



AGENDA
Committee on Public Services
Tuesday, September 4, 2018 @ 4:00 p.m.
City Council Conference Room, 10th Floor

Council Member Peter Spadafore, Chair
Council Member Jeremy Garza, Vice Chair
Council Member Jody Washington, Member

- 1) Call to Order**
- 2) Public Comment on Agenda Items**
- 3) Minutes**
 - August 21, 2018
- 4) Discussion/Action:**
 - A.) **ORDINANCE** - Post Construction Storm Water Management
 - B.) **RESOLUTION** - Public Improvement IV, Stabler Street Reconstruction Project
 - C.) **RESOLUTION** - Public Improvement V; Jolly Road Rehabilitation
 - D.) **DISCUSSION** - FY2019/2020 Budget Policies and Priorities
- 5) Other**
- 6) Adjourn**

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MINUTES

Committee on Public Service
Tuesday, August 21, 2018 @ 4:00 p.m.
City Hall, Conference Room, 10th Floor

CALL TO ORDER

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

ROLL CALL

Council Member Peter Spadafore, Chair

Council Member Jeremy Garza, Vice Chair

Council Member Jody Washington, Member- arrived at 4:14 p.m.

OTHERS PRESENT

Sherrie Boak, Council Office Manager

Greg Venker, Assistant City Attorney

Alex Craigmile, Public Service

Brent Forsberg

Kathy Miles

Thadd Gormas

Minutes

Council Member Spadafore passed the gavel to Council Member Garza.

MOTION BY COUNCIL MEMBER SPADAFORE TO APPROVE THE MINUTES FROM AUGUST 7, 2018. MOTION CARRIED 2-0.

Council Member Garza passed the gavel back to Council Member Spadafore.

Public Comment

No public comment.

Discussion/Action:

RESOLUTION - Public Improvement, Stabler Street Reconstruction Project

Mr. Craigmile noted public comment was taken at the August 13, 2018 Council meeting and the Department will be referring Public Improvement Phase 4 for this project on August 27th, which is the roll to assess the seven (7) property owners affected.

RESOLUTION– Introduce and Set Public Hearing; Chapter 404; Residential Parking Zones

Mr. Venker outlined the changes from the last meeting, which is to incorporate into the current Chapter 404 so they can utilize the current penalty structure and prosecute any violations under what is already set forth in that Chapter. Another change in the proposed ordinance draft 3 is that every “zone” would be established with a Traffic Control Order (TCO) instead of amending the resolution every time. The TCO would be done by the Public Service

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Department and will reduce any amount of potential confusion, and TCO set signage as well. Mr. Venker then went through the ordinance highlighting page 1 line 20 which speaks to the Administration Control of the program, the supporting documents as noted on page 2 line 18, and went on to speak to the permit itself found on page 3-4 which would be a sticker and the annual fee would be set by Resolution of Council. This fee shall be paid annually, but may be pro-rated by month based on their proof of continued residence. The discussion then moved onto page 5, line 10 which spoke to the conditions, one of those being that the permit would not exempt the permit holder from traffic regulations, other than the specific overnight parking limit. Regarding the Traffic Control Order, Mr. Venker made the Committee aware that the Public Service Department will initiate them, and after the Public Service Board makes their recommendation it goes to Council. Council Member Garza inquired into the cap on permits, based on earlier Committee discussions. Mr. Venker admitted that this ordinance does not speak to that, it would fall under the Traffic Control Orders specific for the zones. The Committee was referred to page 1 line 21 through page 2 line 2 which spoke to the role of the Parking Manager with regards to permits, applications, and collection of the fees.

Council Member Spadafore passed the gavel to Council Member Garza.

MOTION BY COUNCIL MEMBER SPADAFORE TO AMEND THE ORDINANCE ON PAGE 1, LINE 13 TO INCLUDE THE WORD "ZONE" AFTER "PARKING". MOTION CARRIED 2-0.

MOTION BY COUNCIL MEMBE SPADAFORE TO AMEND THE ORDINANCE ON PAGE 2, LINE 12 CHANGING "OR" TO "AND" AFTER "ADDRESS". MOTION CARRIED 2-0.

Council Member Garza passed the gavel back to Council Member Spadafore.

MOTION BY COUNCIL MEMBER GARZA TO AMEND THE ORDINANCE ON PAGE 1, LINE 16 TO REMOVE "PERMIT" BETWEEN "RESIDENTIAL" AND "PARKING".

Council Member Washington arrived.

MOTION CARRIED 3-0.

Council Member Spadafore summarized the three (3) changes and noted that the previous draft had "Zone 1" but was removed because the Public Service Department will address the Zones in the Traffic Control Orders, and they can do an emergency TCO for the first Zone, and once the Public Service Board signs off on the official TCO for the first Zone it will come forward to Council.

MOTION BY COUNCIL MEMBER WASHIGNTON TO INTRODUCE AND SET THE PUBLIC HEARING FOR SEPTEBMER 10, 2018 FOR THE ORDINANCE TO AMEND CHAPTER 404 AND CREATE SETION 404.11 RESIDENTIAL ZONE PARKING.

Ms. Miles asked for information on the qualification on permits, and Council Member Spadafore stated he could meet with her after the meeting to go over the ordinance.

MOTION CARRIED 3-0.

Other

FY2019/2020 Budget Policies and Priorities

Council Member Spadafore noted the version in the packet is the adopted version from 2017, and asked the Committee to review and bring back any recommendations to their September 4, 2018 meeting. He noted one of his suggestions for them to discuss will be a priority to

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address system performances to stream line the processes, and also looking at the document to clear up some items that were a focus for the previous administration. Council Staff noted that all recommendations would need to be Council staff by September 5th for the Committee of the Whole meeting on September 10th. It will then be taken to Council on September 24th, 2018 for adoption.

Council Member Spadafore informed the Committee that at the September 18, 2018 meeting a company by the name of Corvias will be presenting on deferred maintenance of the City infrastructure through alternative delivery. It was noted there are not connections with the committing to this company.

ADJOURN

The meeting was adjourned at 4:25 p.m.

Submitted by Sherrie Boak,

Recording Secretary

Lansing City Council

Approved: _____



Andy Schor, Mayor

PUBLIC SERVICE DEPARTMENT

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FAX: (517) 483-6082
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**MEMORANDUM**

TO: Joseph Abood, Deputy City Attorney

FROM: Alec Malvetis, Asst. City Engineer *Alec Malvetis*

DATE: June 5, 2018

SUBJECT: New City Ordinance for Post-Construction Stormwater Management

We are hereby formally transmitting the attached, proposed ordinance that establishes requirements for management of stormwater runoff from sites of development and/or redevelopment. This proposed ordinance will constitute a new chapter (i.e., Chapter 1219) under the Part 12 – Planning and Zoning Code.

As discussed with you previously, establishment of this ordinance is required by the Michigan Department of Environmental Quality via the conditions of National Pollutant Discharge Elimination System Permit No. MI0059769, which was issued to the City of Lansing on September 11, 2015. Similarly, other municipalities in the Greater Lansing-area have been required to establish consistent ordinances, including the Cities of East Lansing and Grand Ledge.

You have previously reviewed and tentatively approved the form of this ordinance. However, we are now seeking formal "approved as to form" status from the Office of the City Attorney. Following receipt of this approval, we will work with Zoning Administrator, Susan Stachowiak, to continue the process to its next step with the Planning Commission.

If you have any questions, please contact me at #483-4459. Thank you

**Briefing Regarding the Proposed City Ordinance for
Post-Construction Stormwater Management for Development and
Redevelopment**

Committee on Public Services

August 7, 2018

For decades, the City has held a National Pollutant Discharge Elimination System (NPDES) permit for discharge from the City's wastewater treatment plant to the Grand River. NPDES is a federal program administered by the State DEQ, and the associated permits require that the "effluent" (i.e., the treated wastewater) meet Water Quality Standards prior to discharge to Waters of the State.

In 1999, based on new federal regulations, municipalities within "urbanized areas" were required to have authorization of their stormwater discharges to local waterways that are Waters of the State, so a second NPDES permit was issued to the City for its Municipal Separate Storm Sewer System (MS4).

Since storm sewer discharges cannot easily be treated, the City's MS4 permit and most other Michigan MS4 permits utilize "best management practices" (BMPs) to achieve water quality goals for stormwater runoff. One of the permit's primary BMP requirements is that of Post-Construction Stormwater Management for Development and Redevelopment.

For Post-Construction Stormwater Management, the City's MS4 permit requires that the following two criteria be achieved:

1. "treatment" (i.e., removal) of suspended solids in the stormwater runoff; and
2. "channel protection", which reduces the peak flows to the waterways through use of on-site retention of stormwater runoff.

Since these requirements are applicable to development and redevelopment, they are primarily implemented through the site plan approval process. However, these requirements also apply to the City's own capital improvement projects. Of note, these required criteria are typically achieved and encouraged in the site design through use of natural, "green" practices such as rain gardens, bio-vegetated swales, retention ponds, etc.

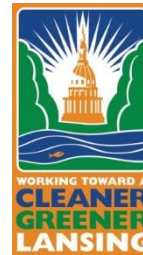
In order for these requirements to be enforceable, the State DEQ requires via the permit an "enforceable mechanism" in the form of an ordinance (or other equivalent mechanism). Of note, other municipalities in the region, including East Lansing and Grand Ledge, have already passed almost identical ordinances.

Submitted on 8/7/18

POST-CONSTRUCTION STORMWATER

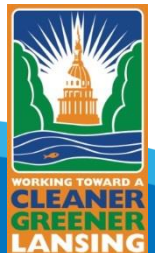
Meeting of the Lansing City Council

Monday, August 13, 2018 – 7:00 PM



The City of Lansing
Andy Schor, Mayor

Andrew Kilpatrick, P.E. – Director of Public Service
Dean Johnson, P.E. – City Engineer



POST-CONSTRUCTION STORMWATER

What is Post-Construction Stormwater?

It is the stormwater runoff from a site **FOLLOWING** development or redevelopment of the site.

Why is an ordinance proposed?

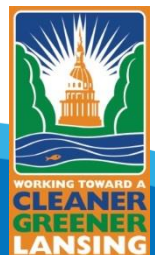
It is required by the City's National Pollutant Discharge Elimination System (NPDES) Permit.



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

NPDES is a federal program established in the 1970s in conjunction with creation of the Clean Water Act.

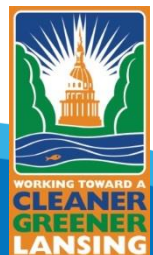
In Michigan, the program is delegated to the State for administration by the Dept. of Environmental Quality (DEQ).



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

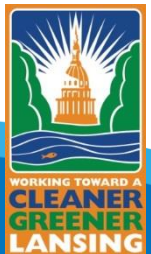
To assure that water pollution doesn't occur and that Water Quality is protected, NPDES regulates and establishes requirements for all “wastewater” discharges to the Waters of the State of Michigan.

This regulation is accomplished through the federal permitting program.



WATERS OF THE STATE OF MICHIGAN

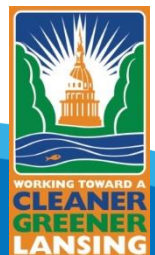
Upper Grand River Basin



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

The City of Lansing holds two (2) NPDES Permits.

- 1. Permit No. MI0023400 was issued to the City in the 1970s for the discharges from the City's wastewater treatment plant to the Grand River.**
- 2. A second permit was issued to the City in 1999 for authorization of the discharge from the City's storm sewer outfalls to the Grand River, Red Cedar River and Sycamore Creek (over 200 outfalls).**



MUNICIPAL SEPARATE STORM SEWER SYSTEM

Regarding the City's stormwater NPDES permit, all urbanized areas nation-wide that operate a “municipal separate storm sewer system (MS4)” are required to have permit coverage.

All MS4 NPDES permits contain many requirements to protect Water Quality, including requirements for management of stormwater runoff from sites of development or redevelopment.

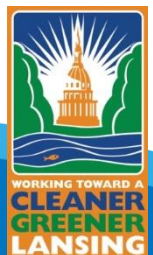


POST-CONSTRUCTION STORMWATER

Two (2) requirements for management of runoff:

1. **TREATMENT** (of suspended solids, only), and
2. **CHANNEL PROTECTION:** reduction of stream bank erosion by reducing peak runoff rates from the site through on-site retention & infiltration.

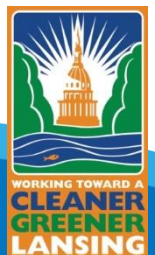
***Both requirements promote and encourage the use of natural, “green” practices on the redeveloped site.**



POST-CONSTRUCTION STORMWATER

TREATMENT Criteria

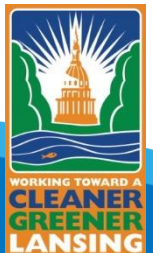
- Requirement applies to “treatment” of suspended solids, only.
- Requirement is for treatment of the “first flush” runoff generated from 0.9-inches of rainfall on the site.
- Requirement can often be achieved through green infrastructure such as rain gardens, vegetated swales, and/or retention ponds/basins.



POST-CONSTRUCTION STORMWATER

CHANNEL PROTECTION Criteria

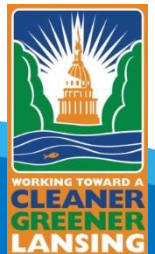
- Requirement is applied to runoff from a 2-year storm and the increased impervious surface due to redevelopment.
- Required runoff volume must be retained and infiltrated into the groundwater on-site.
- Requirement can often be achieved through green infrastructure such as rain gardens, vegetated swales, and/or retention ponds/basins.



POST-CONSTRUCTION STORMWATER

IMPLEMENTATION

- Since these requirements apply to development and redevelopment, they are primarily implemented through the site plan approval process.
- Requirements also apply to the City's capital improvement projects.
- In addition to the two NPDES criteria, the City also requires **DETENTION** to protect from localized flooding.

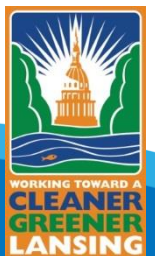


POST-CONSTRUCTION STORMWATER

Why is an ordinance needed?

The NPDES permit requires an enforceable mechanism to ensure compliance from developers.

*Other municipalities in the region, including East Lansing and Grand Ledge, have already passed almost identical ordinances.



ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF LANSING, MICHIGAN CODIFIED ORDINANCES BY ADDING A NEW CHAPTER 1219 TO BE ENTITLED POST-CONSTRUCTION STORMWATER MANAGEMENT ORDINANCE; TO STATE THE FINDINGS AND PURPOSE; TO DEFINE TERMS; TO ESTABLISH PROCEDURES FOR SUBMISSION AND CRITERIA FOR APPROVAL OF PLANS AND PROJECTS; TO DESIGNATE THOSE RESPONSIBLE FOR PLAN REVIEW, PROCESSING AND APPROVALS; TO REQUIRE PERFORMANCE AND MAINTENANCE GUARANTEES AND AGREEMENTS; TO PROVIDE FOR CIVIL FINES, EQUITABLE REMEDIES AND CRIMINAL SANCTIONS AND COSTS FOR VIOLATION OF THIS ORDINANCE, NUISANCE ABATEMENT, COST REIMBURSEMENT TO THE CITY AND ESTABLISHMENT OF LIENS; AND TO ESTABLISH AN EFFECTIVE DATE.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1219 of the codified ordinances of the City of Lansing, Michigan, is added and reads follows:

TITLE: CHAPTER 1219. – POST-CONSTRUCTION STORMWATER MANAGEMENT

1219.01. – PURPOSE

(A) THE PURPOSE OF THIS ORDINANCE IS TO ESTABLISH MINIMUM STORMWATER MANAGEMENT REQUIREMENTS AND CONTROLS TO PROTECT AND SAFEGUARD THE GENERAL HEALTH, SAFETY, AND WELFARE OF THE PUBLIC RESIDING IN THE CITY OF LANSING AND THE WATERSHEDS TO WHICH IT DRAINS AND TO COMPLY

1 WITH THE CITY'S NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM
2 (NPDES) PERMIT AND OTHER APPLICABLE FEDERAL AND STATE REGULATIONS.

3 (B) THIS ORDINANCE SEEKS TO MEET THAT PURPOSE BY MINIMIZING THE
4 NEGATIVE IMPACTS OF INCREASED STORMWATER DISCHARGES FROM NEW LAND
5 DEVELOPMENT AND REDEVELOPMENT THROUGH THE FOLLOWING OBJECTIVES:

6 (1) TO MINIMIZE INCREASED STORMWATER RUNOFF RATES AND VOLUMES FROM
7 IDENTIFIED LAND DEVELOPMENT AND REDEVELOPMENT.

8 (2) TO MINIMIZE NONPOINT SOURCE POLLUTION.

9 (3) TO MINIMIZE THE DETERIORATION OF EXISTING WATERCOURSES, CULVERTS
10 AND BRIDGES, AND OTHER STRUCTURES.

11 (4) TO ENCOURAGE WATER RECHARGE WHERE GEOLOGICALLY FAVORABLE
12 CONDITIONS EXISTS.

13 (5) TO MAINTAIN THE ECOLOGICAL INTEGRITY OF STREAM CHANNELS.

14 (6) TO MINIMIZE THE NEGATIVE IMPACTS OF DEVELOPMENT ON DOWNSTREAM
15 CHANNEL STABILITY.

16 (7) TO PRESERVE AND PROTECT WATER SUPPLY FACILITIES AND WATER
17 RESOURCES BY CONTROLLING INCREASED FLOOD DISCHARGES, STREAM
18 EROSION, AND RUNOFF POLLUTION.

19 (8) TO REDUCE THE ADVERSE IMPACT OF CHANGING LAND USE ON WATER
20 BODIES AND, TO THAT END, THIS ORDINANCE ESTABLISHES MINIMUM
21 STANDARDS TO PROTECT WATER BODIES FROM DEGRADATION RESULTING FROM
22 CHANGING LAND USE WHERE STORMWATER MANAGEMENT CONTROLS ARE
23 INSUFFICIENT TO MEET WATER QUANTITY AND QUALITY GOALS.

1 (9) TO ENSURE THAT STORM DRAINS AND STORMWATER BMPS ARE ADEQUATE
2 TO ADDRESS STORMWATER MANAGEMENT NEEDS WITHIN A PROPOSED
3 DEVELOPMENT, AND FOR PROTECTING DOWNSTREAM LANDOWNERS FROM
4 FLOODING AND DEGRADATION OF WATER QUALITY. THE PROCEDURES,
5 STANDARDS, AND RECOMMENDATIONS SET FORTH IN THIS ORDINANCE AND THE
6 CITY OF LANSING'S STORMWATER MANAGEMENT POLICIES AND PROCEDURES
7 MANUAL (POLICIES MANUAL) ARE DESIGNED FOR THESE PURPOSES.

8 (10) TO ENSURE THAT ALL STORMWATER FACILITIES NECESSARY FOR A
9 PROPOSED DEVELOPMENT WILL HAVE AN APPROPRIATE GOVERNMENTAL UNIT
10 RESPONSIBLE IN PERPETUITY FOR PERFORMING MAINTENANCE OR; FOR
11 OVERSEEING THE PERFORMANCE OF MAINTENANCE BY A PRIVATE ENTITY.

12 (11) TO FACILITATE THE INTEGRATION OF STORMWATER MANAGEMENT AND
13 POLLUTION CONTROL WITH OTHER ORDINANCES, PROGRAMS, POLICIES, AND THE
14 COMPREHENSIVE PLANS OF THE CITY OF LANSING.

15 (12) TO ESTABLISH LEGAL AUTHORITY TO CARRY OUT ALL OF THE INSPECTION
16 AND MONITORING PROCEDURES NECESSARY TO ENSURE COMPLIANCE WITH
17 THIS ORDINANCE.

18
19 1219.02. – DEFINITIONS.

20 AS USED IN THIS CHAPTER:

21 *APPLICANT* MEANS ANY PERSON PROPOSING OR IMPLEMENTING THE
22 DEVELOPMENT OR REDEVELOPMENT OF LAND.

23 *BMP OR BEST MANAGEMENT PRACTICE* MEANS ANY PRACTICE, OR COMBINATION

1 OF PRACTICES AND DESIGN CRITERIA THAT COMPLY WITH THE CITY OF LANSING
2 STORMWATER MANAGEMENT DESIGN MANUAL OR EQUIVALENT PRACTICES AND
3 DESIGN CRITERIA THAT ACCOMPLISH THE PURPOSES OF THIS ORDINANCE
4 (INCLUDING, BUT NOT LIMITED TO MINIMIZING STORMWATER RUNOFF AND
5 PREVENTING THE DISCHARGE OF POLLUTANTS INTO STORMWATER) AS
6 DETERMINED BY THE CITY ENGINEER AND/OR, WHERE APPROPRIATE, THE
7 STANDARDS OF THE COUNTY DRAIN COMMISSIONER.

8 *CHANNEL* MEANS A NATURAL OR ARTIFICIAL WATERCOURSE WITH A DEFINITE
9 BED AND BANKS THAT CONDUCTS CONTINUOUSLY OR PERIODICALLY FLOWING
10 WATER.

11 *CONVEYANCE FACILITY* MEANS A STORM DRAIN, PIPE, SWALE, OR CHANNEL.

12 *DESIGN ENGINEER* MEANS THE REGISTERED PROFESSIONAL ENGINEER
13 RESPONSIBLE FOR THE DESIGN OF THE STORMWATER MANAGEMENT PLAN.

14 *DETENTION* MEANS A SYSTEM WHICH IS DESIGNED TO CAPTURE STORMWATER
15 AND RELEASE IT OVER A GIVEN PERIOD OF TIME THROUGH AN OUTLET
16 STRUCTURE AT A CONTROLLED RATE. THE GOALS OF THIS BMP ARE TO
17 CONTROL PEAK DISCHARGE RATES AND PROVIDE GRAVITY SETTLING OF
18 POLLUTANTS.

19 *DEVELOPED OR DEVELOPMENT* MEANS THE INSTALLATION OR CONSTRUCTION OF
20 IMPERVIOUS SURFACES ON A DEVELOPMENT SITE THAT REQUIRE, PURSUANT TO
21 STATE LAW OR LOCAL ORDINANCE, CITY OF LANSING APPROVAL OF A SITE PLAN,
22 SITE CONDOMINIUM, SPECIAL LAND USE, PLANNED UNIT DEVELOPMENT, LAND
23 DIVISION APPROVAL, PRIVATE ROAD APPROVAL, OR OTHER APPROVALS

1 REQUIRED FOR THE DEVELOPMENT OF LAND OR THE ERECTION OF BUILDINGS OR
2 STRUCTURES; PROVIDED, HOWEVER, THAT FOR THE PURPOSES OF THIS ARTICLE
3 ONLY, DEVELOPED OR DEVELOPMENT SHALL NOT INCLUDE THE ACTUAL
4 CONSTRUCTION OF, OR AN ADDITION, EXTENSION, OR MODIFICATION TO, AN
5 INDIVIDUAL SINGLE-FAMILY OR A TWO-FAMILY DETACHED DWELLING THAT
6 DISTURBS LESS THAN ONE ACRE.

7 *ENGINEERED SITE GRADING PLAN* MEANS A SEALED DRAWING OR PLAN AND
8 ACCOMPANYING TEXT PREPARED BY A REGISTERED ENGINEER OR LANDSCAPE
9 ARCHITECT WHICH SHOWS ALTERATIONS OF TOPOGRAPHY, ALTERATIONS OF
10 WATERCOURSES, FLOW DIRECTIONS OF STORMWATER RUNOFF, AND PROPOSED
11 STORMWATER MANAGEMENT AND MEASURES, HAVING AS ITS PURPOSE TO
12 ENSURE THAT THE OBJECTIVES OF THIS ORDINANCE ARE MET.

13 *EROSION AND SEDIMENT CONTROL PLAN* MEANS A PLAN THAT IS DESIGNED TO
14 MINIMIZE THE ACCELERATED EROSION AND SEDIMENTATION RUNOFF AT A SITE
15 DURING CONSTRUCTION.

16 *FEE IN LIEU CONTRIBUTION* MEANS A PAYMENT OF MONEY IN PLACE OF MEETING
17 ALL OR PART OF THE STORMWATER PERFORMANCE STANDARDS REQUIRED BY
18 THIS ORDINANCE.

19 *GRADING* MEANS ANY STRIPPING, EXCAVATING, FILLING, OR STOCKPILING OF
20 SOIL OR ANY COMBINATION THEREOF AND THE LAND IN ITS EXCAVATED OR
21 FILLED CONDITION.

22 *IMPERVIOUS SURFACE* MEANS SURFACE THAT DOES NOT ALLOW STORMWATER
23 RUNOFF TO SLOWLY PERCOLATE INTO THE SOIL.

1 *INFILTRATION* MEANS THE PERCOLATION OF WATER INTO THE GROUND,
2 EXPRESSED IN INCHES PER HOUR.

3 *LAND DISTURBING ACTIVITY* MEANS ANY ACTIVITY THAT CHANGES THE VOLUME
4 OR PEAK FLOW DISCHARGE OF RAINFALL RUNOFF FROM THE LAND SURFACE.
5 THIS MAY INCLUDE THE GRADING, DIGGING, CUTTING, SCRAPING, OR
6 EXCAVATING OF SOIL, PLACEMENT OF FILL MATERIALS, PAVING,
7 CONSTRUCTION, SUBSTANTIAL REMOVAL OF VEGETATION, OR ANY ACTIVITY
8 THAT BARES SOIL OR ROCK OR INVOLVES THE DIVERSION OR PIPING OF ANY
9 NATURAL OR MAN-MADE WATERCOURSE.

10 *MAINTENANCE AGREEMENT* MEANS A BINDING AGREEMENT THAT ESTABLISHES
11 THE TERMS, MEASURES, AND CONDITIONS FOR THE MAINTENANCE OF
12 STORMWATER SYSTEMS AND FACILITIES.

13 *NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER*
14 *DISCHARGE PERMIT* MEANS THE PERMIT ISSUED TO THE CITY OF LANSING BY THE
15 MICHIGAN DEPARTMENT OF ENVIRONMENT QUALITY FOR POINT SOURCE
16 DISCHARGES OF STORMWATER FROM MUNICIPAL SEPARATE STORM SEWER
17 SYSTEMS.

18 *NON-STRUCTURAL MEASURE* MEANS A STORMWATER CONTROL AND TREATMENT
19 TECHNIQUE THAT USES NATURAL PROCESSES, RESTORATION OR ENHANCEMENT
20 OF NATURAL SYSTEMS, OR DESIGN APPROACHES TO CONTROL RUNOFF AND/OR
21 REDUCE POLLUTANT LEVELS. SUCH MEASURES ARE USED IN LIEU OF OR TO
22 SUPPLEMENT STRUCTURAL PRACTICES ON A LAND DEVELOPMENT SITE.

23 *OFFSITE FACILITY* MEANS ALL OR PART OF A DRAINAGE SYSTEM THAT IS

1 LOCATED PARTIALLY OR COMPLETELY OFF THE DEVELOPMENT SITE WHICH IT
2 SERVES.

3 *PEAK RATE OF DISCHARGE* MEANS THE MAXIMUM RATE OF STORMWATER FLOW
4 AT A PARTICULAR LOCATION FOLLOWING A STORM EVENT, AS MEASURED AT A
5 GIVEN POINT AND TIME IN CUBIC FEET PER SECOND (CFS).

6 *PERMANENT STORMWATER BMP* MEANS A STORMWATER BEST MANAGEMENT
7 PRACTICE (BMP) THAT WILL BE OPERATIONAL AFTER THE CONSTRUCTION
8 PHASE OF A PROJECT AND THAT IS DESIGNED TO BECOME A PERMANENT PART
9 OF THE SITE FOR THE PURPOSES OF MANAGING STORMWATER RUNOFF.

10 *PLAN* MEANS WRITTEN NARRATIVES, SPECIFICATIONS, DRAWINGS, SKETCHES,
11 WRITTEN STANDARDS, OPERATING PROCEDURES, OR ANY COMBINATION OF
12 THESE WHICH CONTAIN INFORMATION PURSUANT TO THIS ORDINANCE.

13 *POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN (STORMWATER PLAN)*
14 MEANS DRAWINGS AND WRITTEN INFORMATION PREPARED BY A REGISTERED
15 ENGINEER, REGISTERED LANDSCAPE ARCHITECT, OR REGISTERED SURVEYOR
16 WHICH DESCRIBE THE WAY IN WHICH ACCELERATED SOIL EROSION AND/OR
17 STORMWATER FLOWS FROM A PARTICULAR SITE ARE PROPOSED TO BE
18 CONTROLLED, BOTH DURING AND AFTER CONSTRUCTION, HAVING AS ITS
19 PURPOSE TO ENSURE THAT THE OBJECTIVES OF THIS ORDINANCE ARE MET.

20 *RECEIVING STREAM OR CHANNEL* MEANS THE BODY OF WATER OR CONVEYANCE
21 INTO WHICH STORMWATER RUNOFF IS DISCHARGED

22 *RECHARGE* MEANS THE REPLENISHMENT OF UNDERGROUND WATER RESERVES
23 THROUGH PERCOLATION.

1 *REDEVELOPMENT* MEANS A CHANGE TO A PREVIOUSLY EXISTING, IMPROVED
2 PROPERTY, INCLUDING BUT NOT LIMITED TO THE DEMOLITION OR BUILDING OF
3 STRUCTURES, FILLING, GRADING, PAVING, OR EXCAVATING, BUT EXCLUDING
4 ORDINARY MAINTENANCE ACTIVITIES, REMODELING OF BUILDINGS ON THE
5 EXISTING FOOTPRINT, RESURFACING OF PAVED AREAS, AND EXTERIOR CHANGES
6 OR IMPROVEMENTS THAT DO NOT MATERIALLY INCREASE OR CONCENTRATE
7 STORMWATER RUNOFF OR CAUSE ADDITIONAL NONPOINT SOURCE POLLUTION.

8 *RESPONSIBLE PARTY* MEANS ANY INDIVIDUAL, PARTNERSHIP, CO-PARTNERSHIP,
9 FIRM, COMPANY, CORPORATION, ASSOCIATION, JOINT STOCK, COMPANY, TRUST,
10 ESTATE, GOVERNMENTAL ENTITY, OR ANY OTHER LEGAL ENTITY; OR THEIR
11 REPRESENTATIVES, AGENTS, OR ASSIGNS THAT IS NAMED ON A STORMWATER
12 MAINTENANCE AGREEMENT AS RESPONSIBLE FOR LONG-TERM OPERATION AND
13 MAINTENANCE OF ONE OR MORE STORMWATER BMPS.

14 *RETENTION* MEANS A HOLDING SYSTEM FOR STORMWATER, EITHER NATURAL OR
15 MAN-MADE, WHICH DOES NOT HAVE A DIRECT OUTLET TO ADJOINING
16 WATERCOURSES OR WETLANDS.

17 *RUNOFF* MEANS THAT PART OF PRECIPITATION, WHICH FLOWS OVER THE LAND.

18 *SEDIMENT* MEANS MINERAL OR ORGANIC PARTICULATE MATTER THAT HAS
19 BEEN REMOVED FROM ITS SITE OF ORIGIN BY THE PROCESSES OF SOIL EROSION,
20 IS IN SUSPENSION IN WATER, OR IS BEING TRANSPORTED.

21 *STORMWATER BMP* MEANS ANY FACILITY, STRUCTURE, CHANNEL, AREA,
22 PROCESS OR MEASURE WHICH SERVES TO CONTROL STORMWATER RUNOFF IN
23 ACCORDANCE WITH THE PURPOSES AND STANDARDS OF THIS ORDINANCE.

1 *STORMWATER MANAGEMENT DESIGN MANUAL* MEANS THE DOCUMENT THAT
2 PROVIDES A DETAILED EXPLANATION OF THE DESIGN CRITERIA AND SPECIFIC
3 CONSTRUCTED APPROACHES FOR ACHIEVING COMPLIANCE WITH THE CITY'S
4 POST-CONSTRUCTION STORMWATER MANAGEMENT ORDINANCE.

5 *STORMWATER MANAGEMENT POLICIES AND PROCEDURES MANUAL* MEANS THE
6 DOCUMENT THAT PROVIDES A DETAILED EXPLANATION OF THE POLICIES AND
7 PROCEDURES FOR ACHIEVING COMPLIANCE WITH THE CITY'S POST-
8 CONSTRUCTION STORMWATER MANAGEMENT ORDINANCE.

9 *STREAM BUFFER* MEANS AN AREA OF LAND AT OR NEAR A STREAMBANK,
10 WETLAND, OR WATERBODY THAT HAS INTRINSIC WATER QUALITY VALUE DUE
11 TO THE ECOLOGICAL AND BIOLOGICAL PROCESSES IT PERFORMS OR IS
12 OTHERWISE SENSITIVE TO CHANGES WHICH MAY OTHERWISE RESULT IN
13 SIGNIFICANT DEGRADATION TO WATER QUALITY.

14 *WATERCOURSE* MEANS ANY NATURAL OR MANMADE WATERWAY OR OTHER
15 BODY OF WATER HAVING REASONABLY WELL DEFINED BANKS. RIVERS,
16 STREAMS, CREEKS, BROOKS, AND CHANNELS, WHETHER CONTINUALLY OR
17 INTERMITTENTLY FLOWING, AS WELL AS LAKES AND PONDS ARE
18 WATERCOURSES FOR PURPOSES OF STORMWATER MANAGEMENT.

19 *WATERSHED* MEANS AN AREA OF LAND DRAINING TO A COMMON OUTLET
20 OTHERWISE KNOWN AS A DRAINAGE OR CATCHMENT AREA.

21 *WETLANDS* MEANS AS DEFINED BY MICHIGAN'S WETLAND STATUTE, PART 303,
22 WETLANDS PROTECTION, OF THE NATURAL RESOURCES AND ENVIRONMENTAL
23 PROTECTION ACT, 1994 PA 451, AS AMENDED.

1219.03. - APPLICABILITY

(A) THIS ORDINANCE SHALL BE APPLICABLE TO ALL LAND DEVELOPMENT (NEW DEVELOPMENT AND REDEVELOPMENT), INCLUDING BUT NOT LIMITED TO, SITE PLAN, PLOT PLAN AND PLAT APPLICATIONS AS WELL AS ANY GRADING APPLICATIONS. IN ADDITION, THIS ORDINANCE SHALL BE APPLICABLE TO PUBLIC IMPROVEMENT PROJECTS THAT DISTURB ONE (1) ACRE OR MORE.

THE CITY ENGINEER MAY WAIVE THE CHANNEL PROTECTION REQUIREMENTS, WATER QUALITY REQUIREMENTS AND/OR FLOOD CONTROL REQUIREMENTS OF SECTION 1219.08(D) OF THIS ORDINANCE FOR:

- PROJECTS THAT ARE WITHIN AREAS OF THE CITY OF LANSING'S SEWER COLLECTION SYSTEM THAT ARE SERVED BY COMBINED SEWERS; OR
- PROJECTS THAT DISTURB LESS THAN ONE (1) ACRE AND ARE NOT PART OF A LARGER COMMON PLAN OF DEVELOPMENT OR SALE THAT WOULD DISTURB ONE (1) ACRE OR MORE.

(B) THE PROCEDURES AND STANDARDS SET FORTH IN THIS POST-CONSTRUCTION STORMWATER MANAGEMENT ORDINANCE, AND THE POLICIES, PROCEDURES, AND DESIGN DATA SPECIFIED IN THE CITY OF LANSING STORMWATER MANAGEMENT POLICIES AND PROCEDURES MANUAL (POLICIES MANUAL) AND THE CITY OF LANSING STORMWATER MANAGEMENT DESIGN MANUAL (DESIGN MANUAL) PROVIDE THE MINIMUM STANDARDS TO BE ADHERED TO BY DEVELOPERS AND IN NO WAY LIMITS THE AUTHORITY OF THE CITY OF LANSING TO ADOPT OR PUBLISH AND/OR ENFORCE HIGHER STANDARDS

1 AS A CONDITION OF APPROVAL OF DEVELOPMENTS.

2 (C) NO SITE PLAN, PLOT PLAN, OR PLAT SHALL BE APPROVED UNDER PART 12 OF
3 THE CITY CODE UNTIL APPROVAL BY THE CITY ENGINEER THAT SAID
4 DEVELOPMENT OR REDEVELOPMENT MEETS ALL:

- 5 • SOIL EROSION AND SEDIMENTATION CONTROL MEASURES CONSISTENT
6 WITH THE REQUIREMENTS OF CHAPTER 1218 OF THE CITY CODE;
- 7 • REQUIREMENTS FOR AN APPROVED POST-CONSTRUCTION STORMWATER
8 MANAGEMENT PLAN (STORMWATER PLAN) AS OUTLINED IN SECTION
9 1219.07 OF THIS ORDINANCE; AND
- 10 • RELATED LAND DEVELOPMENT REGULATIONS.

11 (D) IN ORDER TO ENSURE COMPLETION OF CONSTRUCTION OF THE PERMANENT
12 STORMWATER BMPS SPECIFIED IN THE APPLICANT'S STORMWATER PLAN AS
13 OUTLINED IN SECTION 1219.07 AND 1219.08 OF THIS ORDINANCE, A COMPLETION
14 BOND MUST BE PROVIDED TO THE CITY OF LANSING IN CONJUNCTION WITH THE
15 SITE PLAN OR PLOT PLAN SUBMITTED CONSISTENT WITH PART 12 OF THE CITY
16 CODE. THE VALUE OF THE COMPLETION BOND MUST BE IN AN AMOUNT
17 EQUIVALENT TO THE VALUE OF THE PERMANENT STORMWATER BMPS SPECIFIED
18 IN THE APPROVED STORMWATER PLAN. CONSISTENT WITH SECTION 1219.10(G)
19 OF THIS ORDINANCE, THE COMPLETION BOND WILL BE RELEASED BY THE CITY
20 OF LANSING FOLLOWING FINAL VERIFICATION OF THE CONSTRUCTION BY A
21 REGISTERED PROFESSIONAL ENGINEER.

22 (E) FOR AN EXISTING STORMWATER BASIN CONSTRUCTED PRIOR TO THE
23 EFFECTIVE DATE OF THIS ORDINANCE, AN APPROVED STORMWATER PLAN MUST

1 BE SECURED PRIOR TO ANY SIGNIFICANT EXPANSION, REPAIR, OR MAINTENANCE
2 OF SAID STORMWATER BASIN.

3
4 1219.04. - EXEMPTIONS

5 (A) NOTWITHSTANDING THE REQUIREMENTS OF SECTION 1219.03, A
6 STORMWATER PLAN SHALL NOT BE REQUIRED FOR ACTIVITIES PROTECTED BY
7 THE RIGHT TO FARM ACT 93 OF 1981.

8 (B) THE INSTALLATION OR REMOVAL OF INDIVIDUAL MANUFACTURED
9 HOMES WITHIN A MANUFACTURED HOME PARK IS EXEMPTED FROM THE
10 REQUIREMENTS OF THIS ORDINANCE. THIS EXEMPTION SHALL NOT BE
11 CONSTRUED TO APPLY TO THE CONSTRUCTION, EXPANSION, OR MODIFICATION
12 OF A MANUFACTURED HOME PARK.

13 (C) PLATS THAT HAVE RECEIVED PRELIMINARY PLAT APPROVAL AND
14 OTHER DEVELOPMENTS WITH FINAL LAND USE APPROVAL PRIOR TO THE
15 EFFECTIVE DATE OF THIS ORDINANCE ARE EXEMPTED FROM THE
16 REQUIREMENTS OF THIS ORDINANCE, WHERE SUCH APPROVALS REMAIN IN
17 EFFECT.

18 (D) ANY EMERGENCY PROJECTS THAT ARE IMMEDIATELY NECESSARY FOR
19 THE PROTECTION OF LIFE, PROPERTY, OR NATURAL RESOURCES, ARE EXEMPTED
20 FROM THE REQUIREMENTS OF THIS ORDINANCE.

21 (E) LINEAR CONSTRUCTION PROJECTS, SUCH AS PIPELINE OR UTILITY LINE
22 INSTALLATION, THAT DO NOT RESULT IN THE INSTALLATION OF ANY
23 IMPERVIOUS COVER, AS DETERMINED BY THE CITY ENGINEER, ARE EXEMPTED

FROM THE REQUIREMENTS OF THIS ORDINANCE.

1219.05. - LIABILITY

ANY PERSON WHO UNDERTAKES OR CAUSES TO BE UNDERTAKEN ANY LAND DEVELOPMENT SHALL ENSURE THAT SOIL EROSION, SEDIMENTATION, INCREASED POLLUTANT LOADS AND CHANGED WATER FLOW CHARACTERISTICS RESULTING FROM THE ACTIVITY ARE CONTROLLED SO AS TO MINIMIZE POLLUTION OF RECEIVING WATERS. THE REQUIREMENTS OF THIS ORDINANCE AND OTHER APPLICABLE CITY OF LANSING ORDINANCES ARE MINIMUM STANDARDS AND A PERSON'S COMPLIANCE WITH THE SAME SHALL NOT RELIEVE SUCH PERSON FROM THE DUTY OF ENACTING ALL MEASURES NECESSARY TO MINIMIZE POLLUTION OF RECEIVING WATERS TO THE MAXIMUM EXTENT PRACTICABLE.

1219.06. - DESIGNATION OF STORMWATER AUTHORITY; POWERS AND DUTIES

(A) THE CITY ENGINEER SHALL ADMINISTER AND ENFORCE THIS ORDINANCE, AND MAY FURNISH ADDITIONAL POLICY, CRITERIA AND INFORMATION INCLUDING SPECIFICATIONS AND STANDARDS AND/OR ESTABLISHMENT OF A PERMITTING PROGRAM, FOR THE PROPER IMPLEMENTATION OF THE REQUIREMENTS OF THIS ORDINANCE AND MAY PROVIDE SUCH INFORMATION IN THE FORM OF A STORMWATER MANAGEMENT POLICIES AND PROCEDURES MANUAL AND/OR STORMWATER MANAGEMENT DESIGN MANUAL.

1 (B) THE CITY OF LANSING'S STORMWATER MANAGEMENT POLICIES AND
2 PROCEDURES MANUAL AND/OR STORMWATER MANAGEMENT DESIGN MANUAL
3 MAY BE UPDATED AND EXPANDED FROM TIME TO TIME, AT THE DISCRETION OF
4 THE CITY ENGINEER BASED ON REGULATORY REVISIONS AND/OR
5 IMPROVEMENTS IN ENGINEERING, SCIENCE, MONITORING AND LOCAL
6 MAINTENANCE EXPERIENCE.

7 (C) REPRESENTATIVES OF THE CITY ENGINEER SHALL HAVE THE RIGHT TO
8 ENTER UPON ANY LAND FOR THE PURPOSES OF MAKING AN INSPECTION OR
9 ACQUIRING INFORMATION TO DETERMINE WHETHER OR NOT THE PROPERTY
10 CONFORMS TO THE REQUIREMENTS OF THIS ORDINANCE.

11
12 1219.07. - CONTENTS OF POST-CONSTRUCTION STORMWATER MANAGEMENT
13 PLAN

14 (A) THE STORMWATER MANAGEMENT PLAN (STORMWATER PLAN) SHALL
15 UTILIZE TO THE MAXIMUM EXTENT PRACTICABLE SITE PLANNING AND DESIGN
16 TECHNIQUES THAT REDUCE RUNOFF RATES, VOLUMES, AND POLLUTANT LOADS.
17 SUCH TECHNIQUES INCLUDE, BUT ARE NOT LIMITED TO, MINIMIZATION AND/OR
18 DISCONNECTION OF IMPERVIOUS SURFACES; DEVELOPMENT DESIGN THAT
19 REDUCES THE RATE AND VOLUME OF RUNOFF; RESTORATION OR ENHANCEMENT
20 OF NATURAL AREAS SUCH AS RIPARIAN AREAS, WETLANDS, AND FORESTS; AND
21 DISTRIBUTED PRACTICES THAT INTERCEPT AND TREAT RUNOFF FROM
22 DEVELOPED AREAS.

23 (B) THE STORMWATER PLAN SHALL BE PRESENTED AS FOLLOWS:

1 (1) THROUGH PLANS, ILLUSTRATIONS, REPORTS, AND CALCULATIONS, THE
2 STORMWATER PLAN SHALL DISPLAY THE REQUIRED INFORMATION SPECIFIED IN
3 THE CITY OF LANSING STORMWATER MANAGEMENT DESIGN MANUAL (DESIGN
4 MANUAL).

5 (2) THE STORMWATER PLAN MUST BE SUFFICIENTLY DETAILED TO SPECIFY THE
6 TYPE, LOCATION, AND SIZE OF STORMWATER MANAGEMENT FACILITIES.

7 (3) IF IT IS PROPOSED TO DEVELOP A PARCEL IN TWO OR MORE PHASES, THE
8 STORMWATER PLAN SHALL BE PREPARED AND SUBMITTED FOR THE TOTAL
9 PROJECT.

10 (C) THE STORMWATER PLAN SHALL BE PREPARED BY A REGISTERED CIVIL
11 ENGINEER IN ACCORDANCE WITH THE REQUIREMENTS OUTLINED IN THE DESIGN
12 MANUAL. OTHER PERSONS AND PROFESSIONALS MAY ASSIST IN THE
13 PREPARATION OF THE PLAN. ALL PLANS SHALL BE PROPERLY SEALED.

14
15 1219.08. - STANDARDS FOR POST CONSTRUCTION STORMWATER MANAGEMENT
16 PLAN (STORMWATER PLAN) APPROVAL

17 (A) ALL DEVELOPMENTS REQUIRING A STORMWATER PLAN SHALL BE
18 DESIGNED, CONSTRUCTED, AND MAINTAINED TO PREVENT FLOODING, MINIMIZE
19 STREAM CHANNEL IMPACTS, PROTECT WATER QUALITY, AND ACHIEVE THE
20 PURPOSES OF THIS ORDINANCE, AS STATED ABOVE. THE CITY OF LANSING HAS
21 ADOPTED PERFORMANCE STANDARDS TO MEET THE OBJECTIVES OF MANAGING
22 THE QUANTITY AND QUALITY OF STORMWATER RUNOFF FROM A SITE AS
23 DESCRIBED BELOW AND IN THE CITY OF LANSING STORMWATER MANAGEMENT

DESIGN MANUAL (DESIGN MANUAL).

(B) DESIGNERS MAY SELECT ANY COMBINATION OF STORMWATER BMPS WHICH MEET THE PERFORMANCE STANDARDS PROVIDED THE SELECTIONS:

(1) COMPLY WITH THE REQUIREMENTS IDENTIFIED IN THIS ORDINANCE AND THE ASSOCIATED CITY OF LANSING STORMWATER MANAGEMENT POLICIES AND

PROCEDURES MANUAL (POLICIES MANUAL) AND DESIGN MANUAL;

(2) COMPLY WITH ALL OTHER LOCAL, COUNTY, STATE, OR FEDERAL REQUIREMENTS; AND

(3) DO NOT CONFLICT WITH THE EXISTING LOCAL STORMWATER MANAGEMENT AND WATERSHED PLANS.

(C) THE PARTICULAR FACILITIES AND MEASURES REQUIRED ON-SITE SHALL TAKE INTO CONSIDERATION THE NATURAL FEATURES, UPLAND AREAS, WETLANDS, AND WATERCOURSES ON THE SITE; THE POTENTIAL FOR ON-SITE AND OFFSITE ADVERSE STORMWATER IMPACTS, WATER POLLUTION, AND EROSION; AND THE SIZE OF THE SITE.

(D) THE FOLLOWING ON-SITE STORMWATER MANAGEMENT CONCEPTS MUST BE FOLLOWED:

(1) NATURAL TOPOGRAPHY AND SITE DRAINAGE SHALL BE PRESERVED AND SITE GRADING SHALL BE MINIMIZED TO THE MAXIMUM EXTENT REASONABLY ACHIEVABLE CONSIDERING THE NATURE OF THE DEVELOPMENT.

(2) THE PREFERRED CONVEYANCE STRATEGY IS TO TRANSPORT, WHEREVER POSSIBLE, UNTREATED AND TREATED RUNOFF IN CONVEYANCE FACILITIES OPEN TO THE ATMOSPHERE (E.G. SWALES, VEGETATED BUFFER STRIPS, ENERGY-

DISSIPATING STRUCTURES, ETC.), RATHER THAN THROUGH ENCLOSED PIPES, SO AS TO DECREASE RUNOFF VELOCITY, ALLOW FOR NATURAL INFILTRATION, ALLOW SUSPENDED SEDIMENT PARTICLES TO SETTLE, AND TO REMOVE POLLUTANTS.

(3) WATERCOURSES SHALL NOT BE DEEPENED, WIDENED, DREDGED, CLEARED OF VEGETATION, STRAIGHTENED, STABILIZED, OR OTHERWISE ALTERED WITHOUT APPLICABLE PERMITS OR APPROVALS FROM THE CITY ENGINEER, RELEVANT COUNTY AGENCIES AND THE APPLICABLE STATE OF MICHIGAN DEPARTMENT(S).

(4) THE STORMWATER PLAN AND ASSOCIATED BMPS MUST DEMONSTRATE COMPLIANCE WITH REQUIRED CHANNEL PROTECTION/VOLUME CRITERIA BY PROVIDING RETENTION AS NECESSARY TO MEET VOLUME AND PEAK FLOW LIMITS CONSISTENT WITH THE REQUIREMENTS OF THE DESIGN MANUAL. SPECIFIC DETAILS FOR ACHIEVING COMPLIANCE WITH THE VOLUME/CHANNEL PROTECTION CRITERIA ARE OUTLINED IN THE DESIGN MANUAL.

(5) THE STORMWATER PLAN AND ASSOCIATED BMPS MUST DEMONSTRATE COMPLIANCE WITH REQUIRED WATER QUALITY CRITERIA BY PROVIDING TREATMENT OF TOTAL SUSPENDED SOLIDS (TSS) OR BY PROVIDING RETENTION TO ACHIEVE THE SAME CRITERIA FOR MAXIMUM TSS CONCENTRATIONS IN THE STORMWATER DISCHARGE FROM THE SITE WITH EITHER APPROACH BEING CONSISTENT WITH THE REQUIREMENTS OF THE DESIGN MANUAL. SPECIFIC DETAILS FOR ACHIEVING COMPLIANCE WITH THE WATER QUALITY CRITERIA ARE OUTLINED IN THE DESIGN MANUAL.

1 (6) THE STORMWATER PLAN AND ASSOCIATED BMPS MUST DEMONSTRATE
2 COMPLIANCE WITH REQUIRED PEAK FLOWRATE AND FLOOD CONTROL CRITERIA
3 BY PROVIDING STORMWATER DETENTION AND/OR RETENTION CONSISTENT
4 WITH THE REQUIREMENTS OF THE DESIGN MANUAL. SPECIFIC DETAILS FOR
5 ACHIEVING COMPLIANCE WITH THE PEAK FLOWRATE AND FLOOD CONTROL
6 CRITERIA ARE OUTLINED IN THE DESIGN MANUAL.

7 (7) UNDER CERTAIN CONDITIONS, THE CITY OF LANSING, UPON
8 RECOMMENDATION BY THE CITY ENGINEER, MAY IMPOSE THE FOLLOWING
9 ADDITIONAL RESTRICTIONS ON STORMWATER DISCHARGES.

- 10 • PEAK DISCHARGE MAY BE FURTHER RESTRICTED WHEN IT CAN
11 BE SHOWN THAT A PROBABLE RISK TO DOWNSTREAM
12 STRUCTURES OR UNIQUE NATURAL AREAS EXISTS OR THAT
13 EXISTING SEVERE FLOODING PROBLEMS COULD BE FURTHER
14 AGGRAVATED.
- 15 • MEASURES SHALL BE IMPOSED TO PROTECT AGAINST GROUND
16 OR SURFACE WATER POLLUTION WHERE THE NATURE OF THE
17 SOILS OR BEDROCK UNDERLYING A STORMWATER
18 MANAGEMENT STRUCTURE CONSTITUTES SUBSTANTIAL RISK
19 OF CONTAMINATION, SUCH AS MIGHT BE THE CASE IN
20 LIMESTONE FORMATIONS. SPECIAL PROVISIONS TO BE
21 FOLLOWED IN THESE CASES WILL BE PROVIDED BY THE CITY
22 ENGINEER.

23 (E) STORMWATER “CREDITS” FOR ONSITE STORMWATER MANAGEMENT

1 MAY BE CONSIDERED IN ACCORDANCE WITH THE PROVISIONS PROVIDED IN THE
2 POLICIES MANUAL.

3 (F) STORMWATER “OFFSETS” MAY BE CONSIDERED WHERE WATER
4 QUANTITY OR WATER QUALITY BMPS REQUIRED BY THIS ORDINANCE CAN NOT
5 BE FULLY ACCOMMODATED ON-SITE IN ACCORDANCE WITH THE PROVISIONS
6 PROVIDED IN THE POLICIES MANUAL.

7
8 1219.09. - STORMWATER MANAGEMENT PLAN AND BMP CONSTRUCTION PLANS
9 SUBMISSION

10 (A) THE STORMWATER MANAGEMENT PLAN (STORMWATER PLAN) AND THE
11 ASSOCIATED, PROPOSED BMP CONSTRUCTION PLANS AND SPECIFICATIONS
12 SHALL BE SUBMITTED FOR REVIEW IN ACCORDANCE WITH THE SITE PLAN
13 SUBMITTAL REQUIREMENTS OF PART 12 OF THE CITY CODE.

14 (B) THE BMP CONSTRUCTION PLANS AND SPECIFICATIONS SHALL BE
15 PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS ORDINANCE AND
16 THE CITY OF LANSING STORMWATER MANAGEMENT DESIGN MANUAL (DESIGN
17 MANUAL).

18 (C) THE BMP CONSTRUCTION PLANS AND SPECIFICATIONS SHALL BE
19 PREPARED BY A LICENSED LANDSCAPE ARCHITECT, CERTIFIED PROFESSIONAL
20 SURVEYOR, OR PROFESSIONAL ENGINEER AND MUST BE SIGNED BY THE
21 PROFESSIONAL PREPARING THE PLAN, WHO SHALL CERTIFY THAT THE DESIGN
22 OF ALL STORMWATER BMPS MEET THE REQUIREMENTS OF THIS ORDINANCE.

23 (D) NO SUBSTANTIVE CHANGES SHALL BE MADE TO AN APPROVED

1 STORMWATER PLAN WITHOUT REVIEW AND WRITTEN APPROVAL BY THE CITY
2 OF LANSING. THE ENGINEERING DIVISION MAY REQUEST ADDITIONAL DATA
3 WITH A PLAN AMENDMENT AS MAY BE NECESSARY FOR A COMPLETE REVIEW OF
4 THE STORMWATER PLAN AND BMP CONSTRUCTION PLANS AND SPECIFICATIONS
5 TO ENSURE THAT CHANGES TO THE PLAN WILL COMPLY WITH THE
6 REQUIREMENTS OF THIS ORDINANCE.

7 (E) COMPLIANCE WITH THE REQUIREMENTS OF THIS ORDINANCE DOES NOT
8 ELIMINATE THE NEED FOR THE PROPRIETOR TO OBTAIN REQUIRED PERMITS AND
9 APPROVALS FROM COUNTY AND STATE AGENCIES.

10 (F) FOR SITE CONDOMINIUMS, COMPLETE MASTER DEED DOCUMENTS
11 (INCLUDING "EXHIBITS" DRAWINGS) MUST BE SUBMITTED FOR THE CITY'S
12 REVIEW AND APPROVAL PRIOR TO RECORDING.

13
14 1219.10. - REVIEW PROCEDURES

15 (A) ALL STORMWATER MANAGEMENT PLANS AND BMP CONSTRUCTION
16 PLANS AND SPECIFICATIONS SHALL BE SUBJECT TO REVIEW AND APPROVAL BY
17 THE CITY ENGINEERING DIVISION IN ORDER TO ENSURE CONFORMANCE WITH
18 THE REQUIREMENTS OF THIS ORDINANCE AND THE ASSOCIATED CITY OF
19 LANSING STORMWATER MANAGEMENT POLICIES AND PROCEDURES MANUAL
20 AND THE CITY OF LANSING STORMWATER MANAGEMENT DESIGN MANUAL.

21 (B) UPON SUBMISSION OF A STORMWATER MANAGEMENT PLAN
22 (STORMWATER PLAN) AND BMP CONSTRUCTION PLANS AND SPECIFICATIONS, AS
23 PROVIDED HEREIN, SUCH PLAN SHALL BE REVIEWED BY THE ENGINEERING

1 DIVISION AND A WRITTEN RESPONSE PREPARED AND SUBMITTED TO THE CITY
2 OF LANSING PLANNING OFFICE. IF THE PROPOSED PLAN IS NOT SUFFICIENT AS
3 ORIGINALLY SUBMITTED, THE ENGINEERING DIVISION WILL NOTIFY THE
4 APPLICANT IN WRITING, SETTING FORTH THE REASONS FOR WITHHOLDING A
5 RECOMMENDATION FOR APPROVAL, AND WILL STATE THE CHANGES
6 NECESSARY TO OBTAIN APPROVAL. FAILURE OF THE OWNER TO ULTIMATELY
7 DEMONSTRATE THAT THE PROJECT MEETS REQUIREMENTS, AS DETERMINED BY
8 THE CITY OF LANSING, SHALL BE REASON TO DENY APPROVAL OF THE
9 STORMWATER PLAN AND BMP CONSTRUCTION PLANS AND SPECIFICATIONS.

10 (C) BEFORE APPROVAL OF THE FINAL STORMWATER BMP CONSTRUCTION
11 PLANS, COPIES OF ALL NECESSARY WETLAND, FLOODPLAIN, INLAND LAKES AND
12 STREAMS, EROSION CONTROL OR OTHER NEEDED STATE, FEDERAL, OR LOCAL
13 PERMITS RELATING TO STORMWATER MANAGEMENT HAVE BEEN PROVIDED BY
14 THE APPLICANT FOR THE CITY OF LANSING'S FILES.

15 (D) A SATISFACTORY MAINTENANCE AGREEMENT IN ACCORDANCE WITH
16 SECTION 1219.18 OF THIS ORDINANCE THAT ASSURES LONG-TERM MAINTENANCE
17 OF ALL DRAINAGE IMPROVEMENTS WILL BE IN PLACE BEFORE APPROVAL OF
18 THE STORMWATER PLAN AND BMP CONSTRUCTION PLANS AND SPECIFICATIONS.
19 DOCUMENTATION OF THE MAINTENANCE AGREEMENT WILL BE SUPPLIED TO
20 THE ENGINEERING DIVISION AND APPROVED BY THE CITY ENGINEER.

21 (E) A SOIL EROSION AND SEDIMENTATION CONTROL PERMIT SHALL NOT BE
22 ISSUED UNDER CHAPTER 1218 OF THE CITY CODE UNLESS THE DETAILED
23 STORMWATER PLAN AND BMP CONSTRUCTION PLANS AND SPECIFICATIONS

1 MEET THE STANDARDS OF THIS ORDINANCE AND THE ASSOCIATED CITY OF
2 LANSING STORMWATER MANAGEMENT POLICIES AND PROCEDURES MANUAL
3 AND THE CITY OF LANSING STORMWATER MANAGEMENT DESIGN MANUAL.

4 (F) FOR DEVELOPMENTS THAT WILL RESULT IN DISTURBANCE OF FIVE OR
5 MORE ACRES OF LAND, A COMPLETE NOTICE OF COVERAGE FOR
6 CONSTRUCTION-PHASE STORMWATER MUST BE SUBMITTED TO THE MICHIGAN
7 DEPARTMENT OF ENVIRONMENTAL QUALITY, WATER RESOURCES DIVISION, TO
8 HAVE THE DISCHARGE AUTHORIZED UNDER A NATIONAL POLLUTANT
9 DISCHARGE ELIMINATION SYSTEM PERMIT.

10 (G) THE APPLICANT WILL MAKE ARRANGEMENTS ACCEPTABLE TO THE
11 ENGINEERING DIVISION FOR INSPECTION DURING CONSTRUCTION AND FOR
12 FINAL VERIFICATION OF THE CONSTRUCTION OF ALL PERMANENT STORMWATER
13 BMPS BY A REGISTERED PROFESSIONAL ENGINEER. FOLLOWING FINAL
14 VERIFICATION OF THE CONSTRUCTION BY A REGISTERED PROFESSIONAL
15 ENGINEER, THE COMPLETION BOND REQUIRED CONSISTENT WITH SECTION
16 1219.03(D) OF THIS ORDINANCE WILL BE RELEASED BY THE CITY OF LANSING.

17 (H) ELECTRONIC FILES OF THE AS-BUILT STORM DRAINS AND STORMWATER
18 BMPS WILL BE SUBMITTED BY THE APPLICANT OR HIS/HER ENGINEER TO THE
19 ENGINEERING DIVISION ALONG WITH THE FINAL PLAN FOR EXISTING SYSTEMS,
20 OR UPON COMPLETION OF SYSTEM CONSTRUCTION FOR NEW SYSTEMS.

21 (I) COMPLETE DEVELOPMENT AGREEMENTS (INCLUDING DEED
22 RESTRICTIONS) MUST BE SUBMITTED FOR THE CITY OF LANSING REVIEW AND
23 APPROVAL PRIOR TO RECORDING.

1
2 1219.11. - REVIEW FEES

3 THE CITY OF LANSING CITY COUNCIL SHALL ESTABLISH APPLICATION FEES
4 AND ESCROW REQUIREMENTS BY RESOLUTION. FEES AND ESCROW ACCOUNT
5 PAYMENTS SHALL BE SUFFICIENT TO COVER ADMINISTRATIVE AND TECHNICAL
6 REVIEW COSTS ANTICIPATED TO BE INCURRED BY THE CITY INCLUDING THE
7 COSTS OF ON-SITE INSPECTIONS.
8

9 1219.12. - OFF-SITE STORMWATER MANAGEMENT

10 REQUIREMENTS FOR OFF-SITE STORMWATER MANAGEMENT MAY BE
11 CONSIDERED IN ACCORDANCE WITH THE OFFSET PROVISIONS PROVIDED IN THE
12 CITY OF LANSING STORMWATER MANAGEMENT POLICIES AND PROCEDURES
13 MANUAL.
14

15 1219.13. - REVISION OF PLAN

16 IF IT BECOMES NECESSARY TO ALTER A DEVELOPMENT OR EARTH CHANGE
17 PROPOSAL AFTER THE STORMWATER PLAN HAS BEEN APPROVED, A REVISED
18 STORMWATER PLAN MUST BE SUBMITTED, REVIEWED, AND APPROVED IN
19 ACCORDANCE WITH THE PROCEDURE SET FORTH ABOVE. ALL REQUIREMENTS
20 AND STANDARDS FOR STORMWATER PLANS SHALL APPLY.
21

22 1219.14. - DRAINS UNDER THE JURISDICTION OF THE DRAIN COMMISSIONER

23 (A) DRAINAGE DISTRICTS WILL NOT BE ALTERED WHEN DESIGNING

1 DEVELOPMENT DRAINAGE, EXCEPT AS PROVIDED UNDER SECTION 433 OF ACT 40,
2 PUBLIC ACT 1956, AS AMENDED.

3 (B) EXISTING COUNTY DRAIN EASEMENTS WILL BE INDICATED ON THE
4 STORMWATER PLAN AS WELL AS THE FINAL STORMWATER BMP CONSTRUCTION
5 PLANS AND WILL BE DESIGNATED AS “INGHAM COUNTY DRAIN”, “EATON
6 COUNTY DRAIN”, OR THE APPROPRIATE INTER-COUNTY DRAIN AS APPLICABLE.
7 COUNTY DRAIN EASEMENTS PRIOR TO 1956 WERE NOT REQUIRED BY STATUTE
8 TO BE RECORDED IMMEDIATELY; THEREFORE, IT MAY BE NECESSARY TO CHECK
9 THE PERMANENT RECORDS OF THE DRAIN OFFICE TO SEE IF A DRAIN EASEMENT
10 IS IN EXISTENCE ON THE SUBJECT PROPERTY.

11 (C) A PERMIT WILL BE OBTAINED FROM THE APPROPRIATE DRAIN
12 COMMISSIONER’S OFFICE PRIOR TO DISCHARGING INTO, TAPPING OR CROSSING
13 ANY COUNTY OR INTER-COUNTY DRAIN. THE PERMIT MUST BE OBTAINED PRIOR
14 TO FINAL PLAN APPROVAL.

15 (D) PROPOSED RELOCATIONS OF COUNTY DRAINS WILL BE PROCESSED
16 THROUGH THE OFFICE OF THE APPROPRIATE DRAIN COMMISSIONER.

17
18 1219.15. - AS-BUILT CERTIFICATION

19 AN AS-BUILT CERTIFICATION FOR STORMWATER BMPS MUST BE PROVIDED
20 TO THE ENGINEERING DIVISION PRIOR TO FINAL APPROVAL OF THE
21 DEVELOPMENT. THE CERTIFICATION SHOULD INCLUDE ALL OF THE
22 REQUIREMENTS NOTED IN THE DESIGN MANUAL.

1219.16. - NOTICE OF CONSTRUCTION COMMENCEMENT

THE APPLICANT MUST NOTIFY THE CITY OF LANSING ENGINEERING DIVISION BEFORE THE COMMENCEMENT OF CONSTRUCTION. IN ADDITION, THE APPLICANT MUST NOTIFY THE CITY OF LANSING ENGINEERING DIVISION IN ADVANCE OF CONSTRUCTION OF CRITICAL COMPONENTS OF THE STORMWATER PRACTICES SHOWN ON THE APPROVED STORMWATER BMP CONSTRUCTION PLANS AND SPECIFICATIONS. THE CITY MAY, AT ITS DISCRETION, ISSUE VERBAL OR WRITTEN AUTHORIZATION TO PROCEED WITH CRITICAL CONSTRUCTION STEPS, SUCH AS INSTALLATION OF PERMANENT STORMWATER BMPS BASED ON STABILIZATION OF THE DRAINAGE AREA AND OTHER FACTORS.

1219.17. - CONSTRUCTION INSPECTIONS BY CITY OF LANSING OR ITS REPRESENTATIVES

THE CITY OF LANSING ENGINEERING DIVISION OR ITS REPRESENTATIVES MAY CONDUCT PERIODIC INSPECTIONS OF THE STORMWATER PRACTICES SHOWN ON THE APPROVED STORMWATER BMP CONSTRUCTION PLANS AND SPECIFICATIONS, AND ESPECIALLY DURING CRITICAL INSTALLATION AND STABILIZATION STEPS. ALL INSPECTIONS SHALL BE DOCUMENTED IN WRITING. THE INSPECTION SHALL DOCUMENT ANY VARIATIONS OR DISCREPANCIES FROM THE APPROVED PLAN, AND THE RESOLUTION OF SUCH ISSUES.

1219.18. - MAINTENANCE AGREEMENT

(A) PURPOSE OF MAINTENANCE AGREEMENT - THE PURPOSE OF THE

1 MAINTENANCE AGREEMENT IS TO PROVIDE THE MEANS AND ASSURANCE THAT
2 PERPETUAL, LONG-TERM MAINTENANCE OF STORMWATER BMPS SHALL BE
3 PROVIDED FOR AND UNDERTAKEN. A MAINTENANCE AGREEMENT SHALL BE
4 SUBMITTED TO THE CITY OF LANSING, FOR REVIEW BY THE CITY ENGINEER AND
5 HIS/HER DESIGNEE, AND SHALL BE SUBJECT TO APPROVAL IN CONSISTENT WITH
6 THE APPROVED STORMWATER MANAGEMENT PLAN AND BMP CONSTRUCTION
7 PLANS AND SPECIFICATIONS.

8 (B) RESPONSIBLE PARTY

9 (1) THE RESPONSIBLE PARTY NAMED IN THE RECORDED STORMWATER
10 MAINTENANCE AGREEMENT SHALL MAINTAIN IN GOOD CONDITION AND
11 PROMPTLY REPAIR AND RESTORE ALL STRUCTURAL AND NON-STRUCTURAL
12 STORMWATER BMPS AND ALL NECESSARY ACCESS ROUTES AND
13 APPURTENANCES. SUCH REPAIRS OR RESTORATION AND MAINTENANCE SHALL
14 BE IN ACCORDANCE WITH THE APPROVED STORMWATER BMP CONSTRUCTION
15 PLANS AND SPECIFICATIONS AND THE STORMWATER MAINTENANCE
16 AGREEMENT.

17 (2) THE RESPONSIBLE PARTY SHALL MAKE RECORDS OF INSTALLATION AND OF
18 ALL MAINTENANCE AND REPAIRS, AND SHALL RETAIN THE RECORDS FOR AT
19 LEAST FIVE (5) YEARS. THESE RECORDS SHALL BE MADE AVAILABLE TO THE
20 CITY OF LANSING DURING INSPECTION OF THE PRACTICE AND AT OTHER
21 REASONABLE TIMES UPON REQUEST.

22 (C) MAINTENANCE AGREEMENT PROVISIONS

23 (1) THE MAINTENANCE AGREEMENT SHALL PROVIDE FOR ROUTINE,

1 EMERGENCY, AND LONG-TERM MAINTENANCE OF ALL STORMWATER BMPS.

2 (2) THE MAINTENANCE AGREEMENT SHALL BE BINDING ON ALL SUBSEQUENT
3 OWNERS OF LAND SERVED BY THE STORMWATER BMPS AND SHALL BE
4 RECORDED IN THE OFFICE OF THE APPROPRIATE COUNTY REGISTER OF DEEDS
5 PRIOR TO THE EFFECTIVENESS OF THE APPROVAL OF THE CITY OF LANSING.

6 (3) IF IT HAS BEEN FOUND BY THE CITY OF LANSING, FOLLOWING NOTICE AND
7 AN OPPORTUNITY TO BE HEARD BY THE PROPERTY OWNER, THAT THERE HAS
8 BEEN A MATERIAL FAILURE OR REFUSAL TO UNDERTAKE MAINTENANCE AS
9 REQUIRED UNDER THIS ORDINANCE AND/OR AS REQUIRED IN THE APPROVED
10 MAINTENANCE AGREEMENT AS REQUIRED HEREUNDER, THE CITY ENGINEER
11 SHALL THEN BE AUTHORIZED, BUT NOT REQUIRED, TO HIRE AN ENTITY WITH
12 QUALIFICATIONS AND EXPERIENCE IN THE SUBJECT MATTER TO UNDERTAKE
13 THE MONITORING AND MAINTENANCE AS SO REQUIRED, IN WHICH EVENT THE
14 PROPERTY OWNER SHALL BE OBLIGATED TO ADVANCE OR REIMBURSE
15 PAYMENT (AS DETERMINED BY THE CITY OF LANSING) FOR ALL COSTS AND
16 EXPENSES ASSOCIATED WITH SUCH MONITORING AND MAINTENANCE,
17 TOGETHER WITH A REASONABLE ADMINISTRATIVE FEE. THE MAINTENANCE
18 AGREEMENT REQUIRED UNDER THIS ORDINANCE SHALL CONTAIN A PROVISION
19 SPELLING OUT THIS REQUIREMENT AND, IF THE APPLICANT OBJECTS IN ANY
20 RESPECT TO SUCH PROVISION OR THE UNDERLYING RIGHTS AND OBLIGATIONS,
21 SUCH OBJECTION SHALL BE RESOLVED PRIOR TO THE COMMENCEMENT OF
22 CONSTRUCTION OF THE PROPOSED DEVELOPMENT ON THE PROPERTY.

1 1219.19. - MAINTENANCE INSPECTIONS

2 THE CITY OF LANSING ENGINEERING DIVISION OR ITS REPRESENTATIVES
3 MAY CONDUCT PERIODIC INSPECTIONS FOR ALL STORMWATER PRACTICES
4 CONSTRUCTED AS PART OF THE APPROVED BMP CONSTRUCTION PLANS AND
5 SPECIFICATIONS. ALL INSPECTIONS WILL BE DOCUMENTED IN WRITING. THE
6 INSPECTION SHALL DOCUMENT ANY MAINTENANCE AND REPAIR NEEDS AND
7 ANY DISCREPANCIES FROM THE STORMWATER MAINTENANCE AGREEMENT.
8

9 1219.20. - STORMWATER MANAGEMENT EASEMENTS

10 (A) NECESSITY OF EASEMENTS FOR ON-SITE STORMWATER BMPS -
11 STORMWATER MANAGEMENT EASEMENTS SHALL BE PROVIDED IN A FORM
12 REQUIRED BY THE CITY OF LANSING ENGINEERING DIVISION, AND RECORDED AS
13 DIRECTED AS PART OF THE APPROVAL OF THE CITY OF LANSING TO ASSURE:

- 14 • ACCESS FOR INSPECTIONS;
 - 15 • ACCESS TO STORMWATER BMPS FOR MAINTENANCE PURPOSES; AND
 - 16 • PRESERVATION OF PRIMARY AND SECONDARY DRAINAGEWAYS
- 17 WHICH ARE NEEDED TO SERVE STORMWATER MANAGEMENT NEEDS
18 OF OTHER PROPERTIES.

19 (B) EASEMENTS FOR OFF-SITE STORMWATER BMPS - THE OWNER SHALL
20 OBTAIN EASEMENTS ASSURING ACCESS TO ALL AREAS USED FOR OFF-SITE
21 STORMWATER MANAGEMENT, INCLUDING UNDEVELOPED OR UNDISTURBED
22 LANDS.

23 (C) RECORDING OF EASEMENTS - EASEMENTS SHALL BE RECORDED WITH

1 THE APPROPRIATE COUNTY REGISTER OF DEEDS BASED ON JURISDICTION AND
2 ACCORDING TO COUNTY REQUIREMENTS.

3 (D) RECORDING PRIOR TO BUILDING PERMIT ISSUANCE - THE APPLICANT
4 MUST PROVIDE THE CITY ENGINEERING DIVISION WITH EVIDENCE OF THE
5 RECORDING OF THE EASEMENT PRIOR TO FINAL SUBDIVISION PLAT OR
6 CONDOMINIUM APPROVAL OR OTHER APPLICABLE FINAL CONSTRUCTION
7 APPROVAL.

8 (E) RIGHT-OF-ENTRY - THE EASEMENTS MUST CONTAIN A PROVISION
9 GRANTING THE CITY OF LANSING AND ITS REPRESENTATIVES THE RIGHT OF
10 ENTRY FOR THE PURPOSES OF INSPECTING ALL STORMWATER BMPS AT
11 REASONABLE TIMES AND IN A REASONABLE MANNER. THIS INCLUDES THE
12 RIGHT TO ENTER A PROPERTY WHEN THE CITY OF LANSING HAS A REASONABLE
13 BASIS TO BELIEVE THAT A VIOLATION OF THIS ORDINANCE IS OCCURRING OR
14 HAS OCCURRED AND TO ENTER WHEN NECESSARY FOR ABATEMENT OF A
15 PUBLIC NUISANCE OR CORRECTION OF A VIOLATION OF THIS ORDINANCE.

16
17 1219.21. - SEVERABILITY

18 IF ANY SECTION, CLAUSE, PROVISION OR PORTION OF THIS ORDINANCE IS
19 ADJUDGED UNCONSTITUTIONAL OR INVALID BY A COURT OF COMPETENT
20 JURISDICTION, THE REMAINDER OF THIS ORDINANCE SHALL REMAIN IN FORCE
21 AND EFFECT.

22
23 1219.22. - STOP WORK ORDER

1 WHERE THERE IS WORK IN PROGRESS THAT CAUSES OR CONSTITUTES IN
2 WHOLE OR IN PART, A VIOLATION OF ANY PROVISION OF THIS ORDINANCE, THE
3 CITY OF LANSING IS AUTHORIZED TO ISSUE A STOP WORK ORDER SO AS TO
4 PREVENT FURTHER OR CONTINUING VIOLATIONS OR ADVERSE EFFECTS. ALL
5 PERSONS TO WHOM THE STOP WORK ORDER IS DIRECTED, OR WHO ARE
6 INVOLVED IN ANY WAY WITH THE WORK OR MATTER DESCRIBED IN THE STOP
7 WORK ORDER SHALL FULLY AND PROMPTLY COMPLY THEREWITH. THE CITY OF
8 LANSING MAY ALSO UNDERTAKE OR CAUSE TO BE UNDERTAKEN, ANY
9 NECESSARY OR ADVISABLE PROTECTIVE MEASURES SO AS TO PREVENT
10 VIOLATIONS OF THIS ORDINANCE OR TO AVOID OR REDUCE THE EFFECTS OF
11 NONCOMPLIANCE HEREWITH. THE COST OF ANY SUCH PROTECTIVE MEASURES
12 SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY UPON WHICH
13 THE WORK IS BEING DONE AND THE RESPONSIBILITY OF ANY PERSON CARRYING
14 OUT OR PARTICIPATING IN THE WORK, AND SUCH COST SHALL BE A LIEN UPON
15 THE PROPERTY.

16
17 1219.23. - SANCTIONS FOR VIOLATIONS

18 (A) ANY PERSON VIOLATING ANY PROVISION OF THIS ORDINANCE SHALL BE
19 RESPONSIBLE FOR A MUNICIPAL CIVIL INFRACTION, PLUS COSTS, DAMAGES,
20 EXPENSES, AND OTHER SANCTIONS AS AUTHORIZED UNDER CHAPTER 87 OF THE
21 REVISED JUDICATURE ACT OF 1961 AND OTHER APPLICABLE LAWS, INCLUDING,
22 WITHOUT LIMITATION, EQUITABLE RELIEF; PROVIDED, HOWEVER, THAT THE
23 VIOLATION STATED IN THIS ORDINANCE SHALL BE A MISDEMEANOR. THE CITY

1 OF LANSING IS AUTHORIZED TO ISSUE MUNICIPAL CIVIL INFRACTION CITATIONS
2 TO ANY PERSON ALLEGED TO BE VIOLATING ANY PROVISION OF THIS
3 ORDINANCE. EACH DAY SUCH VIOLATION OCCURS OR CONTINUES SHALL BE
4 DEEMED A SEPARATE OFFENSE AND SHALL MAKE THE VIOLATOR LIABLE FOR
5 THE IMPOSITION OF A FINE FOR EACH DAY. THE RIGHTS AND REMEDIES
6 PROVIDED FOR IN THIS SECTION ARE CUMULATIVE AND IN ADDITION TO ANY
7 OTHER REMEDIES PROVIDED BY LAW. AN ADMISSION OR DETERMINATION OF
8 RESPONSIBILITY SHALL NOT EXEMPT THE OFFENDER FROM COMPLIANCE WITH
9 THE REQUIREMENTS OF THIS ORDINANCE.

10 (B) ANY PERSON WHO NEGLECTS OR FAILS TO COMPLY WITH A STOP WORK
11 ORDER ISSUED UNDER THIS ORDINANCE SHALL, UPON CONVICTION, BE GUILTY
12 OF A MISDEMEANOR, PUNISHABLE BY A FINE OF NOT MORE THAN \$500 OR
13 IMPRISONMENT IN THE COUNTY JAIL FOR NOT MORE THAN 90 DAYS, OR BOTH,
14 SUCH FINE AND IMPRISONMENT, AND SUCH PERSON SHALL ALSO PAY SUCH
15 COSTS AS MAY BE IMPOSED IN THE DISCRETION OF THE COURT.

16 (C) ANY PERSON WHO AIDS OR ABETS A PERSON IN A VIOLATION OF THIS
17 ORDINANCE SHALL BE SUBJECT TO THE SANCTIONS PROVIDED IN THIS SECTION.
18

19 1219.24. - FAILURE TO COMPLY; COMPLETION

20 IN ADDITION TO ANY OTHER REMEDIES, SHOULD ANY OWNER FAIL TO
21 COMPLY WITH THE PROVISIONS OF THIS ORDINANCE, THE CITY OF LANSING
22 MAY, AFTER THE GIVING OF REASONABLE NOTICE AND OPPORTUNITY FOR
23 COMPLIANCE, HAVE THE NECESSARY WORK DONE, AND THE OWNER SHALL BE

1 OBLIGATED TO PROMPTLY REIMBURSE THE CITY FOR ALL COSTS OF SUCH
2 WORK.

3
4 1219.25. - EMERGENCY MEASURES

5 WHEN EMERGENCY MEASURES ARE NECESSARY TO MODERATE A
6 NUISANCE, TO PROTECT PUBLIC SAFETY, HEALTH AND WELFARE, AND/OR TO
7 PREVENT LOSS OF LIFE, INJURY OR DAMAGE TO PROPERTY, THE CITY OF
8 LANSING IS AUTHORIZED TO CARRY OUT OR ARRANGE FOR ALL SUCH
9 EMERGENCY MEASURES. PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE
10 COST OF SUCH MEASURES MADE NECESSARY AS A RESULT OF A VIOLATION OF
11 THIS ORDINANCE, AND SHALL PROMPTLY REIMBURSE THE CITY FOR ALL SUCH
12 COSTS.

13
14 1219.26. - COST RECOVERY FOR DAMAGE TO STORM DRAIN SYSTEM

15 A DISCHARGER SHALL BE LIABLE FOR ALL COSTS INCURRED BY THE CITY OF
16 LANSING AS THE RESULT OF CAUSING A DISCHARGE THAT PRODUCES A DEPOSIT
17 OR OBSTRUCTION, OR CAUSES DAMAGE TO, OR IMPAIRS A STORM DRAIN OR
18 RECEIVING WATERS, OR VIOLATES ANY OF THE PROVISIONS OF THIS
19 ORDINANCE. COSTS INCLUDE, BUT ARE NOT LIMITED TO, THOSE PENALTIES
20 LEVIED BY THE ENVIRONMENTAL PROTECTION AGENCY OR MICHIGAN
21 DEPARTMENT OF ENVIRONMENTAL QUALITY FOR VIOLATION OF AN NPDES
22 PERMIT, ATTORNEY FEES, AND OTHER COSTS AND EXPENSES.

1 1219.27. - COLLECTION OF COSTS; LIEN

2 COSTS INCURRED BY THE CITY OF LANSING AND EITHER OF THE DRAIN
3 COMMISSIONERS PURSUANT TO THIS ORDINANCE SHALL BE A LIEN ON THE
4 PREMISES WHICH SHALL BE ENFORCEABLE IN ACCORDANCE WITH ACT NO. 94 OF
5 THE PUBLIC ACTS OF 1933, AS AMENDED FROM TIME TO TIME. ANY SUCH
6 CHARGES WHICH ARE DELINQUENT FOR SIX (6) MONTHS OR MORE MAY BE
7 CERTIFIED ANNUALLY TO THE CITY OF LANSING TREASURER WHO SHALL ENTER
8 THE LIEN ON THE NEXT TAX ROLL AGAINST THE PREMISES AND THE COSTS
9 SHALL BE COLLECTED AND THE LIEN SHALL BE ENFORCED IN THE SAME
10 MANNER AS PROVIDED FOR IN THE COLLECTION OF TAXES ASSESSED UPON THE
11 ROLL AND THE ENFORCEMENT OF A LIEN FOR TAXES. IN ADDITION TO ANY
12 OTHER LAWFUL ENFORCEMENT METHODS, THE CITY OR THE APPROPRIATE
13 DRAIN COMMISSIONER SHALL HAVE ALL REMEDIES AUTHORIZED BY ACT NO. 94
14 OF THE PUBLIC ACTS OF 1933, AS AMENDED.

15
16 1219.28. - EFFECT OF APPROVAL ON REMEDIES

17 THE APPROVAL OR DISAPPROVAL OF ANY POST-CONSTRUCTION
18 STORMWATER MANAGEMENT PLAN SHALL NOT HAVE ANY EFFECT ON ANY
19 REMEDY OF ANY PERSON AT LAW OR IN EQUITY.

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

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

1 than the part so declared to be invalid.

2 Section 4. This ordinance shall take effect on the 30th day after enactment, unless
3 given immediate effect by city council.

4

5

Approved as to form:

6

7

City Attorney

8

Dated: _____

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

PUBLIC IMPROVEMENT IV

WHEREAS, pursuant to the Public Improvement III resolution adopted by this council, a public hearing was held on August 13, 2018 for Assessment Roll # B-097 for sidewalk repairs as part of the Stabler Street Reconstruction Project; and

WHEREAS, the City Assessor has completed the assessment roll for sidewalk repairs, and furnished the following information:

PROPERTY BENEFITTED:

All lands fronting Stabler Street between Holmes Road and Willard Avenue, excepting all public streets and alleys and other land deemed not benefited

ESTIMATED COST OF IMPROVEMENTS:

Assessment Roll Number B-097	Federal And City Contribution	Assessable to Property Owner
Sidewalk and Drive Approaches	\$1,963.50	\$2,590.50
Other Costs	\$756,907.94	0.00
Total	\$758,871.44	\$2,590.50

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that special assessment roll B-097 as returned by the City Assessor, be ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City Treasurer to collect said tax within 90 days after the approval of the assessment roll.

17042.00 - City of Lansing / BWL, Stabler Street
Sidewalk Assessment

SIDEWALK REPAIR COSTS (Bid Price TCI)		
PAY ITEM	UNIT	UNIT PRICE
SIDEWALK, CONC, 4 INCH	SFT	\$4.18
SIDEWALK, CONC, 6 INCH	SFT	\$4.84

Parcel Number	Number	Street	50/50 SHARED 4"		50/50 SHARED 6"		100% OWNER 4"		100% OWNER 6"	
			SFT	COST	SFT	COST	SFT	COST	SFT	COST
01-28-379-101	100	W Holmes	400	\$836.00	100	\$242.00		\$0.00		\$0.00
01-28-453-061	101	E Holmes		\$0.00		\$0.00	25	\$104.50		\$0.00
01-28-379-121	3320	Stabler		\$0.00		\$0.00		\$0.00		\$0.00
01-28-377-191	3218	Stabler	50	\$104.50	50	\$121.00		\$0.00		\$0.00
01-28-332-101	101	E Hodge	50	\$104.50		\$0.00		\$0.00		\$0.00
01-28-332-011	2921	Stabler		\$0.00		\$0.00	200	\$836.00		\$0.00
01-28-328-192	2901	Stabler		\$0.00	100	\$242.00		\$0.00		\$0.00

et

TOTAL OWNER	100% CITY 4"		100% CITY 6"		TOTAL CITY	TOTAL PARCEL	
COST	SFT	COST	SFT	COST	COST	SFT	COST
\$1,078.00		\$0.00		\$0.00	\$1,078.00	500	\$2,156.00
\$104.50	25	\$104.50		\$0.00	\$104.50	50	\$209.00
\$0.00	50	\$209.00		\$0.00	\$209.00	50	\$209.00
\$225.50		\$0.00		\$0.00	\$225.50	100	\$451.00
\$104.50		\$0.00		\$0.00	\$104.50	50	\$209.00
\$836.00		\$0.00		\$0.00	\$0.00	200	\$836.00
\$242.00		\$0.00		\$0.00	\$242.00	100	\$484.00
\$2,590.50					\$1,963.50		\$4,554.00

50% Shared	X
100% City	O
100% Owner	A

Address	SFT	Thickness	Eng. Comments	CODE
100 W Holmes Rd.	400	4"	Deteriorated / Spalling	X
	100	6"	Deteriorated / Spalling	X
101 E Holmes Rd.	25	4"	Elec. Manhole	O
	25	4"	Owner Tree	A
3320 Stabler St.	50	4"	City Tree	O
3218 Stabler St.	50	4"	Grade	X
	50	6"	Grade	X
101 E Hodge Ave.	50	4"	Grade	X
2921 Stabler St.	100	4"	Owner Tree	A
	100	4"	Owner Tree	A
2901 Stabler St.	100	6"	Cracked / Deteriorated	X

RESOLUTION #2018-196
BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT III

WHEREAS, pursuant to the Public Improvement I/II resolution adopted by this council on March 26, 2018, the City Assessor has completed the assessment roll for sidewalk repair and construction, and furnished the following information:

PROJECT TITLE: Stabler Street Reconstruction Project

PROPERTY BENEFITED:

All lands fronting Stabler Street between Holmes Road and Willard Avenue
excepting all public streets and alleys and other land deemed not benefited; and

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. _____	<u>CITY CONTRIBUTION</u>	<u>ASSESSABLE TO PROPERTY OWNER</u>
SIDEWALK	\$1,963.50	\$2,590.50
<u>OTHER COSTS</u>	<u>\$756,907.94</u>	<u>\$0.00</u>
TOTAL COSTS	\$758,871.44	\$2,590.50

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council will hold a public hearing on Monday, August 13, 2018 at 7:00 PM, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City determined by Council to be within the assessment district as contained in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special

assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

Funds are available for the City of Lansing's share of the project in accounts as follows:

		<u>Account Number</u>
Assessment Roll _____	\$2,590.50	Acct to be established
Local Streets – Major Maintenance	\$329,062.25	202.453601.974100.50013
LBWL Portion Unbilled	\$429,809.19	101.0.117102.0



Chris Swope, CMMC/MMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

RESOLUTION # _____
BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT V

WHEREAS, it was deemed to be a public necessity to repair Sidewalk in the area described below, and

WHEREAS, sidewalk repairs were completed as part of the 2017 Jolly Road Rehabilitation Project, PS #64123 (MDOT JN 133093A); and

WHEREAS, there have been no changes in the Assessment Roll #B-096 as ratified by City Council, and

WHEREAS, the benefitted properties are as follows:

PROPERTY BENEFITTED:

All lands fronting Jolly Road between Wise Road and Pleasant Grove Road, excepting all public streets and alleys and other land deemed not benefitted

ROLL B-096	ESTIMATED COST	ACTUAL COST	DIFFERENCE
Jolly Road Rehabilitation	\$9,527.62	\$9,527.62	\$0.00

RESOLVED, by the City Council of the City of Lansing, that the Special Assessment Roll B-096, known as the 2017 Jolly Road Rehabilitation Project, as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to adjust the assessments of all persons who have paid said tax as originally assessed to pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll 90 days after approval.



Andy Schor, Mayor

PUBLIC SERVICE DEPARTMENT

7th Floor City Hall
124 West Michigan Avenue
Lansing, Michigan 48933
(517) 483-4455
FAX: (517) 483-6082
www.lansingmi.gov/pubserv



To: Sharon Frischman, City Assessor
From:  Dean Johnson, City Engineer
Date: August 8, 2018
Subject: Public Improvement V,
Assessment Roll #B-096
2017 Jolly Road Rehabilitation, PS #64123

The final costs for Assessment Roll #B-096 associated with the 2017 Jolly Road Rehabilitation Project have been determined. There was no change to the assessment roll.

A Public Improvement V Resolution based on the following is being submitted for Council approval:

ROLL B-096	ESTIMATED COST	ACTUAL COST	DIFFERENCE
Jolly Road Rehabilitation	\$9,527.62	\$9,527.62	\$0.00

Final Accounting will be submitted to the Finance Department in a separate memo.

RESOLUTION #2017-202

**RESOLVED BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

PUBLIC IMPROVEMENT IV

WHEREAS, pursuant to the Public Improvement III resolution adopted by this council, a public hearing was held on July 24, 2017, for Assessment Roll # B-096 for sidewalk repairs as part of the Jolly Road Rehabilitation Project (MDOT JN 133093A); and

WHEREAS, the City Assessor has completed the assessment roll for sidewalk repairs, and furnished the following information:

PROPERTY BENEFITTED:

All lands fronting Jolly Road between Wise Road and Pleasant Grove Road, excepting all public streets and alleys and other land deemed not benefited

ESTIMATED COST OF IMPROVEMENTS:

Assessment Roll Number B-096	Federal And City Contribution	Assessable to Property Owner
Sidewalk and Drive Approaches	\$10,760.87	\$9,527.62
Other Costs	\$1,002,043.50	0.00
Total	\$1,012,804.37	\$9,527.62

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that special assessment roll B-096 as returned by the City Assessor, be ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City Treasurer to collect said tax within 90 days after the approval of the assessment roll.

Chris Swope

08/15/2017

SIGNED BY
CHRIS SWOPE
LANSING CITY CLERK

RESOLUTION 2017-240
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Charter of the City of Lansing requires the Council to adopt an annual statement of Budget Policies and Priorities serving to guide the Administration in developing and presenting the Fiscal Year 2018-2019 Budget; and

WHEREAS, the City Council, with joint efforts from the Administration and the Financial Health Team, established the following Mission/Vision and goals; and

The City of Lansing's mission is to ensure quality of life by:

- I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors
 - a. The City's diverse economy generates and retains (sustains) high quality stable jobs that strengthen the sales and property tax base and contribute to an exceptional quality of life.
 - b. The City is governed in a transparent, efficient, accountable and responsive manner on behalf of all citizens.
 - c. The City's neighborhoods have various resources that allow them to be on a long term viable and appealing basis.
 - d. Support economic development initiatives that promote and retain new industries and markets.
- II. Securing short and long term financial stability through prudent management of city resources.
 - a. Wise stewardship of financial resources results in the City's ability to meet and exceed service demands and obligations without compromising the ability of future generations to do the same.
 - b. Pursue and facilitate shared services regionally that allow for cost savings and revenue enhancement.
 - c. Support initiatives that build the City's property and income tax base.
- III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.
 - a. The City's core services and infrastructure are efficiently, effectively and strategically delivered to enable economic development and to maintain citizen's health, safety and general welfare.

IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.

- a. Seek partnership opportunities with educational and corporate institutions and to maintain and expand our talent base.
- b. Create vibrant places, support events and activities that showcase our waterfront and green spaces.
- c. Raise the level of support for projects and initiatives that showcase local and state history.

V. Facilitating regional collaboration and connecting communities.

- a. The City has a safe efficient and well connected multimodal transportation system that contributes to a high quality of life and is sensitive to surrounding uses.
- b. Seek a balanced distribution of affordable housing in the tri-county region.

WHEREAS, the City Council would like to continue its commitment, if funding is available, to:

- Maintain and improve the City's infrastructure;
- Preserve and ensure clean, safe, well-maintained housing and neighborhoods;
- Provide comprehensive and affordable recreational programs and youth and family services;
- Explore alternatives for improved efficiency in service and delivery; and

WHEREAS, in considering these Fiscal Year 2018-2019 Budget priorities, the Administration is encouraged to ascertain the feasibility of funding any new programs through either the reduction of spending in existing program areas or the exploration of new funding sources that would assure the sustainability of the program; and

WHEREAS, the Administration is encouraged to supplement, not supplant any existing resources for police, fire and local roads with the General Fund revenues collected under this millage; and

WHEREAS, the Administration was requested to include in its Fiscal Year 2018-2019 Budget, the necessary funding to accomplish all requested plans, studies, evaluations, reviews, report submissions, program assessments, and analyses noted within this resolution below, or alternatively documentation as to why such activities are prohibitively costly; and

WHEREAS, the Lansing City Charter states that the budget proposal due on the fourth Monday in March of each year shall contain "the necessary information for understanding the budget" and how the proposal addresses the priorities proposed by the City Council.

NOW BE IT RESOLVED, that the Lansing City Council, hereby, acknowledges that the City will likely need to adopt, at best, a budget which recognizes the structural changes that are the result of lost revenues and future liabilities, encourages the Administration to prudently develop next year's budget with the following conditions:

- Protection of public and emergency services.

BE IT FURTHER RESOLVED, that the Administration review the attached statement of policies and priorities and implement those items that would boost efficiencies to increase productivity or reduce costs, that could replace existing programming, or if funding becomes available, that could be considered as new programming; and

BE IT FURTHER RESOLVED, that the Administration is requested to the extent practicable to include non-appropriations clauses and other similar out provisions in existing and future leases, and vendor contracts upon review of City Council; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Administration provide all requested plans, studies, evaluations, reviews, report submissions, program assessments, and analyses noted within this resolution below, or alternatively documentation as to why such activities were prohibitively costly, by the fourth Monday in March 2018.

- I. Promoting a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors.
 - a) The City's diverse economy generates and retains (sustains) high quality stable jobs that strengthen the sales and property tax base and contribute to an exceptional quality of life
 - (1) Economic Development The Administration should require a beautification standard/expectation and a storm water mitigation plan for all proposed development projects that receive incentives from the City. Such standards should serve as a planning and economic development tool that will enhance property values, create jobs, and revitalize neighborhoods and business areas. These standards and plan should be presented to the City Council.
 - b) The City is governed in a transparent efficient accountable and responsive manner on behalf of all citizens.
 - (1) Administration is to present to City Council a delineation of recommendations of the Financial Health Team, noting which recommendations have been implemented, which are in the FY

2018/2019 proposed Budget, which are planned to be implemented at a future time, and which have been determined not to be implemented at any time. A timetable for future implementation is requested.

- (2) Administration is to present to Council a Supplemental Accounting Level Detail. Administration is to develop a plan and timeline for the implementation of performance based budgeting.
 - (3) Develop and analyze a cost recovery schedule for City services.
 - (4) Develop a return on investment analysis for all proposed changes in City services.
 - (5) Identify and provide a complete and ongoing analysis of the City's structural deficits and the Administration's plan to eliminate the same.
 - (6) Incorporate into the proposed Budget a 5-Year projection of revenues and expenditures.
- c) The City's neighborhoods have various resources that allow them to be long term viable and appealing.
- (1) Administration research and issue a report on surrounding community models for neighborhood organization technical support structure within the City.
 - (2) Working with the City Attorney and Fire Department Code Compliance Division to expedite improvements or closure of abandoned, neglected, and burned out houses and commercial building by using the International Property Maintenance Code (IPMC) and adopt the latest version of the IPMC from the State of Michigan. Develop aggressive policies to deal with problematic property owners.
 - (3) Food Access: The Administration and the City of Lansing Economic Development Corporation should increase quality food access throughout the City using all incentives available.
 - (4) Code Compliance: The Administration shall ensure the Code Compliance Department is conducting the appropriate inspections and issuing appropriate fines to ensure the buildings in our City are safe and that we have quality neighborhoods. The Administration

is to conduct a study of Code Compliance to determine a level of service for first time inspections and re-inspections assuring the safety of the housing stock for residential and mobile homes.

- d) Support economic development initiatives that promote and retain new industries and markets.
- II. Securing short and long term financial stability through prudent management of City resources.
- a) Wise stewardship of financial resources results in the City's ability to meet and exceed service demands and obligations without compromising the ability of future generations to do the same.
 - (1) Administration is requested to submit the following list of deliverables when they are due per City Charter and State Statue and adhere to them based on these priorities.
 - (a) Comprehensive Annual Financial Audit (CAFR)- annually, no later than December 31st of each year, in accordance with the State Statue.
 - (b) During the months of October, January and April of each fiscal year, the Director of Finance shall provide a written report showing the control of expenditures. (Charter- Article 7-110)
 - (c) By September 1st of each fiscal year, the Administration shall provide a written budget update report so that Council can review their standings on current budget items in preparation for the Council required creation of Budget Policies and Priorities that need to be adopted by October 1, 2016 2017. (Charter- Article 7-102)
 - (d) No later than the last regular City Council meeting in January of each year, the Mayor shall present a state of the City report to the City Council and to the public. (Charter- Article 4 -102.4)
 - (e) The Mayor shall submit the Proposed Budget with annual estimate of all revenues and annual appropriation of expenditures no later than the 4th Monday in March of each year. (Charter – Article 7-101)

(f) Administration shall present to Council each department budget in preparation for Council to adopt the Budget Resolution no later than the 3rd Monday in May each year.

b) Pursue and facilitate shared services regionally that allow for cost savings and revenue enhancement.

(1) Administration pursue partnerships with stakeholders, (intra municipal and intergovernmental), to align services in relation to public services.

(2) Facilities Plan: The Administration is requested to submit to the City Council a five and ten year Master Facilities Plan including school and county facilities that are used for current and future City uses. City Council is also requesting that the Administration continue to work on any delayed maintenance issues with regard to all City Facilities.

c) Support initiatives that build City's property and income tax base

III. Providing reliable, efficient and quality services that are responsive to the needs of residents and businesses.

a) The City's core services and infrastructure are efficiently, effectively and strategically delivered to enable economic development and to maintain citizen's health, safety and general welfare.

(1) Establish funding for an additional Code Compliance Officer dedicated to sign enforcement, and Commercial buildings based under the authority of the IPMC. As well as an additional support staff to track down property owners that have not scheduled re-inspection and to research properties suspected of being unregistered rentals.

(2) City-wide Emergency Preparedness: The Administration should allocate sufficient funding for the Emergency Management Division to prepare City Employees with appropriate emergency training, continue efforts to prepare the public and neighborhood groups to assist in emergencies, and provide basic search and rescue operations and necessary emergency equipment at key City facilities, and communicate the plan to the Lansing City Council and the public. Updated and continual training should be provided. The

Administration shall assist residents in times of unforeseen disasters.

- (3) Fire Facilities Maintenance: The Administration is to conduct a study of the maintenance needs of all fire stations and report to City Council an update of the status of the study by the 4th Monday of March. Along with a funding recommendation for short and long term improvement to these structures.
- (4) Regionalism: The Administration should continue with the current regional efforts, and look into the possibility of expanding the efforts.
- (5) Police-Community Relations: Designate funding to help the Police Department to ensure the improvement of police-community relations. Reaffirming the City's commitment to equality and freedom for all people regardless of actual or perceived race, sex, religion, ancestry, national origin, color, age, height, weight, student status, marital status, familiar status, housing status, military discharge status, sexual orientation, gender identification or express, mental or physical limitation, and legal source of income.
- (6) Crime Prevention: Designate funding to invest in programs for long-term crime prevention strategies.
- (7) Allocate Overtime for Problem Solving Area: Designate sufficient funding for overtime for police officers to address problem solving to help certain crime and address quality of life issues.
- (8) Community Policing: Continue and increase funding along with searching for grant funds for COPs in neighborhoods with goal not only to reduce crime but to stabilize the neighborhood over an extended period of time that will help to ensure its ability to rebound.
- (9) Leadership vacancies: Develop and implement a plan and timeline to fill all funded vacancies and provide a report to City Council.
- (10) Front-loading of Police Officers: Continue to front-load Police Officers so that we have officers ready to take the road when officers retire.

IV. Adopting sustainable practices that protect and enhance our cultural, natural and historical resources.

- a) Seek partnership opportunities with educational and corporate institutions and to maintain and expand our talent base.
- b) Create vibrant places, support events and activities that showcase our waterfront and green spaces.
 - (1) Trail/Greenways The Administration should encourage the Parks and Recreation Department to work collaboratively with the Tri-County Planning Commission to develop/expand our citywide/regional trail system and seek opportunities to reduce expenses in this effort. Additionally, look at the feasibility of connecting the River Trail (through bike lanes/Greenways to Trails) where there is currently no access to the trail.
- c) Raise the level of support for projects and initiatives that showcase local and state history.

V. Facilitating regional collaboration and connecting communities

- a) The City has a safe efficient and well connected multimodal transportation system that contributes to a high quality of life and is sensitive to surrounding uses.
 - (1) Corridor: City Council encourages the Administration continue to develop a plan and report its status to the Lansing City Council that seeks to revitalize and enhance all major corridors that lead into the City.
- b) Seek a balanced distribution of affordable housing in the tri-county region.

VI. LANSING BOARD OF PUBLIC SERVICE BUDGET PRIORITIES RESOLUTION ON JULY 13, 2017

RESOLVED, recognizing the financial challenges facing the City of Lansing (“City”) and its Public Service Department (“Department”), including the Department’s obligations to comply with numerous mandates, including unfunded mandates, the Lansing Board of Public Service supports the efforts of the Department.

RESOLVED, the Board of Public Service supports and recommends the following budget priorities to the Lansing City Council for consideration with Council's Budget Policies and Priorities for the Fiscal Year July 1, 2018 – June 30, 2019:

1. General Fund levels should be increased for implementation of the City's Street System Asset Management Plan, and for additional funding for reconstructing neighborhood streets with a Pavement Surface Evaluation Rating of 4 or lower;
2. Continued implementation of the recommendations in the City's Complete Streets Ordinance, and funding of the sidewalk gap closure program, sidewalk repairs and right-of-way maintenance and improvement, consistent with keeping safety a priority;
3. Increase funding to update and improve the fleet of city vehicles, with specific priority for the Public Service Department;
4. Continued support for maintaining, keeping current and updating of the City's Cityworks Asset Management Software, consistent with legal requirements and improved efficiencies, along with other financial considerations;
5. The City should approve a budget to: (i) expand opportunities for multi-family residential and business recycling; and (ii) implement organic waste recovery;
6. Explore the establishment of a Material Recovery Facility (MRF) for the recovery of recyclable commodities; and
7. The Department's efforts to secure approval for the implementation of the Wet Weather Program, submitted to the Michigan Department of Environmental Quality in 2011.

RESOLVED, as the Department generates savings through improved efficiencies in service delivery and other areas, these savings should be maintained within the Department.



Chris Swope, CMMC/MMC
Lansing City Clerk

I hereby certify that the foregoing is true
and is a complete copy of the action
adopted by the Lansing City Council.

From: Tate, Janette

Sent: Friday, August 24, 2018 11:54 AM

To: Boak, Sherrie <Sherrie.Boak@lansingmi.gov>

Cc: Mumby, Christopher <Christopher.Mumby@lansingmi.gov>; Mahlow, Nancy <nmahlow2012@gmail.com>; Kilpatrick, Andrew <Andrew.Kilpatrick@lansingmi.gov>; samara.evangeline.morgan@gmail.com

Subject: RE: Public Service Board Priorities

Sherrie,

I attached last year's Budget Priorities from the Board of Public Service, to be included in the Council's packet, as they are still relevant and have not changed much in several years. Unfortunately, the board has not yet discussed or reviewed them this year, and would not be able to until September 13th, well after they are due.

Janette Tate

Administrative Assistant

Public Service Department – Wastewater Division

1625 Sunset Avenue | Lansing, MI 48917

O: (517)483-4404 | E: Janette.Tate@lansingmi.gov

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



Andy Schor, Mayor

Boak, Sherrie

From: Garza, Jeremy
Sent: Thursday, August 30, 2018 8:33 AM
To: Boak, Sherrie
Subject: Budget Policies and Priorities

Public Safety Committee:

I would like to see under Public Safety priorities, a 2nd Ward Community Police officer. Under policies I would like to make it a prerequisite that before appointment to the Lansing Police Commission one must complete the Citizens Police Academy.

Public Services Committee:

I would like to see under Public Services priorities, to budget street sweeping once a month. I would also like to see sidewalks, curbs and gutters to be constructed in neighborhoods where there is little to no drainage. I know we are currently in the process of hiring more code enforcement officers, I really would like to see a dedicated 2nd Ward Premise inspector.

Thank you,
Jeremy A Garza

Sent from my iPhone

SPADAFORE DRAFT BUDGET PROPOSAL

- I) ~~Promoting~~ To Promote a vibrant, safe, healthy and inclusive community that provides opportunity for personal and economic growth for residents, businesses and visitors, the City will:-
- a) ~~The City's~~ Work to ensure that a diverse economy generates and retains (sustains) high quality stable jobs that strengthen the sales and property tax base and contribute to an exceptional quality of life:-
 - a) ~~Economic Development~~ The Administration should require
 - b) Develop and require a beautification standard/expectation and a storm water mitigation plan for all proposed development projects that receive incentives from the City. Such standards should serve as a planning and economic development tool that will enhance property values, create jobs, and revitalize neighborhoods and business areas. These standards and plan should be presented to the public at a meeting of the City Council; and:-
 - (1)c) Further expand down payment assistance programs with employers to encourage employees to live in the City of Lansing.
- b)II) ~~The~~ To ensure that the City is governed in a transparent efficient accountable and responsive manner on behalf of all citizens:-
- (1)a) ~~Administration is to present to City Council a~~ Each budget should include a delineation of recommendations of the Financial Health Team, noting which recommendations have been implemented, which are in the FY ~~2018/2019~~ 2019/2020 proposed Budget, which are planned to be implemented at a future time, and which have been determined not to be implemented at any time. Further, this document should include a ~~A timetable for future implementation is requested:-~~
 - b) ~~Administration is to present to Council~~ The Budget proposal should include a Supplemental Accounting Level Detail:-
 - (2)c) ~~Administration is to develop~~ The City will develop -a plan and timeline for the implementation of performance based budgeting:-
 - (3)d) A cost recovery scheduled for City services should be developed and analyzed; ~~Develop and analyze a cost recovery schedule for City services.~~
 - (4)e) Develop a ~~A~~ return on investment analysis for all proposed changes in City services should be developed:-
 - (5)f) Identify and provide a ~~A~~ complete and ongoing analysis of the City's structural deficits and the ~~Administration's~~ plan to eliminate the same should be developed; and:-
 - g) ~~Incorporate into the~~ Every proposed Budget should include a 5-Year projection of revenues and expenditures.
- NEW (h) The City should analyze systems and technology for efficiencies and opportunities for improvement.
- (6)(1) Funds should be appropriated to improve systems to allow for a more transparent and efficient delivery of government and customer service
- e)III) To ensure that t ~~The~~ City's neighborhoods have various resources that allow them to be long term viable and appealing:-
- (1)a) ~~Administration research and issue a report on surrounding~~ Surrounding community communities should be looked to for models for of a neighborhood organization technical support structure within the City:-

submitted @ mts

SPADAFORE DRAFT BUDGET PROPOSAL

~~b) Working with the City Attorney and Fire Department Code Compliance Division~~The City will work to expedite improvements or closure of abandoned, neglected, and burned out houses and commercial building by using the International Property Maintenance Code (IPMC) and adopt the latest version of the IPMC from the State of Michigan;
~~Develop~~

~~(2)c)~~The City will develop aggressive policies to deal with problematic property owners;

~~(3)d) Food Access: The Administration and the City of Lansing Economic Development Corporation~~The City and local economic development organizations should increase quality food access throughout the City by using all incentives available;

~~e) Code Compliance: The Administration shall~~The City will prioritize efforts to ensure the Code Compliance Department is conducting the appropriate inspections and issuing appropriate fines to ensure the buildings in our City are safe and that we have quality neighborhoods;

~~The City should~~E~~prioritize~~establish funding for to hire an additional Code Compliance Officer dedicated to sign enforcement, and Commercial buildings based under the authority of the IPMC. As well as an additional support staff to track down property owners that have not scheduled re-inspection and to research properties suspected of being unregistered rentals;

~~f)~~
~~(4)g)~~The Administration is toThe City should conduct an analysis of Code Compliance fees to ensure a financial deterrent exists to discourage repeat offenders and to conduct a study of Code Compliance to determine a level of service for first time inspections and re-inspections assuring the assure the safety of the housing stock for residential and mobile homes; and-

~~d)h)~~The City should create~~Support and support~~ economic development initiatives that promote and retain new industries and markets throughout the City.

~~H)IV)~~In order to Securing secure short and long term financial stability through prudent management of City resources, the City will:-

a) ~~Wise~~Encourage stewardship of financial resources that results in the City's ability to meet and exceed service demands and obligations without compromising the ability of future generations to do the same.

~~(1) Administration is requested to submit the following list of deliverables when they are due per City Charter and State Statue and adhere to them based on these priorities-~~

~~(a) Comprehensive Annual Financial Audit (CAFR) annually, no later than December 31st of each year, in accordance with the State Statue.~~

~~(b) During the months of October, January and April of each fiscal year, the Director of Finance shall provide a written report showing the control of expenditures. (Charter Article 7-110)~~

~~(c) By September 1st of each fiscal year, the Administration shall provide a written budget update report so that Council can review their standings on current budget items in preparation for the Council required creation of Budget Policies~~

SPADAFORE DRAFT BUDGET PROPOSAL

- ~~and Priorities that need to be adopted by October 1, 2016-2017. (Charter Article 7-102)~~
- ~~(d) No later than the last regular City Council meeting in January of each year, the Mayor shall present a state of the City report to the City Council and to the public. (Charter Article 4-102.4)~~
- ~~(e) The Mayor shall submit the Proposed Budget with annual estimate of all revenues and annual appropriation of expenditures no later than the 4th Monday in March of each year. (Charter Article 7-101)~~
- ~~(f) Administration shall present to Council each department budget in preparation for Council to adopt the Budget Resolution no later than the 3rd Monday in May each year.~~
- b) Pursue and facilitate shared services regionally that allow for cost savings and revenue enhancement such as:-
- (1) ~~Administration pursue partnerships~~Partnerships with stakeholders, (intra municipal and intergovernmental), to align services in relation to public services;:-
- ~~c) Facilities Plan: The Administration is requested to submit to the City Council~~Develop a five and ten year Master Facilities Plan including school and county facilities that are used for current and future City uses;:- ~~City Council is also requesting that the Administration~~
- ~~d) C-~~ontinue to work on any delayed maintenance issues with regard to all City Facilities;
- ~~(2)e)~~ Ensure proper fire facilities in the City of Lansing by conducting a study of the maintenance needs of all fire stations and compiling a public report with a funding recommendation for short and long term improvement to these structures; and-
- ~~e)f)~~ Support initiatives that build the City's property and income tax base.
- ~~##)V)~~ To Providing provide reliable, efficient and quality services that are responsive to the needs of residents and businesses, the City budget will prioritize efforts that:-
- a) ~~The City's core services and infrastructure are e~~Efficiently, effectively and strategically deliver the City's core services and infrastructure ed to enable economic development and to maintain citizen's health, safety and general welfare;:-
- ~~(1) Establish funding for an additional Code Compliance Officer dedicated to sign enforcement, and Commercial buildings based under the authority of the IPMC. As well as an additional support staff to track down property owners that have not scheduled re-inspection and to research properties suspected of being unregistered rentals.~~
- ~~(1) City-wide Emergency Preparedness: In order to ensure citizen health, safety and general welfare, The Administration should allocate~~ sufficient funds should be allocated for the Emergency Management Division to prepare City Employees with appropriate emergency training, continue efforts to prepare the public and neighborhood groups to assist in emergencies, and provide basic search and rescue operations and necessary emergency equipment at key City facilities;:-
- ~~(2) s, and communicate the plan to the Lansing City Council and the public. Updated and continual training should be provided. The Administration City, to the greatest extent possible, shall will~~ assist residents in times of unforeseen disasters;:-

SPADAFORE DRAFT BUDGET PROPOSAL

- ~~(3) Fire Facilities Maintenance: The Administration is to conduct a study of the maintenance needs of all fire stations and report to City Council an update of the status of the study by the 4th Monday of March. Along with a funding recommendation for short and long term improvement to these structures.~~
- ~~(4) Regionalism: The Administration should continue with the current regional efforts, and look into the possibility of expanding the efforts.~~
- ~~(5)(3) Police Community Relations: Designate~~The budget should allocate funding to help the Police Department to ensure the improvement of police-community relations. Reaffirming the City's commitment to equality and freedom for all people regardless of actual or perceived race, sex, religion, ancestry, national origin, color, age, height, weight, student status, marital status, familiar status, housing status, military discharge status, sexual orientation, gender identification or express, mental or physical limitation, and legal source of income;:-
- ~~(6)(4) Crime Prevention: Designate~~The budget should designate funding to invest in programs for long-term crime prevention strategies;:-
- ~~(7)(5) Allocate Overtime for Problem Solving Area: Designate~~The budget should designate sufficient funding for overtime for police officers to address problem solving to help certain crime and address quality of life issues;:-
- ~~(8)(6) Community Policing: CEfforts should be made to~~ continue and increase funding along with searching for grant funds for COPs in neighborhoods with goal not only to reduce crime but to stabilize the neighborhood over an extended period of time that will help to ensure its ability to rebound;:-
- ~~(9)(7) Leadership vacancies: Develop and implement~~A comprehensive plan-a plan and timeline to fill all funded vacancies ~~and provide a report to City Council.~~should be developed and presented as part of the budget process; and
- ~~(10)(8) Front-loading of Police Officers: Continue~~The City should continue to front-load Police Officers so that we have officers ready to take the road when officers retire.
- ~~IV)VI) Adopting~~To adopt sustainable practices that protect and enhance our cultural, natural and historical resources, the City will:
- a) Seek partnership opportunities with educational and corporate institutions and to maintain and expand our talent base;:-
 - b) Create vibrant places, support events and activities that showcase our waterfront and green spaces;:-
- ~~(1)c) Trail/Greenways The Administration should encourage~~Encourage the Parks and Recreation Department to work collaboratively with the Tri-County Planning Commission to develop/expand our citywide/regional trail system and seek opportunities to reduce expenses in this effort. Additionally, look at the feasibility of connecting the River Trail (through bike lanes/Greenways to Trails) where there is currently no access to the trail; and:-
- ~~e)d) Raise the level of support for projects and initiatives that showcase local and state history.~~
- ~~V)VII) Facilitating~~To facilitate regional collaboration and connecting communities, the City will:

SPADAFORE DRAFT BUDGET PROPOSAL

- a) ~~The City has~~Continue to develop a safe, efficient and well connected multimodal transportation system that contributes to a high quality of life and is sensitive to surrounding uses;
(1) ~~Corridor: City Council encourages the Administration continue to develop a plan and report its status to the Lansing City Council that seeks to revitalize and enhance all major corridors that lead into the City.~~
- b) Seek a balanced distribution of affordable housing in the tri-county region;
- c) Continue with the current regional efforts, and look into the possibility of expanding the efforts; and
- d) Continue to develop a plan that seeks to revitalize and enhance all major corridors that lead into the City.
b)