground level adjacent to the building if a sidewalk is not present) shall be used to measure transparency.

G.H. Customer Entrance.

1. Doors used for customer entry and exit shall be transparent or contain a transparent viewing window. The viewing window shall be located in the upper half of the door, be at least thirty percent (30%) of the area of the door and be situated in a manner that promotes visibility from both sides of the door. Completely solid or opaque doors are not permitted.
2. The primary building entrance shall be in the front façade parallel to the street and readily visible from the public right-of-way. At least one (1) main building entrance shall be located on the primary street.

H.I. Security Devices.

1. Steel barriers, shutters, hurricane curtains and other similar security devices are not permitted on the exterior of the building. If located inside the building, they may not be visible from the public sidewalk or right-of-way during business hours.
2. Security bars or other similar devices are permitted, subject to Section B, above. Security bars count against window coverage.

I.J. Parking area. A parking area abutting and associated with an establishment shall be readily viewed from inside the building by means of either a camera part of a functioning video surveillance system, or by a transparent window of at least six (6) square feet in area for every forty (40) linear feet or portion thereof of the wall(s) of a building that faces the parking area.

J.K. Administrative Departures.

1. An administrative departure may be granted for interior fixtures where minimum building transparency requirements listed in Building Elements tables of Articles 5, 6 and 7 of the Zoning Ordinance are satisfied.
2. An administrative departure may be granted from window coverage, window treatment, or transparency requirements for non-compliant existing windows if another existing window is increased in size, or a new window is added, on the building façade commensurate with the area of the existing window that shall remain covered or non-transparent due to the operating needs of the business.
3. An administrative departure may be granted for the placement of the customer entrance door if the building entrance is located within five (5) feet of a front corner of the building so long as the corner area of the entrance is at least sixty percent (60%) transparent on the street-facing side and situated in a manner that promotes visibility from the public right-of-way.

Section 9.938. Lighting.

- A. Purpose and Intent. The following regulations are intended to establish lighting standards based on IES-recommended best practices to promote safety, utility, security, productivity, commerce, and meet energy constraints with the following CPTED-related objectives: facilitate the visual ability of those performing security or enforcement functions; provide a clear view of an area from a distance, and enable anyone moving in or immediately around it to be easily seen and recognized; remove potential hiding places; permit identification and create the perception that those in the area are identifiable; complement other security devices; provide deterrence and aid in apprehension; and maintain visibility by minimizing and controlling the amount and type of lighting that tends to create glare.
- B. Effective date.
 - 1. All outdoor lighting installed after the effective date of this Ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.
 - 2. Existing outdoor lighting installed prior to the effective date of this Ordinance that does not comply with these requirements shall be improved to within three (3) years after the effective date of this Ordinance in a sufficient manner to meet the intent of this Section.
- C. Conformance with All Applicable Codes. All outdoor lighting shall be installed in conformance with the provisions of this Ordinance, applicable Electrical and Energy Codes, and applicable sections of the Building Code.
- D. Hours of Operation. All lighting regulated by this Section shall operate from dusk to dawn.
- E. General Standards.
 - 1. Lighting types. All outdoor lighting regulated by this Ordinance shall be full cut-off and fully shielded as defined by IES and directed downward to prevent off-site glare and illumination. No portion of the lamp, reflector, lens, or refracting system may extend beyond the housing or shield, with the exception of pedestrian walkway ground lighting. The use of barn lights, non-shielded wall packs, floodlights, or lights not aimed downward is prohibited.
 - 2. Solid-state luminaires (high-intensity discharge or LED modules) shall be used in an effort to maintain a unified lighting standard.
 - 3. Uniformity Ratios. To maintain uniformity in light levels and prevent or minimize dark areas, the ratio of maximum to minimum lighting levels on a given lot is measured in footcandles at ground level and shall not exceed a ratio of fifteen-to-

one (15:1). Parking lots shall maintain the same uniformity ratios as the main building or principal use served.

4. Intensity. The intensity of light within a site shall not exceed ten (10) footcandles within any part of the site and one (1) footcandle at any lot line, except where it abuts or faces a Residential Zone District or residential use, a maximum of 0.5 footcandles is permitted.
5. Interior Lighting. Any establishment in which the interior of the premises remains visually unobstructed after the close of business shall be illuminated with a low-level night light or equipped with a motion detector sensor.
6. Automatic Switching Requirements. Any lighting required by this Chapter shall be equipped with controls that automatically extinguish all outdoor lighting when sufficient daylight is available.
7. Illumination of recessed areas. Alcoves and other recessed areas of buildings or property that are capable of human concealment shall be illuminated during the hours of darkness.
8. Accent Lighting.
 - a) Unshielded decorative lighting that causes glare, including, but not limited to luminous tube (neon), string, rope, tape, LED, fluorescent, or other similar lighting, is prohibited.
 - b) Landscaping lighting shall not generate excessive light levels, cause glare, or direct light beyond the landscaping intended to be featured.
 - c) Holiday lighting, or decorative lighting approved by the Planning Director, may be allowed in accordance with the Zoning Ordinance.
9. Exterior Doors. Each exterior door shall be illuminated so that entry and exit activity is made clearly visible.
10. Parking Area. A parking area abutting and associated with an establishment shall be illuminated in its entirety at an intensity of at least two (2) foot-candles per square foot at eighteen (18) inches as measured horizontally at the surface on which the light is mounted. Lighting reduction requirements of the Zoning Ordinance for parking areas containing a minimum of four (4) light poles apply.

Section 9.939. Property Maintenance.

- A. Purpose and Intent. Regular property upkeep expresses ownership, communicates a space is cared for and protected, and allows for the continued use of a space for its intended purpose. Furthermore, proper maintenance promotes natural surveillance by minimizing the likelihood of landscaping obscuring views of outdoor areas from inside of the structure, enhances wayfinding and orientation, and serves as an additional expression of territoriality and ownership.
- B. Effective date. The properties of all establishments shall comply with the property maintenance requirements of this Section after the effective date of this Ordinance.

C. General.

1. All exterior areas of a property shall remain sanitary and free of trash, garbage and litter.
2. A trash receptacle shall be provided within five (5) feet of the exterior of the customer entrance, except if a business district trash receptacle is provided within ten (10) feet of the customer entrance.
3. Commercial waste receptacles and enclosures shall not allow for easy concealment, nor create blind spots or hiding areas.
4. Graffiti shall be removed within twenty-four (24) hours of its appearance on any surface on the subject property.
5. The establishment and property shall be in compliance with all state, local and city ordinances.

D. Vegetation.

1. Views of windows, building address numbers, walkways and the line of vision to the establishment from the public right-of-way shall not be obstructed by vegetation.
2. Reasonable pruning, trimming, or other suitable and acceptable methods shall be used to control vegetation. Vegetation and landscape areas shall be maintained substantially debris-free, neat and orderly in appearance, and in healthy growing condition. Dead vegetation shall be removed or replaced.
3. Vegetation shall not interfere or obstruct any lighting required by this Chapter.
4. The passage or movement of pedestrians or vehicles on any sidewalk, driveway, parking lot, or any other area intended for the use of pedestrians or vehicles shall not be obstructed or interfered with by vegetative overgrowth.

Section 9.940. Rules Pertaining to ~~Massage-Bodyworks~~ Businesses.

- A. Purpose and Intent. Increased access, improved visibility, and operations requirements for ~~massage-bodyworks~~ establishments can reduce or prevent sex trafficking, commercial sexual exploitation, and labor trafficking/exploitation. In addition to the provisions of this Chapter, the following rules are intended to deter illicit ~~massage-adult sexual services~~ businesses.
- B. Effective date. All ~~massage-bodyworks~~ establishments shall comply with the rules of this Section after the effective date of this Ordinance in addition to all other provisions contained herein.

- C. Hours of operation. ~~Massage Bodyworks~~ businesses shall maintain reasonable hours of operation; operating hours may begin at 7am and conclude by ~~9~~10pm. Twenty-four-hour operations are prohibited.
- D. Customer entry. Customer access to the building entry shall only be through the front door of the primary building entrance facing the public right-of-way.
- E. Occupancy and doors. No person or persons shall be permitted to reside on the premises of a ~~massage bodyworks~~ business. Interior doors, other than those for restrooms, customer records and fire doors, shall not contain locks or locking mechanisms. ~~The residency prohibition in this section shall not apply to a Massage Business operating under a home occupation license issued under Chapter 61 of this Code.~~
- F. Licensure. Only licensed massage therapists shall be allowed to operate as a massage business within the City of Grand Rapids. All valid, unexpired licenses shall be displayed at the front ~~entry~~entrance of the business for each massage therapist employed. To verify that a massage therapist is licensed, an establishment shall produce the employee, legal identification and therapist's State of Michigan license for inspection. An establishment is not a bodyworks establishment where the principal use is to provide massage therapy by a licensed massage therapist, in compliance with Chapter 61 of the City Code, Zoning Ordinance. Bodyworks, as defined in this Ordinance, is considered to be a separate use for personal services and is not designated or implied to be massage or massage therapy.

ARTICLE 3 ENHANCED MEASURES FOR COMMERCIAL CHRONIC NUISANCE ESTABLISHMENTS.

Section 9.941. Purpose.

Business establishments that accumulate several violations are particularly resource intensive on City departments and deleterious to the neighborhood surrounding the property. It is the determination of the City Commission that additional enforcement remedies are necessary to address the public health, safety, and welfare issues created by establishments with chronic incidents in a coordinated way. Corrective measures that protect these establishments' employees, their customers, and the neighborhoods in which they are located can assist in reducing adverse impacts the quality of life for neighboring businesses and residents.

Section 9.942. Applicability.

One of the following shall constitute the finding that an establishment is a chronic nuisance. Declaration of the establishment as a public nuisance shall subject it to the requirements of this Article.

- A. The establishment has been the subject of four (4) compliance letters, orders, or citations for violations of any state or local law issued by the City within any one-hundred eighty (180) day period (calendar days), ~~and which letters, orders or citations remain uncorrected.~~
- B. Data indicators within a twenty-four (24) month period demonstrate that the establishment contributes to ~~an increase in~~ criminal incidents (e.g. assaults, robberies) within the immediate vicinity resulting in increased calls for service, additional deployment of police resources for the protection of persons and property or investigations, and disinvestment or failure to thrive of nearby properties.

Section 9.943. Procedure.

- A. The City Manager may declare the property is a nuisance, as defined in this Chapter, by issuing a Notice.
- B. Notice to the ~~property owner or principal operator~~responsible person/s shall include:
 - 1. Street Address or a legal description sufficient for identification of the property;
 - 2. Declaration that the City Manager or designee has declared the property a nuisance with a concise statement specifying the conditions which constitute the nuisance;
 - 3. Demand that the ~~owner and principal operator~~responsible person respond to the City Manager or designee within seven days of service of the notice to discuss a course of action to correct the conditions; and
 - 4. Notice that, if the responsible person ~~in charge~~ does not respond to the City Manager or designee as required in this section, or if the matter is not voluntarily corrected satisfactorily, the City may file an action to abate the property as a chronic nuisance property pursuant to this Chapter or take any other legal action against the ~~property or person in charge~~responsible person.
- C. When a notice is issued pursuant to this section to a ~~principal operator~~responsible person, other than an owner or owner's agent, who has permitted a property to become a chronic nuisance property, a copy of which notice shall also be sent by first-class mail or personally served on the owner of the property, and a copy shall be sent by certified mail.
- D. If either of the following occurs, the City Manager may refer the matter to the City Attorney for initiation of proceedings pursuant to Article 5 of this Ordinance:
 - 1. The agreed course of action does not result in the abatement of safety violations to the satisfaction of the City Manager or designee within 30 days of issuance of the notice or within such longer period as permitted in writing; or
 - 2. The person fails to respond as required by the notice.

Section 9.944. Abatement and Enhanced Measures.

A. Pursuant to the issuance of a notice as described in Article 4, the City Manager or his/her designee may require a chronic nuisance establishment to engage in one or more corrective actions. Enhanced measures to ensure public safety, reduce unlawful incidents, and facilitate compliance are identified below. A written Correction Agreement, as provided in this Ordinance, may be used as a tool to implement corrective actions and ensure all requirements are met.

1. CPTED Plan. Develop a CPTED Plan in coordination with City staff and, accordingly, implement recommendations of the Plan; agree to a final inspection of the property to ensure compliance.
2. Good Neighbor Plan. Produce and implement a Good Neighbor Plan, a written program relative to litter control, property and landscape maintenance, and neighborhood communication. Good Neighbor Plan requirements are contained in Article 12 of the Zoning Ordinance.
3. Cash register viewing window. Install a window that allows a clear and unobstructed view of the cash register and sales transaction area from outside the building and in a normal line of sight. The viewing window shall be at least twenty (20) square feet in size, minimum dimension of three (3) feet on any side, and consist of clear glass. No signs shall be posted on the viewing window.
4. Age verification ID scanner. Utilize an age verification identification scanner for age-restricted sales and uses.
5. Surveillance system. Install and maintain a functioning video surveillance system capable of recording and retrieving a digital image to assist in offender identification and apprehension. Cameras associated with the system shall be positioned to capture images of alcohol display areas, the cash register; the customer entrance, and all exterior sides of the building. Enroll in the Police Department Security Camera Registration Program.
6. Maximum display shelving height. Limit shelving height to five (5) feet on the sales floor when not located alongside a perimeter wall.
7. Height markers at the entrance. Locate markers which display height measures at customer exit doors.
8. Silent alarm. Equip the establishment with a functioning silent alarm to law enforcement or a private security agency, unless an application for an exemption is made to and granted by the City.
9. Drop safe/depository safe. Utilize a drop safe or depository safe and limit the amount of cash kept on the premises after 11:00 p.m.

10. Crime prevention training plan. The ~~owner or principal operator~~responsible person of ~~a retail establishment~~the business shall prepare and submit a crime deterrence and safety training prevention plan for approval by the City. The establishment's manager and point of sale employees shall be trained on the curriculum within sixty (60) days of employment. Existing employees shall receive training within six (6) months of the ~~effective date of this ordinance~~date of notice.

11. Sales training plan. The ~~owner or principal operator of an establishment engaged in the sale of tobacco, alcohol and/or marijuana~~responsible person of the business shall prepare and submit a training curriculum covering laws regarding sales, identification verification, declining sales, conflict de-escalation and addressing customer behavior issues for approval by the City. The establishment's manager and point of sale employees shall receive training within sixty (60) days of employment. Existing employees shall receive training within six (6) months of the ~~effective date of this ordinance~~date of notice.

B. The remedies available in this section are in addition to any other remedies available in this Chapter. Any other measure reasonably related to abate the chronic nuisance, when done as part of a Correction Agreement shall be permitted. Items related to the unique circumstances associated with the property and neighborhood in which it is situated, including in a Good Neighbor Plan, may be included.

Section 9.945. Correction Agreement.

A Correction Agreement is a contract between the City and the responsible person ~~in charge~~ of the chronic nuisance establishment in which such person agrees to promptly take all lawful and reasonable actions, which shall be set forth in the agreement to abate the nuisance conditions within a specified time and according to specified conditions. The agreement shall be signed by the ~~principal operator~~responsible person and, if different, the owner. The agreement shall be executed by the City Manager or designee in a form approved by the City Attorney. In no case shall the term of a Correction Agreement exceed one year. The agreement shall include the following:

- A. The name and address of the responsible persons ~~in charge~~ of the property;
- B. The street address or a description sufficient for identification of the property, building, structure, or land upon or within which the nuisance is occurring;
- C. A description of the nuisance conditions;
- D. The necessary corrective action to be taken, and a date or time by which correction must be completed;
- E. An agreement by the responsible person ~~in charge~~ that the City may inspect the property as may be necessary to determine compliance with the correction agreement;

- F. An agreement by the responsible person ~~in charge~~ that the City may abate the nuisance and recover its costs and expenses and monetary penalties pursuant to this Chapter from the responsible person ~~in charge~~ for the nuisance if the terms of the correction agreement are not met; and
- G. When a ~~principal operator~~ responsible person, other than an owner or an owner's agent, has permitted a property to be a chronic nuisance property, an agreement by the owner to promptly take all acts and pursue all remedies requested by the City Manager or designee.
- H. An agreement that the City will not engage in any Additional Enforcement Remedies as long as the parties remain compliant with the terms and conditions of the Correction Agreement.
- I. An agreement that the terms and conditions contained in a Correction Agreement are not subject to appeal.

Section 9.946. Certificate of Compliance.

A Certificate of Compliance shall be provided once the conditions of the Correction Agreement are satisfied. The compliance period shall be good for two (2) years during which the establishment shall be considered under probation and subject to bi-annual inspections. Failure to perform during that period may result in a revocation of the Certificate of Compliance and the creation of a new Correction Agreement or the commencement of enforcement activities.

ARTICLE 4 – ENFORCEMENT PROCEDURES AND APPEALS.

Sec. 9.947. Enforcement Process.

- A. Reasonable Entry. Upon presentation of proper credentials and when permission is granted by a person who represents he or she has authority to grant permission, inspections may be conducted within the business, premises or accessory structures during reasonable hours. Entry without consent of an owner or an occupant shall require an administrative search warrant or order issued by a court of competent jurisdiction.
- B. Access. Every occupant of a building, premises or accessory structure shall give the ~~owner~~ Inspector access to any part of the building, premises or accessory structure thereto at all reasonable times for the purposes of making an inspection and any ~~building alterations or repairs~~ documentation, such as licenses, as are necessary to comply with the Ordinance.
- C. Basis of Inspections. Inspections shall be made to obtain and maintain compliance with the provision of this Chapter for one (1) or more of the following purposes:
 - 1. To determine conformity with a permit, zoning approval, or other approval provided in this Chapter, as well as any special conditions imposed.
 - 2. To determine compliance with a notice or an order issued by the City.

3. To verify a complaint received by the City, indicating that there is a violation of the provisions of this Chapter.
 4. To verify an observation by the City of a violation of the provisions of this Chapter or to investigate compliance with the provisions of this Chapter.
 5. To determine if an emergency is observed or reasonably believed to exist.
 6. To fulfill a request for an inspection made by the owner or responsible person.
 7. To inspect a designated area where all dwellings, accessory building, yards, and/or signs are to be inspected uniformly or intensively or for specific violations.
- D. Content of Written Notices of Violation. Written notices of violation authorized by this Chapter shall include the following information:
1. A description of the real estate and/or project name sufficient for identification.
 2. A statement of the violation or violations.
 3. A correction order allowing a reasonable time to correct the violation and bring the property into compliance. If the written notice is a Notice to Abate, the notice shall indicate that the City may act to abate the violation if not brought into compliance.
 4. A statement that failure to comply with the Notice may result in further enforcement action.
 5. A statement that a fee shall be charged for the issuance of the Notice. If the written notice is a Notice to Abate, the cost of City action to abate the violation shall be a personal debt of the owner, which may be assessed as a lien against the property until paid.
 6. A description of the right to appeal, as applicable.
- E. Method of Service. The written notice of violation shall be deemed to be properly served in one (1) of the following ways:
1. Delivered personally;
 2. Sent by first-class mail addressed to the last known address of the responsible person; or
 3. Any other method authorized for the service of process by court rule or State statute.
- F. Posting. After issuing a written notice of violation, the City, at its discretion, may post a copy of the written notice and/or a placard on the property.
- G. Administrative Extension. A request may be submitted by the property owner for an administrative extension to correct violations cited in a written notice of violation. The extension period shall be determined by the designated enforcement officer, but

shall not exceed ~~two-six~~ (62) months. An extension may be considered under the following circumstances.

1. The extension will not adversely affect adjacent properties nor pose a health or safety hazard to the occupants or others.
2. The owner or responsible person is making significant progress in correcting the violation(s); or
3. There are clearly established extenuating circumstances delaying compliance which are beyond the control of the owner or responsible person.

Section 9.948. Enforcement Appeals.

Except as otherwise provided in this Chapter, any person issued a notice by the City in the course of enforcing the provisions of this Chapter may appeal the decision or interpretation made by the City.

A. Written Notice. An appeal of a written notice, order or ruling regarding a violation shall be made in writing within twenty (20) days of the date of the notice, order or ruling. However, if a notice, order, or ruling requires the correction of a cited violation within a shorter period of time, the appeal must be made within such shorter period.

B. Prohibited Appeals. Appeals governed by this Chapter of the following orders, notices or rulings are prohibited:

1. A determination that an emergency or hazard is present.
2. A ruling, decision, opinion or action of the City Attorney or imposed by a Court of Law, or a civil infraction ticket.
3. Conditions attached to an approved permit.
4. A Correction Agreement.

5. A Declaration of Nuisance and/or a Notice to Abate.

5-6. State licensure definitions, requirements and rules.

C. The ~~Building—Maintenance~~Crime Prevention Through Environmental Design (CPTED) Appeals Board is authorized to hear and decide appeals concerning the application or interpretation of the provisions of this Chapter:

1. All appeals shall be filed, heard and decided in accordance with the provisions set forth in Chapter 135, Article 5.
2. No other extensions or further extensions from that allowed for under an Administrative Extension shall be permitted except by order of the ~~Building Maintenance~~CPTED Appeals Board for good cause.

3. Extensions may be granted no more than three (3) times the length of time provided with the original Notice. The Board shall not permit more than one (1) extension.
4. Extensions may be allowed when the Board finds that the time allowed is unreasonable, circumstances have prevented a good faith effort to comply, or substantial work has been completed and additional time is warranted.
5. In making its determination, The ~~Building Maintenance~~CPTED Appeals Board shall read the Purpose and Intent of this Chapter and any associated articles that reflect on intent prior to making its decision.

Section 9.949. Transfer of Ownership.

An owner or responsible person transferring ownership of a property notified as being in violation of a provision of this Chapter shall notify the City in writing within ten (10) days of the transfer with the name, address and telephone number of the new owner and the effective date of the transfer of ownership. The City shall issue a new Notice of Violation to any person assuming the ownership or the status of responsible person for any condition, building or structure which has been cited in a Notice of Violation.

ARTICLE 5 – VIOLATIONS, PENALTIES, AND REMEDIES.

Section 9.950. Violations.

Except as otherwise provided in Section 9.951(E)(3), a violation of this Chapter shall be a municipal civil infraction punishable by a fine as established in Chapter 170 of the City Code for the first offense. All subsequent offenses shall be a misdemeanor punishable by a fine of up to \$500, or imprisonment for up to 90 days, or both such fines and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense and a separate violation subject to enforcement action.

Section 9.951. Enforcement Powers.

- A. The City may use any lawful remedy or enforcement powers against the owner or responsible person for any violation of this Chapter, including, without limitation, one (1) or more of the actions of this Section. Remedies may be pursued simultaneously or sequentially and the pursuit of a single remedy does not foreclose the simultaneous or subsequent pursuit of other remedies. The remedies are cumulative and the City shall have all power granted from time to time under all applicable federal, state and local laws, rules and regulations:
- B. Uncorrected Violations.
 1. Withhold Permit. The City may deny or withhold any and all permits or other forms of authorization from an applicant on any property where there is an uncorrected violation of a provision of this Chapter or a condition or stipulation of approval for a permit or other authorization previously granted by the City. This

enforcement provision shall apply regardless of whether the current owner or applicant is responsible for the violation in question.

2. Permit Approved with Conditions. In addition to denying or withholding a permit or other authorization, the City may grant any permit or other authorization subject to the condition that the violation ~~be~~is corrected.

C. License Revocation.

1. The City may institute an action to suspend, revoke, deny, or not renew any city license required by City Code.
2. Revocation, denial, or nonrenewal of State licensing may be sought for noncompliance of a recognized chronic nuisance establishment. The City reserves the right to notify the Michigan Liquor Control Commission (MLCC), Michigan Department of Licensing and Regulatory Affairs (LARA) and any other appropriate state agency required to engage with the subject business.
3. Action taken under this subsection is not subject to appeal.

D. Court Order. The City Attorney may bring and prosecute an action in any court of competent jurisdiction to:

1. Enjoin the owner or responsible person from continuing operations of the business establishment; and/or
2. Comply with the requirements of this Chapter.

E. Municipal Civil Infraction and Misdemeanor Penalties.

1. Municipal Civil Infractions. Enforcement of violations and application of Municipal Civil Infraction fees shall follow the procedures and schedule of fines established in Chapters 67 and 170 of the City Code, respectively.
2. Except as provided in E.1., above, a violation of this Chapter shall, until the fourth offense, constitute a Municipal Civil Infraction, which upon an admission or finding of responsibility shall result in fines established in Chapter 170 Municipal Civil Infractions of the City Code.
3. A fourth offense shall be a misdemeanor punishable by a fine of up to five-hundred dollars (\$500.00), or imprisonment for up to ninety (90) days, or both.
4. Proceedings may be instituted pursuant to Chapter 170 of the City Code. In addition, anyone pleading or found responsible shall pay the costs of enforcement and prosecution.
5. In addition to civil fines, the District Court shall have equitable jurisdiction to enforce any judgment, writ or order necessary to enforce any provision of this Chapter, including but not limited to order the abatement or correction of the offending action or condition or by granting injunctive relief.

F. Declaration of Nuisance and Notice to Abate.

1. A violation of this Chapter is a nuisance per se and the City may institute appropriate actions or court proceedings to correct, or abate any violation of the provisions of this Chapter. If the owner or responsible person fails to abate a violation, the City may take action to abate the violation.
2. The abatement may be performed by the City, by a contract vendor, or by other means determined by the City, the actual cost which shall include an administrative fee, shall be a personal debt of the owner, and may be assessed as a lien against the property until paid.
3. Upon observing a violation of the provisions of this Chapter, the City may issue a Notice to Abate. The Notice to Abate shall include:
 - a) The nature and location of the violation.
 - b) The time within which the violation must be abated.
 - c) Notice that the City may act to abate the violation if it is not abated by the owner or ~~principal operator~~responsible person within a reasonable time stated in the Notice, but which may not exceed fifteen (15) days. If physical alterations of a building structure are required, the abatement period may be extended through the use of a correction agreement.
 - d) Notice that the cost of such action by the City, plus an administrative fee, shall be a personal debt of the owner, which may be assessed as a lien against the property until paid.
 - e) Notice that any refusal to allow the City to abate an uncorrected violation shall be a separate violation under this Code.

Section 9.952. Commencement of Legal Action.

Upon referral by the City Manager, the City Attorney may initiate an action in any court of competent jurisdiction to abate violations of this article, to impose penalties pursuant to this chapter, to seek alternative remedies under city or state laws and seek any other relief authorized by law.

Section 9.953. Lien.

All of the costs of Code enforcement activities provided for in this Code and incurred by the City shall be billed to the ~~owner of the property, principal operator, or other~~ responsible person, and shall be paid within 30 days of mailing. All costs for abatement-related and Code enforcement activities shall be a personal debt owed to the City by the person billed for the public nuisance and, if the public nuisance is attributable to the use, occupancy, care, control, dominion or ownership of any land or premises, shall also, in addition to being a personal debt, be charged against such premises and the owner thereof and shall be a lien on the property until paid.

Section 9.954. Remedies Severable.

Any action taken by the City to abate any public nuisance under the provisions of this Chapter, or any other provision of the City Code, shall not affect the right of the City to institute other legal or administrative proceedings against the person committing, creating, permitting or maintaining any public nuisance for violation of this Chapter nor affect the imposition of the penalty or remedy prescribed or imposed for such violation. Upon application by the City to any court of competent jurisdiction, the court may order the public nuisance abated and/or the violation or threatened violation restrained and enjoined.”

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Community asked to weigh in on Grand Rapids' crime prevention ordinance

Posted Aug 4, 2019



Family Pantry, 704 Stocking Ave. NW in Grand Rapids, has undergone building upgrades over the last year. The business was an example given by city staff on what standards would look like under a proposed crime prevention ordinance. (Courtesy photo | City of Grand Rapids)

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By [Justin P. Hicks | **jhicks3@mlive.com**](#)

GRAND RAPIDS, MI -- Grand Rapids thinks it can reduce crime by implementing business design standards that use things like natural surveillance to deter people from committing criminal behaviors.

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said the store saw a more than 20-percent reduction in calls for police service between the 11 months before and 11 months after renovations.

“Just a simple changing of the facade and how they’re managing the property made that much of a difference,” said Suzanne Schultz, the city’s planning director.

Key elements of attempting to prevent crime through environmental design include natural access management (physical guidance of people and vehicles); natural surveillance (maximize visibility and surveillance); territorial reinforcement (positive sense of ownership); and physical maintenance and management (general upkeep).

The ordinance would focus on businesses where controlled substances like beer, wine, liquor, tobacco and/or marijuana are sold, as well as massage businesses and late-night business operations. Its looked at as a way to address businesses more susceptible to crime, including the illicit massage industry.

Regulations are expected to most directly affect party stores, vape/smoke shops and dollar stores.

The city commission heard another presentation on environmental design on July 23. The city is inviting local stakeholders to give feedback on the proposal on Aug. 13 during a public hearing at the 7 p.m. commission meeting at City Hall.

Commissioners are expected to vote on the proposed ordinance at their Aug. 27 meeting.

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Grand Rapids wants to reduce crime through building design standards

CPTED is a philosophy of crime prevention that utilizes a multidisciplinary approach to the built environment that is intended to deter criminal behavior and foster quality of life. It incorporates planning, design and management of built environment, and uses “subtle cues” to “assist in guiding positive behaviors.”

Proposed requirements in the ordinance include regulations to ensure visibility, minimum lighting criteria, and property maintenance standards. There could be a requirement for enhanced security measures if a business surpasses a set number of compliance issues within a defined period of time.

About half of the aspects of CPTED are already part of Grand Rapids' codes in various areas. There have been challenges to enforcing them because some businesses were grandfathered-in before zoning code amendments and thus had non-conforming rights, and because current enforcement is complaint-based.

The proposed ordinance puts those codes and others under one enforcement entity. It enhances the city's ability to enforce its design standards because the proposed regulations will be independent from the city's zoning ordinance and businesses will not have non-conforming rights.

Grand Rapids plots next steps for improving community-police relations

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In preparation of the ordinance being considered by the city commission, the planning department did some restructuring. It replaced its sign inspector position with a zoning inspector II position, which will serve as the city's CPTED specialist. A city planner is now in charge of sign permitting, while the specialist will handle sign enforcement and act as a singular CPTED point of contact for businesses and residents.

The proposed ordinance will include an education and awareness component for businesses. Some of those efforts have already begun through neighborhood associations and community police officers, who have undergone CPTED training.

"It is intended that proactive education efforts will be undertaken prior to any enforcement actions so that a business or property owner clearly understands the desire to improve safety within Grand Rapids and how CPTED principles apply to their site," according to a city agenda item related to the proposal.

The city is also considering a pilot facade grant program in partnership with local corridor improvement district boards, philanthropies and business owners, to encourage improvements for non-conforming storefronts.

More discussion is needed to gauge the level of interest in supporting such a program.

Grand Rapids' proposed CPTED ordinance was called for by the commission via a unanimous vote on July 24, 2018. If adopted, it would be the first of its kind in the country, according to the city.

ORDINANCE NO. 1235

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 404 OF THE LANSING CODIFIED ORDINANCES BY CREATING SECTION 404.11 TO PROVIDE FOR CREATION OF **ANNUAL** RESIDENTIAL STREET PARKING ZONES; TO PROVIDE FOR HOURS OF USE FOR **ANNUAL** RESIDENTIAL STREET PARKING ZONES; TO PROVIDE FOR APPLICATION, PERMITTING, AND PAYMENT RATES FOR **ANNUAL** RESIDENTIAL STREET PARKING ZONES; **AND snTO CREATE TEMPORARY OVERNIGHT PARKING PERMITS.**

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 404.11 as follows:

404.11 – **ANNUAL** RESIDENTIAL PERMIT FOR STREET PARKING **ANNUAL** RESIDENTIAL PERMIT PARKING ZONE REGULATIONS AND RESTRICTIONS, INCLUDING LOCATION, TIME PERIODS, AND OFFICIAL SIGNAGE, SHALL BE ESTABLISHED BY ISSUANCE OF TRAFFIC CONTROL ORDERS IN COMPLIANCE WITH UTC R28.1153 (RULE 153). THE CITY ISSUANCE OF PERMITS FOR **ANNUAL** RESIDENTIAL 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 PERMITTING FOR THE **ANNUAL** RESIDENTIAL STREET PARKING PROGRAM SHALL BE UNDER THE SUPERVISION AND ADMINISTRATIVE CONTROL OF THE OFFICE OF THE PARKING MANAGER, INCLUDING PREPARATION OF FORMS, RECEIPT OF APPLICATIONS, ISSUANCE OF PERMITS, AND COLLECTION OF FEES. THE PARKING MANAGER SHALL WORK WITH THE PUBLIC SERVICE DEPARTMENT TO FACILITATE TEMPORARY SUSPENSION OF PERMITS AND / OR ACCOMMODATE PARKING DURING SNOW REMOVAL, EMERGENCY OR CONSTRUCTION PURPOSES.

(B) APPLICATION

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

1. THE NAME OF THE OWNER OR OPERATOR OF THE MOTOR VEHICLE TO BE PERMITTED;
2. THE PRIMARY **ANNUAL** RESIDENTIAL ADDRESS OF THE OWNER OR OPERATOR OF THE MOTOR VEHICLE;
3. THE EMAIL ADDRESS AND CELL PHONE NUMBER OF THE OWNER OR OPERATOR OF THE MOTOR VEHICLE TO BE USED FOR CONTACT IN CASE OF TEMPORARY SUSPENSION FOR SNOW REMOVAL, EMERGENCY OR CONSTRUCTION PURPOSES;

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

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

SUPPORTING SUPPLEMENTAL DOCUMENTATION INCLUDES, BUT IS NOT LIMITED TO:

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

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

a. IF THE APPLICANT FOR AN **ANNUAL** RESIDENTIAL STREET PARKING PERMIT IS THE OWNER OF THE VEHICLE SOUGHT TO BE REGISTERED AND HIS/HER PERMANENT RESIDENCE IS AT THE ADDRESS FOR WHICH THE PERMIT IS SOUGHT, THEN SAID VEHICLE SHALL BE REGISTERED AT THE PERMANENT ADDRESS AND SHALL HAVE VALID STATE OF MICHIGAN MOTOR VEHICLE PLATES; OR

b. IF THE APPLICANT FOR AN **ANNUAL** RESIDENTIAL STREET PARKING PERMIT HAS HIS/HER PERMANENT RESIDENCE AT THE ADDRESS FOR WHICH THE PERMIT IS SOUGHT BUT THE VEHICLE UNDER HIS/HER CONTROL INDICATES ANOTHER ADDRESS OF RESIDENCE FOR THE OWNER OF SAID VEHICLE, THE APPLICANT SHALL BE REQUIRED TO CERTIFY THAT SAID VEHICLE IS KEPT BY THE APPLICANT AND ONLY AT THE ADDRESS FOR WHICH THE PERMIT IS REQUESTED AND THAT IT WILL NOT BE KEPT AT ANY OTHER LOCATION FOR THE DURATION OF THE PERMIT'S VALIDITY. THE PARKING MANAGER IS NOT REQUIRED TO GRANT A PERMIT TO ANY APPLICANT.

(C) (D) TEMPORARY PERMIT

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

1. THE TEMPORARY PERMIT IS VALID ONLY FOR A PERIOD OF 72 HOURS;

2. THE TEMPORARY PERMIT SHALL DISPLAY THE ADDRESS OF THE APPLICANT AS WELL AS THE START DATE AND END DATE OF THE 72 HOUR PERIOD;

3. THE TEMPORARY PERMIT SHALL BE ISSUED AS A HANGTAG WITH ALL RELEVANT INFORMATION FILLED IN PRIOR TO ITS ISSUANCE AND MUST BE HUNG FROM THE REAR VIEW MIRROR OF THE VEHICLE, OR IN ANY OTHER FORMAT APPROVED BY THE PARKING MANAGER;

4. THE TEMPORARY PERMIT IS VALID ONLY WHEN VISIBLY AND PROPERLY DISPLAYED ON THE VEHICLE OR AVAILABLE FOR PARKING ENFORCEMENT OFFICERS OTHERWISE, WHEN PARKED IN THE DESIGNATED ZONE WHERE THE APPLICANT LIVES;

5. THE FEE FOR ANY TEMPORARY OVERNIGHT STREET PARKING ZONE PERMITS SHALL BE SET BY RESOLUTION OF COUNCIL, AND MUST BE PAID PRIOR TO ISSUANCE OF THE TEMPORARY PERMIT.

(E) CONDITIONS ON THE PERMIT AND PERMIT HOLDER

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

1. A PERMIT MAY BE USED ONLY IN THE OVERNIGHT STREET PARKING PERMIT ZONE FOR WHICH IT HAS BEEN ISSUED;

2. A PERMIT MAY BE USED ONLY BY THE PERMIT HOLDER TO WHOM IT IS ISSUED;

~~{C}~~ (D) PERMIT THE ISSUANCE OF AN ANNUAL RESIDENTIAL STREET PARKING PERMIT IS SUBJECT TO ALL THE FOLLOWING REQUIREMENTS:

1. THE PERMIT IS VALID ONLY FOR THE MOTOR VEHICLE FOR WHICH IT IS ISSUED;

2. THE PERMIT SHALL DISPLAY THE MOTOR VEHICLE'S LICENSE PLATE NUMBER AND EXPIRATION DATE, AND THE ZONE WHERE THE PERMIT IS VALID;

3. THE PERMIT SHALL BE A STICKER THAT IS NOT EASILY REMOVED, AND MUST BE AFFIXED IN A VISIBLE PLACE ON THE FRONT DRIVER SIDE WINDSHIELD OF THE PERMITTED MOTOR VEHICLE, OR CAN BE ANY OTHER FORMAT APPROVED BY THE PARKING MANAGER;;

4. THE PERMIT IS VALID ONLY WHEN VISIBLY AND PROPERLY DISPLAYED ON THE VEHICLE OR AVAILABLE FOR PARKING ENFORCEMENT OFFICERS OTHERWISE, WHEN PARKED IN THE DESIGNATED ZONE WHERE THE RESIDENT LIVES, ;

5. THE ANNUAL FEE FOR ANY ANNUAL RESIDENTIAL STREET PARKING ZONE PERMITS SHALL BE SET BY RESOLUTION OF COUNCIL, AND SHALL BE FOR THE PERIOD OF SEPTEMBER 1, UNTIL AUGUST 31 OF THE NEXT YEAR;

6. A PERMIT IS ONLY VALID FOR AS LONG AS THE OWNER OR OPERATOR OF THE PERMITTED MOTOR VEHICLE CONTINUES TO HAVE AS HIS OR HER PRIMARY RESIDENCE THE ADDRESS THAT IS WITHIN OR ADJACENT TO THE DESIGNATED ANNUAL RESIDENTIAL STREET PERMIT PARKING ZONE;

7. THE ANNUAL FEE SHALL BE PAID AT THE BEGINNING OF THE PERMIT YEAR OR WHEN THE APPLICATION IS GRANTED, EXCEPT THAT A PAYMENT PLAN MAY BE SET UP AT THE DISCRETION OF THE PARKING MANAGER; THE ANNUAL FEE MAY BE PRO-RATED BY MONTH IF THE APPLICANT CAN ONLY SHOW CONTINUED RESIDENCE IN OR ADJACENT TO THE **ANNUAL** RESIDENTIAL STREET PERMIT PARKING ZONE FOR LESS THAN A YEAR;

8. A REPLACEMENT PERMIT MAY BE ISSUED ONLY IF ALL OR PART OF THE ORIGINAL PERMIT IS PRODUCED AT THE TIME THAT A REPLACEMENT PERMIT IS APPLIED FOR, OR IF PROOF OF THEFT OF THE VEHICLE IS DEMONSTRATED TO THE SATISFACTION OF THE PARKING MANAGER;

9. THE FEE FOR ANY REPLACEMENT PERMIT SHALL BE SET BY RESOLUTION OF CITY COUNCIL.

10. A PERMIT SHALL NOT BE ISSUED FOR RECREATIONAL VEHICLES, MOBILE HOMES, TRAILERS, BOATS, OR MOTOR VEHICLES WITH MORE THAN TWO AXLES;

TO BE DISCUSSED: 11. NO MORE THAN ONE ANNUAL PERMIT AND ONE TEMPORARY PERMIT MAY BE GRANTED PER EACH DWELLING OR STRUCTURE WITHIN A PERMIT ZONE AT ANY GIVEN TIME; NO MORE THAN 4 TEMPORARY PERMITS MAY BE GRANTED PER CALENDAR YEAR

(D) CONDITIONS ON THE PERMIT AND PERMIT HOLDER THE USE AND VALIDITY OF **AN ANNUAL** RESIDENTIAL STREETS PERMIT **OR TEMPORARY PERMIT** IS SUBJECT TO ALL THE FOLLOWING CONDITIONS:

1. A PERMIT MAY BE USED ONLY IN THE TRAFFIC CONTROL ORDER ZONE FOR WHICH IT HAS BEEN ISSUED.

2. A PERMIT MAY BE USED ONLY BY THE PERMIT HOLDER TO WHOM IT IS ISSUED.

3. A PERMIT SHALL NOT GUARANTEE OR RESERVE TO THE HOLDER A PARKING SPACE IN THE PERMIT ZONE.

4. A PERMIT SHALL NOT EXEMPT THE HOLDER FROM THE OBSERVANCE OF ANY PARKING OR TRAFFIC REGULATION OR ORDINANCE, OTHER THAN THE SPECIFIED OVERNIGHT PARKING RESTRICTION.

5. THE CITY MAY TEMPORARILY SUSPEND A PERMIT FOR SNOW REMOVAL, EMERGENCY OR CONSTRUCTION PURPOSES.

6. A PERMIT SHALL BE COMPLETELY REMOVED FROM A VEHICLE UPON ITS EXPIRATION OR TERMINATION.

7. A PERMIT HOLDER MAY ~~NOT~~ TRANSFER A PERMIT TO ANY OTHER PERSON OR VEHICLE **WITH APPROVAL OF THE PARKING MANAGER.**

8. IN THE EVENT A VALID PERMIT HOLDER SELLS, TRANSFERS, OR OTHERWISE DISPOSES OF THE MOTOR VEHICLE FOR WHICH A PERMIT IS GRANTED, THE PERMIT SHALL TERMINATE AUTOMATICALLY. **NOTICE SHALL BE GIVEN TO THE PARKING MANAGER.**

9. A PERMIT HOLDER WHO DESIRES TO TRANSFER THEIR VALID PERMIT TO A DIFFERENT VEHICLE MUST MAKE A SUPPLEMENTAL APPLICATION TO THE PARKING MANAGER INDICATING THE CHANGE IN VEHICLE, AND MUST TURN IN THE ORIGINAL PERMIT AS PROOF THAT IT HAS BEEN REMOVED FROM THE MOTOR VEHICLE FOR WHICH THE PERMIT WAS PREVIOUSLY GRANTED;

10. IF A PERMIT HOLDER COMMITS THREE PARKING VIOLATIONS IN THE PARKING ZONE FOR WHICH THE PERMIT HAS BEEN ISSUED, THE PERMIT, UPON REVIEW, MAY BE REVOKED BY THE PARKING MANAGER;

11. IF A PERMIT HOLDER VIOLATES ANY OF THE CONDITIONS IN THIS SECTION, THE PERMIT SHALL AUTOMATICALLY BECOME VOID AND BE TERMINATED AND REVOKED WITHOUT NOTICE.

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

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.

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 RESIDENTIAL PARCEL WITHIN A PERMIT ZONE
12 AT ANY GIVEN TIME; NO MORE THAN 4 TEMPORARY PERMITS MAY
13 BE GRANTED PER CALENDAR YEAR;
- 14 5. A PERMIT SHALL NOT GUARANTEE OR RESERVE TO THE HOLDER A
15 PARKING SPACE IN THE PERMIT ZONE;
- 16 6. A PERMIT SHALL NOT EXEMPT THE HOLDER FROM THE OBSERVANCE
17 OF ANY PARKING OR TRAFFIC REGULATION OR ORDINANCE, OTHER
18 THAN THE SPECIFIED OVERNIGHT PARKING RESTRICTION;
- 19 7. THE CITY MAY TEMPORARILY SUSPEND A PERMIT FOR SNOW
20 REMOVAL, EMERGENCY OR CONSTRUCTION PURPOSES;
- 21 8. A PERMIT SHALL BE COMPLETELY REMOVED FROM A VEHICLE UPON
22 ITS EXPIRATION OR TERMINATION;

1 9. A PERMIT HOLDER MAY NOT TRANSFER A PERMIT TO ANY OTHER
2 PERSON OR VEHICLE;

3 10. IN THE EVENT A VALID ANNUAL PERMIT HOLDER SELLS, TRANSFERS,
4 OR OTHERWISE DISPOSES OF THE MOTOR VEHICLE FOR WHICH A
5 PERMIT IS GRANTED, THE PERMIT SHALL TERMINATE
6 AUTOMATICALLY;

7 11. AN ANNUAL PERMIT HOLDER WHO DESIRES TO TRANSFER THEIR
8 VALID PERMIT TO A DIFFERENT VEHICLE MUST MAKE A
9 SUPPLEMENTAL APPLICATION TO THE PARKING MANAGER
10 INDICATING THE CHANGE IN VEHICLE, AND MUST TURN IN ALL OR A
11 PART OF THE ORIGINAL PERMIT AS PROOF THAT IT HAS BEEN
12 REMOVED FROM THE MOTOR VEHICLE FOR WHICH THE PERMIT WAS
13 PREVIOUSLY GRANTED;

14 12. IF A PERMIT HOLDER COMMITS THREE PARKING VIOLATIONS IN THE
15 OVERNIGHT PARKING ZONE FOR WHICH THE PERMIT HAS BEEN
16 ISSUED, THE PERMIT, UPON REVIEW, MAY BE REVOKED BY THE
17 PARKING MANAGER;

18 13. IF A PERMIT HOLDER VIOLATES ANY OF THE CONDITIONS IN THIS
19 SECTION, THE PERMIT SHALL AUTOMATICALLY BECOME VOID AND
20 BE TERMINATED AND REVOKED WITHOUT NOTICE.

21 (F) OVERNIGHT STREET PARKING ZONE 1

22 1. [DESCRIBE THE STREETS IN THE ZONE]

23 (G) OVERNIGHT STREET PARKING ZONE 2

1 1. [DESCRIBE THE STREETS IN THE ZONE]

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

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

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

MEMO

To: Public Safety Committee Members

From: Lisa K. Hagen, Assistant City Attorney

Re: Parking Ordinance 404.11, Public Safety Committee Draft, and Mayor's Proposed Changes

Date: October 21, 2019

This is a summary of the provisions of the existing Parking Permit Ordinance, 404.11, the most current draft of the Public Safety Committee's proposed 404.13 addressing Parking Permits in neighborhoods, and the Mayor's proposed changes to 404.11 to incorporate the much of proposed 404.13. I am highlighting the operative provisions of 404.11 and proposed 404.13, and then detailing how Mayor's proposed changes attempt to combine the two. Copies of the source documents are attached for reference.

404.11 Overview:

- Residential Permit Parking Zones for street parking are to be set by traffic control orders (TCO), pursuant to Michigan Uniform Traffic Code (UTC);
 - o Note: all TCOs that are not temporary (such as for emergencies or road construction) must be approved by resolution of City Council).
 - o Note: the TCOs set the limits on each specific zone, e.g.: where permit holders can park, what time of day the permits are good for, etc. These elements do not have to be consistent across all zones, and can be tailored to the needs of that specific zone based on traffic engineering considerations, and feedback from residents in the proposed zone.
- Places supervision and administration for the residential street parking program in the office of the Parking Manager. Directs the Parking Manager to work with the Public Service Department when temporary suspension of permitted parking to accommodate snow removal, construction, and other emergencies;
- An application for a permit must be made to Parking Director, and contain the following information:
 - o Name of owner/operator of vehicle;
 - o Primary address of owner/operator;
 - o Email and cellular telephone contact information for owner/operator;
 - o Vehicle description, including make, model, license plate and registration numbers;
- An applicant must upon request supply to following information as well:
 - o Executed lease or other proof of primary address;

- Current, valid vehicle registration, and if operator is other than owner, certification that operator has control of vehicle and is keeping it at his or her primary address;
- Parking Director not required to grant a permit to any applicant;
- If granted, the permit;
 - is only valid for the vehicle it was applied for;
 - must be semi-permanently affixed to the vehicle windshield for enforcement purposes;
 - must be displayed on the vehicle at all times it is parked along the street;
 - must be paid for on an annual basis, and the permit year runs from September 1 to August 31;
- Annual permit fee to be set by resolution of Council;
- Other limitations include:
 - Permits are only valid in the TCO zone in which they were granted, i.e.: a zone “A” permit holder cannot park in zone “B”;
 - Permits do not guarantee or reserve a street parking spot;
 - Permits do not exempt anyone from other parking regulations and ordinances, except the overnight parking limitation if the TCO so states;
 - Permits may be temporarily suspended to address snow removal, construction, and emergencies;
 - A permit holder may transfer their permit to a new vehicle, but not to a different person;
 - Repeated parking violations by a permit holder, in their zone, may result in revocation of the permit by the Parking Manager;
 - Explicit violations of this ordinance (404.11) will void any granted permit automatically, without notice.

Proposed 404.13 Overview (as of Committee Draft 4, dated 9/5/19):

- Overnight Permit Parking Zones for street parking are to be set by ordinance first, and then confirmed by traffic control orders (TCO), pursuant to Michigan Uniform Traffic Code (UTC);
- Supervision and administration of the Overnight Permit program is again placed with the office of Parking Manager, with the same considerations for snow, emergencies, and construction;
- An application for a permit must be made to Parking Director, and contain the same information as under 404.11, but
 - includes the option for a land telephone number in addition to cell phone and email;
 - and requires applicant to explain why they need to park overnight between 2 a.m. and 5 a.m.;
- The supplemental supporting documentation that applicant must provide upon request is the same as under 404.11;

- 404.13 provides for two types of overnight parking permits, as opposed to only the annual permit under 404.11:
 - Annual Permits, which are similar to the permits under 404.11, but with the following changes:
 - the permit year runs from July 1 to June 30;
 - payment plans may be set up at the discretion of Parking Manager;
 - Temporary Permits, which are not contemplated under 404.11, and have the following characteristics:
 - only to be granted if Parking Manager determines that the zone has capacity;
 - intended for use by non-resident visitors, but only if a resident of the zone applies for the permit, and sponsors the intended permit user;
 - only valid for 72 hours;
 - hangtag rather than a semi-permanent sticker;
- Other limitations are the same as under 404.11, but with the following additions:
 - No permit may be issued for RVs, mobile homes, trailers, boats, or vehicles with more than 2 axles;
 - No more than one annual permit and one temporary permit may be granted to a residential parcel at any given time;
 - No more than 4 temporary permits may be granted to a residential parcel per calendar year.

The Mayor's proposal appears to combine several, but not all, new portions of the Committee's proposed 404.13 with existing 404.11:

- Rename the "Permit" in 404.11 to be the "Annual Permit";
- Add provisions for the "Temporary Permit" proposed in 404.13;
- Keep the changes to annual permit application requirements, except that he wants to further discuss the requirement for explanation of need;
- Relax the requirement that annual permits must be semi-permanently affixed, and allow Parking Manager to determine the format of the physical permit;
- Similarly, allow the display requirement to be flexible to accommodate different formats if approved by Parking Manager;
- Add the provisions in proposed 404.13 for temporary permitting, except that he wants to further discuss:
 - the limitations on how many annual permits and temporary permits can exist at any time, and
 - the limitations on how many temporary permits can be granted per calendar year;
- Add the restriction that permits not be issued for RVs, mobile homes, trailers, boats, or vehicles with more than 2 axles;
- Allow for permits to be transferred between people and vehicles with approval of the Parking Manager;

- Require that if a permit holder disposes of or sells the car they have an annual permit for, the permit holder must notify the Parking Manager.

404.11. - Residential permit for street parking.

Residential permit parking zone regulations and restrictions, including location, time periods, and official signage, shall be established by issuance of traffic control orders in compliance with UTC R28.1153 (Rule 153). The City issuance of permits for residential 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.* Permitting for the residential street parking program shall be under the supervision and administrative control of the office of the Parking Manager, including preparation of forms, receipt of applications, issuance of permits, and collection of fees. The Parking Manager shall work with the Public Service Department to facilitate temporary suspension of permits and/or accommodate parking during snow removal, emergency or construction purposes.
- (b) *Application.* A person requesting a residential street parking permit for a motor vehicle shall first fully and accurately provide a completed City application form and, upon request, supply the City with supporting supplemental documentation. The application form shall require at a minimum the following information:
 - (1) The name of the owner or operator of the motor vehicle to be permitted;
 - (2) The primary residential address of the owner or operator of the motor vehicle;
 - (3) The email address and cell phone number of the owner or operator of the motor vehicle to be used for contact in case of temporary suspension for snow removal, emergency or construction purposes;
 - (4) The motor vehicle's make, model, vehicle identification number, and license plate registration number.

Supporting supplemental documentation includes, but is not limited to:

- (1) An executed lease or other reasonable proof evidencing that the permit applicant's primary residence dwelling unit or address is within the zone for which the permit is sought.
- (2) The current, valid registration for the motor vehicle for which the permit

is being applied:

- (A) If the applicant for a residential street parking permit is the owner of the vehicle sought to be registered and his/her permanent residence is at the address for which the permit is sought, then said vehicle shall be registered at the permanent address and shall have valid State of Michigan motor vehicle plates; or
- (B) If the applicant for a residential street parking permit has his/her permanent residence at the address for which the permit is sought but the vehicle under his/her control indicates another address of residence for the owner of said vehicle, the applicant shall be required to certify that said vehicle is kept by the applicant and only at the address for which the permit is requested and that it will not be kept at any other location for the duration of the permit's validity.

The Parking Manager is not required to grant a permit to any applicant.

- (c) *Permit.* The issuance of a residential street parking permit is subject to all the following requirements:
 - (1) The permit is valid only for the motor vehicle for which it is issued;
 - (2) The permit shall display the motor vehicle's license plate number and expiration date, and the zone where the permit is valid;
 - (3) The permit shall be a sticker that is not easily removed, and must be affixed in a visible place on the front driver side windshield of the permitted motor vehicle;
 - (4) The permit is valid only when visibly and properly displayed on the vehicle, when parked in the designated zone where the resident lives;
 - (5) The annual fee for any residential street parking zone permits shall be set by resolution of council, and shall be for the period of September 1, until August 31 of the next year;
 - (6) A permit is only valid for as long as the owner or operator of the permitted motor vehicle continues to have as his or her primary residence the address that is within or adjacent to the designated residential street permit parking zone;
 - (7)

The annual fee shall be paid at the beginning of the permit year or when the application is granted, except that a payment plan may be set up at the discretion of the Parking Manager; the annual fee may be pro-rated by month if the applicant can only show continued residence in or adjacent to the residential street permit parking zone for less than a year;

- (8) A replacement permit may be issued only if all or part of the original permit is produced at the time that a replacement permit is applied for, or if proof of theft of the vehicle is demonstrated to the satisfaction of the Parking Manager;
 - (9) The fee for any replacement permit shall be set by resolution of City Council.
- (d) *Conditions on the permit and permit holder.* The use and validity of a residential streets permit is subject to all the following conditions:
- (1) A permit may be used only in the traffic control order zone for which it has been issued.
 - (2) A permit may be used only by the permit holder to whom it is issued.
 - (3) A permit shall not guarantee or reserve to the holder a parking space in the permit zone.
 - (4) A permit shall not exempt the holder from the observance of any parking or traffic regulation or ordinance, other than the specified overnight parking restriction.
 - (5) The City may temporarily suspend a permit for snow removal, emergency or construction purposes.
 - (6) A permit shall be completely removed from a vehicle upon its expiration or termination.
 - (7) A permit holder may not transfer a permit to any other person or vehicle.
 - (8) In the event a valid permit holder sells, transfers, or otherwise disposes of the motor vehicle for which a permit is granted, the permit shall terminate automatically.
 - (9)

A permit holder who desires to transfer their valid permit to a different vehicle must make a supplemental application to the Parking Manager indicating the change in vehicle, and must turn in the original permit as proof that it has been removed from the motor vehicle for which the permit was previously granted;

- (10) If a permit holder commits three parking violations in the parking zone for which the permit has been issued, the permit, upon review, may be revoked by the Parking Manager;
- (11) If a permit holder violates any of the conditions in this section, the permit shall automatically become void and be terminated and revoked without notice.

(Ord. No. 1235, § 1, 9-24-18)

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 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 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 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 RESIDENTIAL PARCEL WITHIN A PERMIT ZONE
12 AT ANY GIVEN TIME; NO MORE THAN 4 TEMPORARY PERMITS MAY
13 BE GRANTED PER CALENDAR YEAR;
- 14 5. A PERMIT SHALL NOT GUARANTEE OR RESERVE TO THE HOLDER A
15 PARKING SPACE IN THE PERMIT ZONE;
- 16 6. A PERMIT SHALL NOT EXEMPT THE HOLDER FROM THE OBSERVANCE
17 OF ANY PARKING OR TRAFFIC REGULATION OR ORDINANCE, OTHER
18 THAN THE SPECIFIED OVERNIGHT PARKING RESTRICTION;
- 19 7. THE CITY MAY TEMPORARILY SUSPEND A PERMIT FOR SNOW
20 REMOVAL, EMERGENCY OR CONSTRUCTION PURPOSES;
- 21 8. A PERMIT SHALL BE COMPLETELY REMOVED FROM A VEHICLE UPON
22 ITS EXPIRATION OR TERMINATION;

1 1. [DESCRIBE THE STREETS IN THE ZONE]

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

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

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

ORDINANCE NO. 1235

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 404 OF THE LANSING CODIFIED ORDINANCES BY CREATING SECTION 404.11 TO PROVIDE FOR CREATION OF **ANNUAL** RESIDENTIAL STREET PARKING ZONES; TO PROVIDE FOR HOURS OF USE FOR **ANNUAL** RESIDENTIAL STREET PARKING ZONES; TO PROVIDE FOR APPLICATION, PERMITTING, AND PAYMENT RATES FOR **ANNUAL** RESIDENTIAL STREET PARKING ZONES; **AND** ~~sn~~**TO CREATE TEMPORARY OVERNIGHT PARKING PERMITS.**

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 404.11 as follows:

404.11 – **ANNUAL** RESIDENTIAL PERMIT FOR STREET PARKING **ANNUAL** RESIDENTIAL PERMIT PARKING ZONE REGULATIONS AND RESTRICTIONS, INCLUDING LOCATION, TIME PERIODS, AND OFFICIAL SIGNAGE, SHALL BE ESTABLISHED BY ISSUANCE OF TRAFFIC CONTROL ORDERS IN COMPLIANCE WITH UTC R28.1153 (RULE 153). THE CITY ISSUANCE OF PERMITS FOR **ANNUAL** RESIDENTIAL 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 PERMITTING FOR THE **ANNUAL** RESIDENTIAL STREET PARKING PROGRAM SHALL BE UNDER THE SUPERVISION AND ADMINISTRATIVE CONTROL OF THE OFFICE OF THE PARKING MANAGER, INCLUDING PREPARATION OF FORMS, RECEIPT OF APPLICATIONS, ISSUANCE OF PERMITS, AND COLLECTION OF FEES. THE PARKING MANAGER SHALL WORK WITH THE PUBLIC SERVICE DEPARTMENT TO FACILITATE TEMPORARY SUSPENSION OF PERMITS AND / OR ACCOMMODATE PARKING DURING SNOW REMOVAL, EMERGENCY OR CONSTRUCTION PURPOSES.

(B) APPLICATION

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

1. THE NAME OF THE OWNER OR OPERATOR OF THE MOTOR VEHICLE TO BE PERMITTED;
2. THE PRIMARY **ANNUAL** RESIDENTIAL ADDRESS OF THE OWNER OR OPERATOR OF THE MOTOR VEHICLE;
3. THE EMAIL ADDRESS AND CELL PHONE NUMBER OF THE OWNER OR OPERATOR OF THE MOTOR VEHICLE TO BE USED FOR CONTACT IN CASE OF TEMPORARY SUSPENSION FOR SNOW REMOVAL, EMERGENCY OR CONSTRUCTION PURPOSES;

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

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

SUPPORTING SUPPLEMENTAL DOCUMENTATION INCLUDES, BUT IS NOT LIMITED TO:

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

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

a. IF THE APPLICANT FOR AN **ANNUAL** RESIDENTIAL STREET PARKING PERMIT IS THE OWNER OF THE VEHICLE SOUGHT TO BE REGISTERED AND HIS/HER PERMANENT RESIDENCE IS AT THE ADDRESS FOR WHICH THE PERMIT IS SOUGHT, THEN SAID VEHICLE SHALL BE REGISTERED AT THE PERMANENT ADDRESS AND SHALL HAVE VALID STATE OF MICHIGAN MOTOR VEHICLE PLATES; OR

b. IF THE APPLICANT FOR AN **ANNUAL** RESIDENTIAL STREET PARKING PERMIT HAS HIS/HER PERMANENT RESIDENCE AT THE ADDRESS FOR WHICH THE PERMIT IS SOUGHT BUT THE VEHICLE UNDER HIS/HER CONTROL INDICATES ANOTHER ADDRESS OF RESIDENCE FOR THE OWNER OF SAID VEHICLE, THE APPLICANT SHALL BE REQUIRED TO CERTIFY THAT SAID VEHICLE IS KEPT BY THE APPLICANT AND ONLY AT THE ADDRESS FOR WHICH THE PERMIT IS REQUESTED AND THAT IT WILL NOT BE KEPT AT ANY OTHER LOCATION FOR THE DURATION OF THE PERMIT'S VALIDITY. THE PARKING MANAGER IS NOT REQUIRED TO GRANT A PERMIT TO ANY APPLICANT.

~~(C)~~ (D) TEMPORARY PERMIT

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

1. THE TEMPORARY PERMIT IS VALID ONLY FOR A PERIOD OF 72 HOURS;

2. THE TEMPORARY PERMIT SHALL DISPLAY THE ADDRESS OF THE APPLICANT AS WELL AS THE START DATE AND END DATE OF THE 72 HOUR PERIOD;

3. THE TEMPORARY PERMIT SHALL BE ISSUED AS A HANGTAG WITH ALL RELEVANT INFORMATION FILLED IN PRIOR TO ITS ISSUANCE AND MUST BE HUNG FROM THE REAR VIEW MIRROR OF THE VEHICLE, OR IN ANY OTHER FORMAT APPROVED BY THE PARKING MANAGER;

4. THE TEMPORARY PERMIT IS VALID ONLY WHEN VISIBLY AND PROPERLY DISPLAYED ON THE VEHICLE OR AVAILABLE FOR PARKING ENFORCEMENT OFFICERS OTHERWISE, WHEN PARKED IN THE DESIGNATED ZONE WHERE THE APPLICANT LIVES;

5. THE FEE FOR ANY TEMPORARY OVERNIGHT STREET PARKING ZONE PERMITS SHALL BE SET BY RESOLUTION OF COUNCIL, AND MUST BE PAID PRIOR TO ISSUANCE OF THE TEMPORARY PERMIT.

(E) CONDITIONS ON THE PERMIT AND PERMIT HOLDER

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

1. A PERMIT MAY BE USED ONLY IN THE OVERNIGHT STREET PARKING PERMIT ZONE FOR WHICH IT HAS BEEN ISSUED;

2. A PERMIT MAY BE USED ONLY BY THE PERMIT HOLDER TO WHOM IT IS ISSUED;

~~(C)~~ (D) PERMIT THE ISSUANCE OF AN ANNUAL RESIDENTIAL STREET PARKING PERMIT IS SUBJECT TO ALL THE FOLLOWING REQUIREMENTS:

1. THE PERMIT IS VALID ONLY FOR THE MOTOR VEHICLE FOR WHICH IT IS ISSUED;

2. THE PERMIT SHALL DISPLAY THE MOTOR VEHICLE'S LICENSE PLATE NUMBER AND EXPIRATION DATE, AND THE ZONE WHERE THE PERMIT IS VALID;

3. THE PERMIT SHALL BE A STICKER THAT IS NOT EASILY REMOVED, AND MUST BE AFFIXED IN A VISIBLE PLACE ON THE FRONT DRIVER SIDE WINDSHIELD OF THE PERMITTED MOTOR VEHICLE, OR CAN BE ANY OTHER FORMAT APPROVED BY THE PARKING MANAGER;;

4. THE PERMIT IS VALID ONLY WHEN VISIBLY AND PROPERLY DISPLAYED ON THE VEHICLE OR AVAILABLE FOR PARKING ENFORCEMENT OFFICERS OTHERWISE, WHEN PARKED IN THE DESIGNATED ZONE WHERE THE RESIDENT LIVES, ;

5. THE ANNUAL FEE FOR ANY ANNUAL RESIDENTIAL STREET PARKING ZONE PERMITS SHALL BE SET BY RESOLUTION OF COUNCIL, AND SHALL BE FOR THE PERIOD OF SEPTEMBER 1, UNTIL AUGUST 31 OF THE NEXT YEAR;

6. A PERMIT IS ONLY VALID FOR AS LONG AS THE OWNER OR OPERATOR OF THE PERMITTED MOTOR VEHICLE CONTINUES TO HAVE AS HIS OR HER PRIMARY RESIDENCE THE ADDRESS THAT IS WITHIN OR ADJACENT TO THE DESIGNATED ANNUAL RESIDENTIAL STREET PERMIT PARKING ZONE;

7. THE ANNUAL FEE SHALL BE PAID AT THE BEGINNING OF THE PERMIT YEAR OR WHEN THE APPLICATION IS GRANTED, EXCEPT THAT A PAYMENT PLAN MAY BE SET UP AT THE DISCRETION OF THE PARKING MANAGER; THE ANNUAL FEE MAY BE PRO-RATED BY MONTH IF THE APPLICANT CAN ONLY SHOW CONTINUED RESIDENCE IN OR ADJACENT TO THE **ANNUAL** RESIDENTIAL STREET PERMIT PARKING ZONE FOR LESS THAN A YEAR;

8. A REPLACEMENT PERMIT MAY BE ISSUED ONLY IF ALL OR PART OF THE ORIGINAL PERMIT IS PRODUCED AT THE TIME THAT A REPLACEMENT PERMIT IS APPLIED FOR, OR IF PROOF OF THEFT OF THE VEHICLE IS DEMONSTRATED TO THE SATISFACTION OF THE PARKING MANAGER;

9. THE FEE FOR ANY REPLACEMENT PERMIT SHALL BE SET BY RESOLUTION OF CITY COUNCIL.

10. A PERMIT SHALL NOT BE ISSUED FOR RECREATIONAL VEHICLES, MOBILE HOMES, TRAILERS, BOATS, OR MOTOR VEHICLES WITH MORE THAN TWO AXLES;

TO BE DISCUSSED: 11. NO MORE THAN ONE ANNUAL PERMIT AND ONE TEMPORARY PERMIT MAY BE GRANTED PER EACH DWELLING OR STRUCTURE WITHIN A PERMIT ZONE AT ANY GIVEN TIME; NO MORE THAN 4 TEMPORARY PERMITS MAY BE GRANTED PER CALENDAR YEAR

(D) CONDITIONS ON THE PERMIT AND PERMIT HOLDER THE USE AND VALIDITY OF AN **ANNUAL** RESIDENTIAL STREETS PERMIT **OR TEMPORARY PERMIT** IS SUBJECT TO ALL THE FOLLOWING CONDITIONS:

1. A PERMIT MAY BE USED ONLY IN THE TRAFFIC CONTROL ORDER ZONE FOR WHICH IT HAS BEEN ISSUED.

2. A PERMIT MAY BE USED ONLY BY THE PERMIT HOLDER TO WHOM IT IS ISSUED.

3. A PERMIT SHALL NOT GUARANTEE OR RESERVE TO THE HOLDER A PARKING SPACE IN THE PERMIT ZONE.

4. A PERMIT SHALL NOT EXEMPT THE HOLDER FROM THE OBSERVANCE OF ANY PARKING OR TRAFFIC REGULATION OR ORDINANCE, OTHER THAN THE SPECIFIED OVERNIGHT PARKING RESTRICTION.

5. THE CITY MAY TEMPORARILY SUSPEND A PERMIT FOR SNOW REMOVAL, EMERGENCY OR CONSTRUCTION PURPOSES.

6. A PERMIT SHALL BE COMPLETELY REMOVED FROM A VEHICLE UPON ITS EXPIRATION OR TERMINATION.

7. A PERMIT HOLDER MAY ~~NOT~~ TRANSFER A PERMIT TO ANY OTHER PERSON OR VEHICLE **WITH APPROVAL OF THE PARKING MANAGER.**

8. IN THE EVENT A VALID PERMIT HOLDER SELLS, TRANSFERS, OR OTHERWISE DISPOSES OF THE MOTOR VEHICLE FOR WHICH A PERMIT IS GRANTED, THE PERMIT SHALL TERMINATE AUTOMATICALLY. NOTICE SHALL BE GIVEN TO THE PARKING MANAGER.

9. A PERMIT HOLDER WHO DESIRES TO TRANSFER THEIR VALID PERMIT TO A DIFFERENT VEHICLE MUST MAKE A SUPPLEMENTAL APPLICATION TO THE PARKING MANAGER INDICATING THE CHANGE IN VEHICLE, AND MUST TURN IN THE ORIGINAL PERMIT AS PROOF THAT IT HAS BEEN REMOVED FROM THE MOTOR VEHICLE FOR WHICH THE PERMIT WAS PREVIOUSLY GRANTED;

10. IF A PERMIT HOLDER COMMITS THREE PARKING VIOLATIONS IN THE PARKING ZONE FOR WHICH THE PERMIT HAS BEEN ISSUED, THE PERMIT, UPON REVIEW, MAY BE REVOKED BY THE PARKING MANAGER;

11. IF A PERMIT HOLDER VIOLATES ANY OF THE CONDITIONS IN THIS SECTION, THE PERMIT SHALL AUTOMATICALLY BECOME VOID AND BE TERMINATED AND REVOKED WITHOUT NOTICE.

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

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.