

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN
CITY COUNCIL CHAMBERS, 10TH FLOOR
LANSING CITY HALL
124 W. MICHIGAN AVENUE



AGENDA FOR AUGUST 14, 2017

TO THE HON. MAYOR AND MEMBERS OF THE CITY COUNCIL:

The following items were listed on the agenda in the City Clerk's Office in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council on Monday, August 14, 2017 at 7:00 p.m. at the Council Chambers, 10th Floor, City Hall.

- I. ROLL CALL
- II. MEDITATION AND PLEDGE OF ALLEGIANCE
- III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS
Approval of the Printed Council Proceedings of July 24 and July 31, 2017
- IV. CONSIDERATION OF LATE ITEMS (Suspension of Council Rule #9 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)
- V. TABLED ITEMS
- VI. SPECIAL CEREMONIES
- VII. COMMENTS BY COUNCIL MEMBERS AND CITY CLERK
- VIII. COMMUNITY EVENT ANNOUNCEMENTS (Time, place, purpose, or definition of event – 1 minute limit)
- IX. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS
- X. MAYOR'S COMMENTS
- XI. SHOW CAUSE HEARINGS
 - A. SCHEDULED PUBLIC HEARINGS
 - 1. In consideration of the issuance of Make-Safe or Demolish Orders to the owners of property located at 1025 Orchard Street
 - 2. In consideration of the issuance of Make-Safe or Demolish Orders to the owners of property located at 214 Lathrop Street

XII. PUBLIC COMMENT ON LEGISLATIVE MATTERS (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes. Speakers must sign up on white form.)

A. SCHEDULED PUBLIC HEARINGS

1. In consideration of Principal Shopping District (PSD) Assessment for Fiscal Year 2018 to Fiscal Year 2020
2. In consideration of Chapter 1300; Regulation and Licensing of Medical Marihuana Establishments
3. In consideration of Z-4-2017: Vacant parcel (33-01-01-29-259-120) east of 1219 Victor Avenue, Rezoning from "B" Residential District to "C" Residential District

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

A. REFERRAL OF PUBLIC HEARINGS

B. CONSENT AGENDA

1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

- a. Confirmation of the appointment of Stephanie Space as a member of the Building Board of Appeals for a term to expire on June 30, 2020
- b. Setting a Public Hearing in consideration of IFT-1-17; Industrial Facilities Tax Certificate for Cameron Tool at property located at 1800 Bassett
- c. Setting a Public Hearing in consideration of an Obsolete Property Rehabilitation Act (OPRA) Certificate; Super Fancy Too, LLC at 1101 S. Washington Avenue
- d. Setting a Public Hearing in consideration of an Obsolete Property Rehabilitation Act (OPRA) Certificate; REO Life, LLC at 1103 S. Washington Avenue
- e. Setting a Public Hearing in consideration of the Amended Obsolete Property Rehabilitation Act (OPRA) Certificate; DED Development, LLC at 629 W. Hillsdale St
- f. SLU-2-2017; Special Land Use Permit, 3600 N. Grand River Avenue, Residential Land Use in the "H" Light Industrial District

2. BY THE COMMITTEE ON GENERAL SERVICES

- a. Transfer of Ownership of Resort Class C License at 200 Edgewood Blvd., Celebration Banquets, LLC
 - 3. BY THE COMMITTEE ON PUBLIC SERVICES
 - a. Public Improvement IV; Jolly Road Sidewalk Rehabilitation MDOT JN133093A
 - 4. BY THE COMMITTEE ON WAYS AND MEANS
 - a. Office of Community Corrections Funding Application
 - 5. BY THE COMMITTEE OF THE WHOLE
 - a. Confirmation of Reappointments of eleven individuals to various Boards and Commissions
 - b. Ballot Proposal; Sidewalks and Neighborhood Streets
- C. RESOLUTIONS FOR ACTION
 - 1. BY THE COMMITTEE ON WAYS AND MEANS
 - a. Grant Acceptance; Kalamazoo Street Bike Lane Extension Project
- D. REPORTS FROM COUNCIL COMMITTEES
- E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings
 - 1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
 - a. Z-5-2017, 1024 Lake Lansing Road, Rezoning from "B" Residential District to "F-1" Commercial District
- F. ORDINANCES FOR PASSAGE
 - 1 BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
 - a. Z-8-2016; Rezoning 3001 S. Washington Avenue; "D-1" Professional Office and "J" Parking Districts to "F" Commercial District
 - 2. BY THE COMMITTEE ON GENERAL SERVICES
 - a. Amendments to Liquor License Ordinance Chapter 830, Section 830.06 regarding criteria for revocation or objection to transfer, issuance or renewal of licenses to permit the sale of beer and wine and/or spirits on premises
- XIV. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

XV. REPORTS OF CITY OFFICERS, BOARDS, AND COMMISSIONS;
COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS
**(Motion that all items be considered as being read in full and that the
proper referrals be made by the President)**

A. REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS

1. Letter(s) from the City Clerk re:
 - a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office
2. Letter(s) from the Mayor re:
 - a. Budget Amendment; HRCS Connect 4 Kids Program
 - b. Second Amendment to the Defined Contribution Plan
 - c. Appointment of Mark Eagle as a Fourth Ward member of the Human Relations & Community Services Board for a term to expire June 30, 2020
 - d. Appointment of Ryan Earl as a Third Ward member of the Human Relations & Community Services Board for a term to expire June 30, 2019
 - e. Appointment of Chad Guerrant as an At-Large member of the Human Relations & Community Services Board for a term to expire June 30, 2021
 - f. Appointment of Julie Rowe as an At-Large member of the Human Relations & Community Services Board for a term to expire June 30, 2018
 - g. Appointment of Daniel Barclay as an Electrical Contractor representative on the Electrical Board for a term to expire June 30, 2021
 - h. Appointment of Craig Calkins as an Electrical Journeyman representative on the Electrical Board for a term to expire June 30, 2019
 - i. Appointment of Tiffany Dowling as a Business Owner Member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2020
 - j. Appointment of Tom Donaldson as a member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2019
 - k. Reappointments of six individuals to various Boards and Commissions

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

1. Notices from the Michigan Liquor Control Commission regarding the Transfer Ownership Escrowed 2017 Class C License; Transfer Location from 601 E. Michigan to 313 N. Cedar; and New SDM License, Non-Transferable, Sunday Sales Permit (PM), Sunday Sales Permit (AM), Dance-Entertainment Permit, Outdoor Service Area and Catering Permit for Cul, LLC
2. Affidavit of Disclosure, Katherine Diehl, Lansing Police Department
3. Claim Appeal, Arthur Ostaszewski of \$3,652 for trash fee at property located at 114 W. Willow Street
4. Claim Appeal; Marc Moore for \$2,930.50 for trash fee at property located at 1408 Pontiac Street
5. Claim Appeal; Meghan Towner for \$3,987 for trash fee at property located at 4628 Stafford Avenue
6. Claim Appeal; Patricia and Michael McGill for trash fee at property located at 211 West Grier Street.

XVI. MOTION OF EXCUSED ABSENCE

XVII. REMARKS BY COUNCIL MEMBERS

XVIII. REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

XIX. PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes. Speakers must sign up on yellow form.)

XX. ADJOURNMENT



CHRIS SWOPE, CITY CLERK

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.



LANSING FIRE DEPARTMENT FIRE MARSHAL'S OFFICE

316 N. Capitol Avenue, Suite C-1 • Lansing, MI 48933-1238
(517) 483-4361 • FAX: (517) 377-0169

CODE COMPLIANCE SECTION

Virg Bernero, Mayor

July 17, 2017

Certified Number: 7015 1520 0001 0529 5148

Amillio Patino
2505 Alpha Street
Lansing, MI 48910

Dear Mr. Patino

RE: DANGEROUS BUILDING AT 1025 Orchard Street SHOW CAUSE HEARING

TAKE NOTICE: In accordance with the provisions of City of Lansing Housing & Premises Code Section 1460.11 and MCL 125.538 et. seq., a Show Cause Hearing concerning the building and/or any accessory structure(s) located at 1025 Orchard Street, Lansing, Michigan, is scheduled before the City Council of the City of Lansing.

HEARING TIME: August 14, 2017 @ 7:00 p.m.
HEARING PLACE: Council Chambers 10th Floor City Hall
124 W. Michigan Lansing, Michigan 48933

The Demolition Board has determined that the subject building, and/or any accessory structure, is "Dangerous" as defined in the aforesated laws. THE PURPOSE OF THE HEARING is to give interested parties an opportunity to take exception to the determination made by the Demolition Board and to otherwise give testimony and SHOW CAUSE WHY THE SUBJECT BUILDING(S) SHOULD NOT BE ORDERED TO BE DEMOLISHED by the City Council.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Sanford", is written over a horizontal line.

Scott Sanford
Lead Housing Inspector

SS/lmp

Attachment

1025 Orchard Street

- Original Red Tag Date

- 5/20/2016

- Submitted Into Make Safe Or Demolish Process

- 4/20/7

- Property Vacant/Repairs Exceed Building SEV

- Property vacant more than 180 days

- Repairs exceed building SEV

- Title Information

- Amillio Patino (new owner as of 5/08/2017)

1025 Orchard Street

Property Value Information

- SEV

- \$26,700 (*as of 6/22/2017*)

- Structure

- \$45,564 (*as of 6/22/2017*)

- Land

- \$7,837 (*as of 6/22/2017*)

- Estimate of Repairs

- \$236,684.00

1025 Orchard Street.

Housing Code Correction Letters

● Code Compliance Inspection Date

● 9/23/2016

● Code Compliance Letter Written

● 9/23/2016

● Code Compliance Due Date

● 10/23/2016

1025 Orchard Street.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 4/20/2017

- Order by Demolition Board

- MS or D by 06/20/2017

- Request Sent To City Council for Show Cause Hearing

- 00/00/00

1025 Orchard St.

City Council Actions

- Show Cause Hearing Held

- 00/00/00

- Public Safety Committee Meeting

- 00/00/00

- Resolution passed by City Council

- Extension Requested By Owner

1025 Orchard St.

General Comments

- New owner purchased property on 5/08/2017. Per Code Enforcement Officer and Premise Officer new owner are thought to be residing in home no utilities. Owner told to leave and explained rules they cannot be there unless they are working on the home.
- None of the required permits have been pulled as of 06/22/2017

RECOMMENDATIONS

● FOR NEW CASES:

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

● FOR EXTENSION REQUESTS:

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

● FOR TABLED CASES:

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



Mayor Virg Bernero

Lansing Fire Department

Fire Marshal's Office

Code Enforcement Section

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

Notice Printed: 09/23/2016

Rental Inspection Correction Notice – Re-Inspection Required

Inspection Type: Rental
Inspection Date: 09/23/2016
Compliance Due Date: 10/23/2016

VISION PROPERTY MANAGEMENT
16 BERRYHILL RD STE 200
Columbia, SC 29210

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

Violation Location:	1025 ORCHARD ST
Parcel No:	33-01-01-15-126-101

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 107 of the Code of Ordinances. **The violations are listed below and must be corrected by the compliance due date.**

NOTE: Some listed corrections may require mechanical, plumbing, electrical, demolition or building permits from The Building Safety Office. You can call (517-483-4355) to determine if State Law requires a permit for your particular repair / correction.

Due to the amount of clutter and debris in the dwelling and lack of utilities, I was not able to do a complete inspection.

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

SEC 305.1 Mold accumulation at walls in basement / bathtub area / windows / below kitchen sink / below lavatory. All affected areas are to be cleaned and sanitized with bleach

Sec 302.2 Mold on walls and floor in basement. (All affected areas are to be cleaned and sanitized with bleach).

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

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

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

SEC 305.3 Uncleanliness - Decay of surfaces within a dwelling that is likely to cause sickness or disease and render air, food or drink unwholesome or detrimental to the health of humans. All floors, walls, ceilings windows,

doors, cabinets, countertops, plumbing fixtures and appliances must be cleaned and maintained in a sanitary condition.

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

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

Sec 305.3 Floor covering soiled - deteriorated - damaged.

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

Sec 305.6 Hardware damaged or missing from multiple doors.

Sec 305.3 Wall and/or ceiling covering is loose and hanging - deteriorated and/or damaged.

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

Sec 305.3 Walls around the bathtub/shower are deteriorated and need to be caulked and repaired.

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

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

Sec 304.15 Front/side/rear storm door is missing self-closing device and/or door panels

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

AREA: Basement

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

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

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

Sec 605.1 Electrical wiring/service panel installed without a permit. Bring the electrical to code. Electrical permit required.

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

Sec 604.3 Wire splices not enclosed in junction box.

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

Sec 604.3 Wiring is exposed - unprotected faulty and unsafe.

Sec 604.3 Wires are loose - hanging.

Sec 605.1 Most of the electrical service is exposed as many of the walls have been opened up and the drywall has been removed. Bring all electrical up to code with the benefit of an Electrical Permit.

Sec 504.1 Plumbing permit required for new water heater, water supply piping, and waste piping. Bring all plumbing up to code.

Sec 504.1 Plumbing work is being done without a permit and inspection. Bring the plumbing up to code.

Sec 504.1 Work to be done to code by a licensed plumber with benefit or permit and inspection.

Sec 504.1 Water heater installed. Permit for water heater installation has not been issued and lacks inspection and approval by the City of Lansing Plumbing Inspector. You must have a licensed plumbing contractor pull a plumbing permit, check the installation, make any corrections and then; contact David Burton at 483-4367 for final approval.

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

Sec 603.1 Furnace lacks a clean filter - burners and blower require cleaning and servicing.

AREA: Exterior

Section 304.15 Gaps around - at bottom of entrance door.

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

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

Section 304.13.1 Window glass is broken and/or missing.

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

Sec 304.7 Missing downspout and extension to gutter.

Sec 304.7 Eave troughs are deteriorated - loose and partially detached - draining into sewer - clogged.

Sec 304.7 Roof covering is deteriorated - damaged - leaking - missing.

Sec 304.7 Roof decking and support posts are deteriorated - damaged - sagging - leaning.

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

304. Garage - Make safe or demolish. Building or demo permit required.

This dwelling has been declared SUBSTANDARD as defined in section 1460.08 of the Lansing Housing and Premises Code. If vacant, or should it become vacant before all repairs are completed, then it shall remain vacant until this office has approved all corrections.

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

You must contact the under signed, no later than seven days before the compliance due date, to set up an appointment to meet at the structure (to verify that all corrections have been completed) or to acquire an authorized extension. Before the re-inspection you must obtain all required permits and have those repairs inspected and approved by the appropriate inspector. All violations must be corrected with approved materials and methods.

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

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 702 4751 Monday through Friday between the hours of **8-9** - AM or **12-1** - PM.

Officer: Amy Castillo

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

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

Registered Rental Owner: AMC VISION V L L C, PO BOX 488, COLUMBIA, SC 29202-0488



LANSING FIRE DEPARTMENT FIRE MARSHAL'S OFFICE

316 N. Capitol Avenue, Suite C-1 • Lansing, MI 48933-1238
(517) 483-4361 • FAX: (517) 377-0169

CODE COMPLIANCE SECTION

Virg Bernero, Mayor

July 17, 2017

Certified Number: 7013 2250 0001 2798 4085

ABN Amro Mortgage Group Inc.
2600 W. Big Beaver Road
Troy, MI 48084

Dear ABN Amro Mortgage Group Inc.

RE: DANGEROUS BUILDING AT 214 Lathrop SHOW CAUSE HEARING

TAKE NOTICE: In accordance with the provisions of City of Lansing Housing & Premises Code Section 1460.11 and MCL 125.538 et. seq., a Show Cause Hearing concerning the building and/or any accessory structure(s) located at 214 Lathrop, Lansing, Michigan, is scheduled before the City Council of the City of Lansing.

HEARING TIME: August 14, 2017 @ 7:00 p.m.
HEARING PLACE: Council Chambers 10th Floor City Hall
124 W. Michigan Lansing, Michigan 48933

The Demolition Board has determined that the subject building, and/or any accessory structure, is "Dangerous" as defined in the aforesated laws. THE PURPOSE OF THE HEARING is to give interested parties an opportunity to take exception to the determination made by the Demolition Board and to otherwise give testimony and SHOW CAUSE WHY THE SUBJECT BUILDING(S) SHOULD NOT BE ORDERED TO BE DEMOLISHED by the City Council.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Sanford", is written over a horizontal line.

Scott Sanford
Lead Housing Inspector

SS/Imp

Attachment

214 Lathrop Street

- Original Red Tag Date

- 7/17/2013

- Submitted Into Make Safe Or Demolish Process

- 4/20/17

- Property Vacant/Repairs Exceed Building SEV

- Property vacant more than 180 days

- Repairs exceed building SEV

- Title Information

- Delrae Finnerty

- ABN Amro

214 Lathrop Street

Property Value Information

- SEV

- \$26,100 (*as of 6/22/17*)

- Structure

- \$43,178 (*as of 6/22/17*)

- Land

- \$8,947 (*as of 6/22/17*)

- Estimate of Repairs

- \$152,940

214 Lathrop Street.

Housing Code Correction Letters

- Code Compliance Inspection Date

- 7/09/2013

- Code Compliance Letter Written

- 7/17/2013

- Code Compliance Due Date

- 8/08/2013

214 Lathrop.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 4/20/2017

- Order by Demolition Board

- MS or D by 06/20/2017

- Request Sent To City Council for Show Cause Hearing

- 00/00/0000

214 Lathrop.

City Council Actions

- Show Cause Hearing Held

- 00/00/00

- Public Safety Committee Meeting

- 00/00/00

- Resolution passed by City Council

- Extension Requested By Owner

214 Lathrop St.

General Comments

- House is a hoarding situation repairs cannot be done due to the amount of debris throughout the home
- None of the required permits have been pulled as of 11/13/08.

RECOMMENDATIONS

● FOR NEW CASES:

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

● FOR EXTENSION REQUESTS:

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

● FOR TABLED CASES:

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



Virg Bernero, Mayor

Office of Code Compliance

Department of Planning and Neighborhood Development

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0169

Notice Printed: 07/17/2013

Unsafe and Dangerous Correction Notice

Inspection Type: Safety
Inspection Date: 07/09/2013
Compliance Due Date: 08/08/2013

FINNERTY DELRAE
214 LATHROP ST
LANSING, MI 48912

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

Violation Location:	214 LATHROP ST
Parcel No:	33-01-01-15-406-171

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

Sec 308.1 Accumulation of trash - debris - combustibles - feces - soiled clothing - deteriorated furniture - deteriorated appliances throughout the dwelling - in basement - in garage - in yard

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

Section 304.10 Rear porch is deteriorated and damaged - unstable - leaning - sagging.

Section 304.13.1 Window glass is broken and/or missing.

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

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

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

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 6946 Monday through Thursday between the hours of 8-9 - AM or 12-1 - PM.

Officer: Scott Sanford

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

As specified by section 107- Notices and Orders - a copy of this violation was sent to:
Taxpayer of Record: FINNERTY DELRAE, 214 LATHROP ST, LANSING, MI 48912

OFFICE OF CITY CLERK
LANSING, MICHIGAN 48933-1695

JULY 26, 2017

THIS IS NOT A BILL

PLEASE NOTE REVISED PUBLIC HEARING DATE OF AUGUST 14, 2017

MAGNATE PROPERTIES L L C

1223

LANSING, MI 48906

INFORMATION ONLY

FROM: Chris Swope, Lansing City Clerk

SUBJECT: Special Assessment information pertaining to the Principal Shopping District
REVISED PUBLIC HEARING DATE – AUGUST 14, 2017

PARCEL NUMBER: 33-01-01-09-254-011

PROPERTY ADDRESS: 1223 TURNER ST

ZONE: B

	SQUARE FOOTAGE	RATE	AMOUNT
BUILDING- 1ST FLOOR	8,961	0.09200	824.41
BUILDING- 2ND FLOOR AND UP	15,312	0.03450	528.26
RAMP - 1ST FLOOR			
RAMP - 2ND FLOOR AND UP			
PARKING LOT			
VACANT LAND			
IND/WHSE -1ST FLOOR			
IND/WHSE- 2ND FLOOR AND UP			
YOUR ESTIMATED COST OF THE IMPROVEMENT IS:			1,352.67
(Subject to the approval of the Assessment Roll).			

OFFICE OF CITY CLERK
LANSING , MICHIGAN 48933-1695

JULY 26, 2017

FROM: Chris Swope, Lansing City Clerk

SUBJECT: Notice of Public Hearing regarding the 2018 thru 2020 Principal Shopping District assessment.
Renewal for District B and C, and a three year 3% increase for District A.

The records of the City Assessor indicate that you are an owner of, or party with an interest in, property which is included in this proposed special assessment roll. The Principal Shopping District is a public improvement established to develop, redevelop and promote economic activity in all zones, and provide for maintenance in Zone A. By ordinance adopted by the Lansing City Council, Chapter 1020, Section 1026.08 (a-f), of the Code of Ordinances, I am directed to provide you with the following information regarding the project:

PUBLIC HEARING INFORMATION

The City Council will hold a Public Hearing in the City Council Chambers, 10th Floor-City Hall, on

Monday, August 14, 2017 at 7:00p.m.

to consider any concerns or objections that there may be with respect to this improvement or the assessment.

APPLICATION FOR NON-PROFIT AGENCIES WITH 501(c)(3) DESIGNATION

Applications for non-profit agencies with 501(c)(3) designations are available in the Lansing Assessor's Office, 3rd Floor-City Hall, 124 W. Michigan Ave., Lansing, MI 48933. Applications must be filed in the City Assessor's Office no later than September 09, 2017 . Failure to file by the deadline will disqualify your parcel from an assessment reduction prescribed by City Council. An application must be filed for each parcel number. A copy of your status from the Internal Revenue Service must be attached to each application.

APPEAL INFORMATION

HOW TO APPEAL:

A property owner or party in interest, or his or her representative, may protest the special assessment in one of the following ways:

- Send a letter appealing the assessment to: City Clerk's Office, 9th Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933; -or-
- Send an email appealing the assessment via email to: city.clerk@lansingmi.gov; -or-
- Appear in person at the Public Hearing and either hand deliver an appeal letter or speak at the Public Hearing (must sign in at meeting to speak).

Written appeals must be received before the close of the public hearing on **August 14, 2017**.

Further appeal of the Special Assessment may be made to the Michigan Tax Tribunal, if filed within 35 days after confirmation of the special assessment roll and that special assessment was protested at the **August 14, 2017** hearing. Visit www.michigan.gov/taxtrib for more information.

If you have any questions regarding this assessment, please contact the Principal Shopping District at 517-487-3322.

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, August 14, 2017 at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering:

An Ordinance of the City of Lansing, Michigan to replace Chapter 1300 of the City of Lansing Codified Ordinances in its entirety; to provide for the regulation and licensing of medical marihuana establishments; to establish land use and zoning requirements attendant thereto; to protect the public health, safety, and welfare of the City of Lansing; to set licensing fees for the purpose of defraying the costs associated with the implementation and enforcement of the provisions of the chapter; and to provide penalties for violations of the chapter.

For more information please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, May 5, 2014, at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CITY OF LANSING, MICHIGAN
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO REPLACE CHAPTER 1300 OF THE CITY OF LANSING CODIFIED ORDINANCES IN ITS ENTIRETY; TO PROVIDE FOR THE REGULATION AND LICENSING OF MEDICAL MARIHUANA ESTABLISHMENTS; TO ESTABLISH LAND USE AND ZONING REQUIREMENTS ATTENDANT THERETO; TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITY OF LANSING; TO SET LICENSING FEES FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH THE IMPLEMENTATION AND ENFORCEMENT OF THE PROVISIONS OF THE CHAPTER; AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THE CHAPTER.

THE CITY OF LANSING ORDAINS:

SECTION ONE: Chapter 1300 of the Lansing Code of Ordinances is hereby replaced in its entirety to read as follows:

- 1300.1 Legislative Intent.
- 1300.2 Definitions, Interpretation and Conflicts.
- 1300.3 Establishment of the Medical Marihuana Commission; Membership; Chairperson; Meetings
- 1300.4 Operation without License Prohibited.
- 1300.5 License Application Submission.
- 1300.6 License Application Evaluation.
- 1300.7 License Renewal Application.
- 1300.8 Licenses Generally.
- 1300.9 Minimum Operational Standards of A Medical Marihuana Provisioning Center.
- 1300.10 Minimum Operational Standards of A Medical Marihuana Grower Facility.
- 1300.11 Minimum Operational Standards of A Medical Marihuana Safety Compliance Facility.
- 1300.12 Minimum Operational Standards of A Medical Marihuana Processor Facility, a Medical Marihuana Safety Compliance Facility, and Medical Marihuana Secure Transporter.
- 1300.13 Location of Medical Marihuana Provisioning Centers. .
- 1300.14 Location of Medical Marihuana Safety Compliance Facilities, Medical Marihuana Processor Facilities, Medical Marihuana Grower Facilities, and Medical Marihuana Secure Transporters.
- 1300.15 Revocation; Bases for Revocation; Appeal of License Denial.
- 1300.16 Penalties.
- 1300.17 No Vested Rights.
- 1300.18 Zoning Board of Appeals.
- 1300.19 Sunset.

1300.1 –LEGISLATIVE INTENT.

THE PURPOSE OF THIS CHAPTER IS TO EXERCISE THE POLICE, REGULATORY, AND LAND USE POWERS OF THE CITY OF LANSING BY LICENSING AND REGULATING MEDICAL MARIHUANA PROVISIONING CENTERS, MEDICAL MARIHUANA GROWER FACILITIES, MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL MARIHUANA SECURE TRANSPORTERS, AND MEDICAL MARIHUANA PROCESSOR FACILITIES TO THE EXTENT PERMISSIBLE UNDER STATE OF MICHIGAN AND FEDERAL LAWS AND REGULATIONS AND TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE RESIDENTS OF THE CITY OF LANSING; AND AS SUCH THIS CHAPTER CONSTITUTES A PUBLIC PURPOSE.

THE CITY FINDS THAT THE ACTIVITIES DESCRIBED IN THIS CHAPTER ARE SIGNIFICANTLY CONNECTED TO THE PUBLIC HEALTH, SAFETY, SECURITY AND WELFARE OF ITS CITIZENS AND IT IS THEREFORE NECESSARY TO REGULATE AND ENFORCE SAFETY, SECURITY, FIRE, POLICE, HEALTH AND SANITATION PRACTICES RELATED TO SUCH ACTIVITIES AND ALSO TO PROVIDE A METHOD TO DEFRAY ADMINISTRATIVE COSTS INCURRED BY SUCH REGULATION AND ENFORCEMENT.

EXCEPT AS MAY BE REQUIRED OR PERMITTED BY LAW OR REGULATION, IT IS NOT THE INTENT OF THIS CHAPTER TO DIMINISH, ABROGATE, OR RESTRICT THE PROTECTIONS FOR MEDICAL USE OF MARIHUANA FOUND IN THE MICHIGAN MEDICAL MARIHUANA ACT, THE MEDICAL MARIHUANA FACILITIES LICENSING ACT OR SECTION 8-501 OF THE LANSING CITY CHARTER.

1300.2 – DEFINITIONS, INTERPRETATION AND CONFLICTS.

FOR THE PURPOSES OF THIS CHAPTER:

(A) ANY TERM DEFINED BY THE MICHIGAN MEDICAL MARIHUANA ACT, MCL 333.26421 ET SEQ., AS AMENDED (“MMMA”), THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, MCL 333.2701, ET SEQ. (MMFLA) SHALL HAVE THE DEFINITION GIVEN IN THOSE ACTS, AS AMENDED, AND THE MARIHUANA TRACKING ACT (“MTA”), MCL333.27901, ET SEQ. IF THE DEFINITION OF A WORD OR PHRASE SET FORTH IN THIS CHAPTER CONFLICTS WITH THE DEFINITION IN THE MMMA, MMFLA OR MTA, OR IF A TERM IS NOT DEFINED BUT IS DEFINED IN THE MMMA, MMFLA OR MTA, THEN THE DEFINITION IN THE MMMA, MMFLA, OR MTA SHALL APPLY.

(B) ANY TERM DEFINED BY 21 USC 860(E) REFERENCED IN THIS CHAPTER SHALL HAVE THE DEFINITION GIVEN BY 21 USC 860(E).

(C) THIS ORDINANCE SHALL NOT LIMIT AN INDIVIDUAL’S OR ENTITY’S RIGHTS UNDER THE MMMA, MMFLA OR MTA AND THESE SUPERSEDE THIS ORDINANCE WHERE THERE IS A CONFLICT BETWEEN THEM AND THE

1 IMMUNITIES AND PROTECTION ESTABLISHED IN THE MMMA UNLESS
2 SUPERSEDED OR PREEMPTED BY THE MMFLA.
3

4 (D) ALL ACTIVITIES RELATED TO MEDICAL MARIHUANA, INCLUDING THOSE
5 RELATED TO A MEDICAL MARIHUANA PROVISIONING CENTER, A MEDICAL
6 MARIHUANA GROWER FACILITY, A MEDICAL MARIHUANA SECURE
7 TRANSPORTER, A MEDICAL MARIHUANA PROCESSOR OR A MEDICAL
8 MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE IN COMPLIANCE
9 WITH THE RULES OF THE MEDICAL MARIHUANA LICENSING BOARD, THE
10 RULES OF THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY
11 AFFAIRS, OR ANY SUCCESSOR AGENCY, THE RULES AND REGULATIONS OF
12 THE CITY OF LANSING, THE MMMA, MMFLA AND THE MTA.
13

14 (E) ANY USE WHICH PURPORTS TO HAVE ENGAGED IN THE CULTIVATION OR
15 PROCESSING OF MEDICAL MARIHUANA INTO A USABLE FORM, OR THE
16 DISTRIBUTION OF MEDICAL MARIHUANA, OR THE TESTING OF MEDICAL
17 MARIHUANA EITHER PRIOR TO OR AFTER ENACTMENT OF THIS CHAPTER
18 BUT WITHOUT OBTAINING THE REQUIRED LICENSING SET FORTH IN THIS
19 CHAPTER SHALL BE DEEMED TO BE AN ILLEGALLY ESTABLISHED USE
20 AND THEREFORE NOT ENTITLED TO LEGAL NONCONFORMING STATUS
21 UNDER THE PROVISIONS OF THIS CHAPTER, AND/OR STATE LAW. THE CITY
22 FINDS AND DETERMINES THAT IT HAS NOT HERETOFORE AUTHORIZED OR
23 LICENSED THE EXISTENCE OF ANY MEDICAL MARIHUANA
24 ESTABLISHMENT, AS DEFINED HEREIN, IN THE CITY.
25

26 (F) THE FOLLOWING TERMS SHALL HAVE THE DEFINITIONS GIVEN:
27

28 “APPLICATION” MEANS AN APPLICATION FOR A LICENSE PURSUANT TO THE
29 TERMS AND CONDITIONS SET FORTH IN SECTIONS 1300.5 AND 1300.6.
30

31 “APPLICATION FOR A LICENSE RENEWAL” MEANS AN APPLICATION FOR A
32 LICENSE RENEWAL PURSUANT TO THE TERMS AND CONDITIONS OF SECTION
33 1300.7.
34

35 “BUFFERED USE” MEANS A USE SUBJECT TO THE BUFFERING AND
36 DISPERSION REQUIREMENTS OF SECTIONS 1300.13 (A) AND 1300.13 (D).
37

38 “BUILDING” MEANS AN INDEPENDENT, ENCLOSED STRUCTURE HAVING A
39 ROOF SUPPORTED BY COLUMNS OR WALLS, INTENDED AND / OR USED FOR
40 SHELTER OR ENCLOSURE OF PERSONS OR CHATTELS. WHEN ANY PORTION OF A
41 STRUCTURE IS COMPLETELY SEPARATED FROM EVERY OTHER PART BY
42 DIVIDING WALLS FROM THE GROUND UP, AND WITHOUT OPENINGS, EACH
43 PORTION OF SUCH STRUCTURE SHALL BE DEEMED A SEPARATE STRUCTURE,
44 REGARDLESS OF WHETHER THE PORTIONS OF SUCH STRUCTURE SHARE
45 COMMON PIPES, DUCTS, BOILERS, TANKS, FURNACES, OR OTHER SUCH SYSTEMS.
46 THIS DEFINITION REFERS ONLY TO PERMANENT STRUCTURES, AND DOES NOT

1 INCLUDE TENTS, SHEDS, GREENHOUSES AND PRIVATE GARAGES ON
2 RESIDENTIAL PROPERTY, STABLES, OR OTHER ACCESSORY STRUCTURES. A
3 BUILDING DOES NOT INCLUDE SUCH STRUCTURES WITH INTERIOR AREAS NOT
4 NORMALLY ACCESSIBLE FOR HUMAN USE, SUCH AS GAS HOLDERS, TANKS,
5 SMOKE STACKS, GRAIN ELEVATORS, COAL BUNKERS, OIL CRACKING TOWERS
6 OR SIMILAR STRUCTURES.

7
8 “CHAPTER” MEANS THIS CHAPTER 1300.

9
10 “CHURCH” MEANS AN ENTIRE BUILDING SET APART PRIMARILY FOR
11 PURPOSES OF PUBLIC WORSHIP, AND WHICH IS TAX EXEMPT UNDER THE LAWS
12 OF THIS STATE, AND IN WHICH RELIGIOUS SERVICES ARE HELD, AND THE
13 ENTIRE BUILDING STRUCTURE OF WHICH IS KEPT FOR THAT USE AND NOT PUT
14 TO ANY OTHER USE INCONSISTENT WITH THAT USE.

15
16 “CITY” MEANS THE CITY OF LANSING, MICHIGAN.

17
18 “COUNCIL, OR CITY COUNCIL,” MEANS THE CITY COUNCIL OF LANSING,
19 MICHIGAN.

20
21 “CULTIVATION” OR “CULTIVATE” AS USED IN THIS CHAPTER MEANS: (1) ALL
22 PHASES OF GROWTH OF MARIHUANA FROM SEED TO HARVEST, DRIES, TRIMS OR
23 CURES; (2) PREPARING, PACKAGING OR REPACKAGING, LABELING, OR
24 RELABELING OR ANY FORM OF MARIHUANA.

25
26 “DISQUALIFYING FELONY” MEANS A FELONY THAT MAKES AN INDIVIDUAL
27 INELIGIBLE TO SERVE AS A REGISTERED PRIMARY CAREGIVER UNDER THE
28 MMMA, MMFLA OR MTA.

29
30 “EMPLOYEE” MEANS ANY INDIVIDUAL WHO IS EMPLOYED BY AN EMPLOYER
31 IN RETURN FOR THE PAYMENT OF DIRECT OR INDIRECT MONETARY WAGES OR
32 PROFIT, UNDER CONTRACT, AND ANY INDIVIDUAL WHO VOLUNTEERS HIS OR
33 HER SERVICES TO AN EMPLOYER FOR NO MONETARY COMPENSATION, OR ANY
34 INDIVIDUAL WHO PERFORMS WORK OR RENDERS SERVICES, FOR ANY PERIOD
35 OF TIME, AT THE DIRECTION OF AN OWNER, LESSEE, OF OTHER PERSON IN
36 CHARGE OF A PLACE.

37
38 “LICENSE” OR “MEDICAL MARIHUANA BUSINESS LICENSE” MEANS A LICENSE
39 ISSUED FOR THE OPERATION OF A MEDICAL MARIHUANA ESTABLISHMENT
40 PURSUANT TO THE TERMS AND CONDITIONS OF THIS CHAPTER AND INCLUDES A
41 LICENSE WHICH HAS BEEN RENEWED PURSUANT TO SECTION 1300.7.

42
43 “LICENSE APPLICATION” MEANS AN APPLICATION SUBMITTED FOR A
44 LICENSE PURSUANT TO THE REQUIREMENTS AND PROCEDURES SET FORTH IN
45 SECTIONS 1300.5 AND 1300.6.

1 “LICENSEE” MEANS A PERSON ISSUED A LICENSE FOR AN ESTABLISHMENT
2 PURSUANT TO THIS CHAPTER.

3
4 “MARIHUANA” MEANS ALL PARTS OF THE PLANT CANNABIS SATIVA L.,
5 GROWING OR NOT; THE SEEDS OF THE PLANT; THE RESIN EXTRACTED FROM
6 ANY PART OF THE PLANT; AND EVERY COMPOUND, MANUFACTURE, SALT,
7 DERIVATIVE, MIXTURE, OR PREPARATIONS OF THE PLANT OR ITS SEEDS OR
8 RESIN.

9 MARIHUANA DOES NOT INCLUDE:

- 10 1. THE MATURE STALKS OF THE PLANT;
- 11 2. FIBER PRODUCED FROM THE STALKS, OIL OR CAKE MADE FROM
12 THE SEEDS OF THE PLANT;
- 13 3. ANY OTHER COMPOUND, MANUFACTURE, SALT, DERIVATIVE,
14 MIXTURE, OR PREPARATION OF THE MATURE STALKS,
15 (EXCEPT THE RESIN EXTRACTED FROM THOSE STALKS, FIBER,
16 OIL OR CAKE; OR
- 17 4. ANY STERILIZED SEED OF THE PLANT THAT IS INCAPABLE OF
18 GERMINATION; OR
- 19 5. INDUSTRIAL HEMP GROWN OR CULTIVATED OR BOTH FOR
20 RESEARCH, PURPOSES UNDER THE INDUSTRIAL HEMP RESEARCH
21 ACT.

22
23 “MARIHUANA-INFUSED PRODUCT” MEANS A TOPICAL FORMULATION,
24 TINCTURE, BEVERAGE, EDIBLE SUBSTANCE, OR SIMILAR PRODUCT CONTAINING
25 ANY USABLE MARIHUANA THAT IS INTENDED FOR HUMAN CONSUMPTION IN A
26 MANNER OTHER THAN SMOKE INHALATION. MARIHUANA-INFUSED PRODUCT
27 SHALL NOT BE CONSIDERED A FOOD FOR PURPOSE OF THE FOOD LAW, 2000 PA
28 92, MCL 289.1101 TO 289.8111.

29
30 “MARIHUANA TRACKING ACT” OR “MTA” MEANS PUBLIC ACT 282 OF 2016
31 .M.C.L. 333.27901, ET. SEQ.

32
33 “MEDICAL MARIHUANA” MEANS ANY MARIHUANA INTENDED FOR MEDICAL
34 USE THAT MEETS ALL DESCRIPTIONS AND REQUIREMENTS FOR MEDICAL
35 MARIHUANA CONTAINED IN THE MMMA, MMFLA AND THE MTA AND ANY
36 OTHER APPLICABLE LAW.

37
38 “MEDICAL MARIHUANA COMMISSION” OR “COMMISSION” MEANS THE
39 MEDICAL MARIHUANA COMMISSION ESTABLISHED UNDER SECTION 1300.3
40 OF THIS CHAPTER.

41
42 “MEDICAL MARIHUANA FACILITIES LICENSING ACT” OR “MMFLA” MEANS
43 PUBLIC ACT 281 OF 2016, MCL 333.27101, ET. SEQ.

44
45 “MEDICAL MARIHUANA ESTABLISHMENT(S), OR, “ESTABLISHMENT,” MEANS
46 ANY FACILITY, ESTABLISHMENT AND/OR CENTER THAT IS REQUIRED TO BE
47 LICENSED UNDER THIS CHAPTER AND POSSESSES A LICENSE TO OPERATE

1 UNDER THE MMFLA, INCLUDING: A MEDICAL MARIHUANA PROVISIONING
2 CENTER, A MEDICAL MARIHUANA GROWER FACILITY; A MEDICAL MARIHUANA
3 PROCESSOR FACILITY; A MEDICAL MARIHUANA SECURE TRANSPORTER; AND A
4 MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY.

5
6 “MEDICAL MARIHUANA GROWER FACILITY,” MEANS A COMMERCIAL OR
7 BUSINESS ENTITY LOCATED IN THE CITY THAT IS LICENSED TO OPERATE BY THE
8 STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO
9 TERMS AND CONDITIONS OF THIS CHAPTER THAT CULTIVATES, DRIES, TRIMS OR
10 CURES AND PACKAGES MARIHUANA IN ACCORDANCE WITH STATE LAW.

11
12 “MEDICAL MARIHUANA LICENSING BOARD” MEANS THE STATE BOARD
13 ESTABLISHED PURSUANT TO THE MMFLA.

14
15 “MEDICAL MARIHUANA PROVISIONING CENTER,” MEANS A COMMERCIAL OR
16 BUSINESS ENTITY LOCATED IN THE CITY THAT IS LICENSED TO OPERATE BY THE
17 STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY PURSUANT TO
18 THE TERMS AND CONDITIONS OF THIS CHAPTER, THAT SELLS, SUPPLIES, OR
19 PROVIDES MARIHUANA TO REGISTERED QUALIFYING PATIENTS ONLY AS
20 PERMITTED BY STATE LAW. MEDICAL MARIHUANA PROVISIONING CENTER, AS
21 DEFINED IN THE MMMA, MMFLA AND MTA, INCLUDES ANY COMMERCIAL
22 PROPERTY OR BUSINESS WHERE MARIHUANA IS SOLD IN CONFORMANCE WITH
23 STATE LAW AND REGULATION. A NONCOMMERCIAL OR NONBUSINESS
24 LOCATION USED BY A PRIMARY CAREGIVER TO ASSIST A QUALIFYING PATIENT,
25 AS DEFINED IN THE MMMA, MMFLA OR MTA CONNECTED TO THE CAREGIVER
26 THROUGH THE STATE’S MARIHUANA REGISTRATION PROCESS IN ACCORDANCE
27 WITH THE MMMA, MMFLA OR MTA IS NOT A MEDICAL MARIHUANA
28 PROVISIONING CENTER FOR PURPOSES OF THIS CHAPTER.

29
30 “MMFLA” MEANS THE MEDICAL MARIHUANA FACILITIES LICENSING ACT,
31 MCL 333.2701, ET.SEQ. AS AMENDED FROM TIME TO TIME.

32
33 “MMMA” MEANS THE MICHIGAN MEDICAL MARIHUANA ACT, MCL 333.26421
34 ET.SEQ AS AMENDED FROM TIME TO TIME.

35
36 “MTA” MEANS THE MARIHUANA TRACKING ACT, MCL 333.27901, ET. SEQ. AS
37 AMENDED FROM TIME TO TIME.

38
39 “ORDINANCE” MEANS THE ORDINANCE ADOPTING THIS CHAPTER 1300.

40
41 “PARK” MEANS AN AREA OF LAND DESIGNATED BY THE CITY AS A PARK ON
42 ITS MASTER PLAN OR ON A COUNCIL-APPROVED LIST OF CITY PARKS.

1
2 “PERSON” MEANS AN INDIVIDUAL, PARTNERSHIP, FIRM, COMPANY,
3 CORPORATION, ASSOCIATION, SOLE PROPRIETORSHIP, LIMITED LIABILITY
4 COMPANY, JOINT VENTURE, ESTATE, TRUST, OR OTHER LEGAL ENTITY.

5
6 “PROCESSOR” OR “MEDICAL MARIHUANA PROCESSOR FACILITY” MEANS A
7 COMMERCIAL ENTITY LOCATED IN THIS CITY THAT IS LICENSED TO OPERATE
8 BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED BY THE CITY
9 PURSUANT TO **THE TERMS AND CONDITIONS OF** THIS CHAPTER, THAT EXTRACTS
10 RESIN FROM THE MARIHUANA OR CREATES A MARIHUANA-INFUSED PRODUCT,
11 TO THE EXTENT PERMITTED BY STATE LAW.”

12
13 “PUBLIC PLAYGROUND EQUIPMENT” MEANS AN OUTDOOR FACILITY,
14 GROUPING, OR CONCENTRATION OPEN TO THE PUBLIC AND ON
15 PUBLIC PROPERTY AND CONTAINING THREE OR MORE APPARATUS,
16 INCLUDING, BUT NOT LIMITED TO, SLIDES, CLIMBERS, SEESAWS, AND
17 SWINGS, DESIGNED FOR THE RECREATIONAL USE OF CHILDREN AND
18 OWNED AND OPERATED BY A LOCAL UNIT OF GOVERNMENT, SCHOOL
19 DISTRICT, OR OTHER UNIT OR AGENCY OF GOVERNMENT.

20
21 “RESTRICTED/LIMITED ACCESS AREA” MEANS A BUILDING, ROOM OR OTHER
22 AREA UNDER THE CONTROL OF THE LICENSEE WITH ACCESS GOVERNED BY THE
23 MMMA, THE MMFLA, THE MTA OR OTHER APPLICABLE STATE LAW.

24
25 “SAFETY COMPLIANCE FACILITY” OR “MEDICAL MARIHUANA SAFETY
26 COMPLIANCE FACILITY” MEANS A COMMERCIAL **OR BUSINESS** ENTITY **LOCATED**
27 **IN THE CITY** THAT IS LICENSED TO OPERATE BY THE STATE PURSUANT TO THE
28 MMFLA AND IS LICENSED BY THE CITY PURSUANT TO **THE TERMS AND**
29 **CONDITIONS OF** THIS CHAPTER, THAT RECEIVES MARIHUANA FROM A MEDICAL
30 MARIHUANA ESTABLISHMENT OR A REGISTERED QUALIFYING PATIENT OR A
31 REGISTERED PRIMARY CAREGIVER, TESTS IT FOR CONTAMINANTS AND FOR
32 TETRAHYDROCANNABINOL AND OTHER CANNABINOIDS IN ACCORDANCE WITH
33 STATE LAW.

34
35 “SCHOOL’ MEANS AND INCLUDES BUILDINGS USED FOR SCHOOL PURPOSES
36 TO PROVIDE INSTRUCTION TO CHILDREN AND YOUTH IN GRADES PRE-
37 KINDERGARTEN THROUGH 12, AND HEADSTART WHEN THAT INSTRUCTION IS
38 PROVIDED BY A PUBLIC, PRIVATE, DENOMINATIONAL, OR PAROCHIAL SCHOOL.
39 **REF. BUFFERING 1300.13 (A)**

40
41 “SECURE TRANSPORTER” OR “MEDICAL MARIHUANA SECURE TRANSPORTER”
42 MEANS A COMMERCIAL **OR BUSINESS** ENTITY THAT IS LICENSED TO OPERATE
43 BY THE STATE PURSUANT TO THE MMFLA AND IS LICENSED TO OPERATE BY THE
44 CITY PURSUANT TO **THE TERMS AND CONDITIONS OF** THIS CHAPTER, ~~THAT IS A~~
45 ~~COMMERCIAL ENTITY LOCATED IN THIS CITY~~ THAT STORES MARIHUANA AND
46 TRANSPORTS MARIHUANA BETWEEN MEDICAL MARIHUANA FACILITIES FOR A
47 FEE AND IN ACCORDANCE WITH STATE LAW.

“STAKEHOLDER” MEANS, WITH RESPECT TO A TRUST, THE BENEFICIARIES, WITH RESPECT TO A LIMITED LIABILITY COMPANY, THE MANAGERS OR MEMBERS, WITH RESPECT TO A CORPORATION, WHETHER PROFIT OR NON-PROFIT, THE OFFICERS, DIRECTORS, OR SHAREHOLDERS, AND WITH RESPECT TO A PARTNERSHIP OR LIMITED LIABILITY PARTNERSHIP, THE PARTNERS, BOTH GENERAL AND LIMITED.

“STATE” MEANS THE STATE OF MICHIGAN.

(G) ANY TERM DEFINED BY THE MMMA, THE MMFLA, OR THE MTA AND NOT DEFINED IN THIS CHAPTER SHALL HAVE THE DEFINITION **GIVEN IN THE MMMA, MMFLA, OR MTA, AS APPLICABLE.** ~~PROVIDED IN THOSE ACTS.~~

**1300.3 ESTABLISHMENT OF THE MEDICAL MARIHUANA COMMISSION;
MEMBERSHIP; CHAIRPERSON; MEETINGS**

(A) THE MEDICAL MARIHUANA COMMISSION IS HEREBY ESTABLISHED. THE COMMISSION SHALL CONSIST OF SEVEN (7) MEMBERS, WHO SHALL BE APPOINTED BY THE MAYOR WITH THE CONSENT OF COUNCIL. MEMBERS SHALL SERVE FOR TERMS OF OFFICE OF THREE (3) YEARS. EXCEPT FOR THE INITIAL APPOINTMENTS TO THE COMMISSION, TWO MEMBERS SHALL SERVE FOR A TERM OF ONE (1) YEAR, TWO MEMBERS SHALL SERVE FOR A TERM OF TWO (2) YEARS, AND THREE MEMBERS SHALL SERVE FOR A TERM OF THREE YEARS.

(B) THE MEMBERS OF THE COMMISSION SHALL INCLUDE THE FOLLOWING:

- (1) FOUR (4) MEMBERS, ONE FROM EACH WARD OF THE CITY, UPON BEING RECOMMENDED TO THE MAYOR BY THE COUNCIL PERSON IN THAT WARD;
- (2) ONE (1) MEMBER REPRESENTING A DULY ORGANIZED AND EXISTING MEDICAL MARIHUANA PATIENT ADVOCACY ORGANIZATION;
- (3) TWO (2) MEMBERS POSSESSING BUSINESS EXPERIENCE.

(C) THE CHAIRPERSON OF THE COMMISSION SHALL BE ELECTED ANNUALLY BY A MAJORITY VOTE OF THE MEMBERS OF THE COMMISSION. THE COMMISSION MAY MEET AT SUCH TIMES AS THE COMMISSION MAY DETERMINE OR AS OTHERWISE REQUIRED IN THIS CHAPTER. THE COMMISSION SHALL ADOPT ITS OWN RULES OF PROCEDURE AND SHALL KEEP A RECORD OF ITS PROCEEDINGS, SHOWING THE ACTION OF THE COMMISSION AND THE VOTE OF EACH MEMBER UPON EACH QUESTION CONSIDERED. ALL MEETINGS OF THE COMMISSION SHALL BE HELD IN

CONFORMANCE WITH THE MICHIGAN OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 ET SEQ. THE COMMISSION SHALL KEEP A RECORD WHICH SHALL BE OPEN TO THE PUBLIC. THE PRESENCE OF FOUR (4) MEMBERS SHALL CONSTITUTE A QUORUM FOR VOTING PURPOSES.

(D) NO VOTING MEMBER OF THE COMMISSION SHALL HOLD ANY OTHER PUBLIC OFFICE OR PUBLIC EMPLOYMENT IN ANY LOCAL UNIT OF GOVERNMENT SUPPORTED BY LANSING PROPERTY TAXES IN WHOLE OR IN PART. NO MEMBER OF THE COMMISSION SHALL HAVE ANY DIRECT FINANCIAL INTEREST IN A MEDICAL MARIHUANA ESTABLISHMENT.

(E) THE COMMISSION SHALL REVIEW ALL APPLICATIONS THAT ARE FORWARDED TO IT BY THE CITY CLERK UNDER THIS CHAPTER. A LICENSE SHALL NOT BE ISSUED UNTIL THE COMMISSION HAS ACTED ON THE APPLICATION BY ISSUING A CERTIFICATE OF APPROVAL BY A MAJORITY VOTE OF THE COMMISSION MEMBERS VOTING AT A MEETING.

(F) THE COMMISSION MAY PROPOSE CHANGES TO THIS CHAPTER TO THE CITY COUNCIL AND MAY RECOMMEND RULES AND REGULATIONS RELATED TO THIS CHAPTER FOR COUNCIL APPROVAL.

(G) THE CHIEF OF POLICE (OR A DESIGNEE), THE CHIEF OF THE FIRE DEPARTMENT (OR A DESIGNEE) AND THE DIRECTOR OF PLANNING AND NEIGHBORHOOD DEVELOPMENT (OR A DESIGNEE) SHALL ALSO SERVE THE COMMISSION IN AN EX OFFICIO NON-VOTING CAPACITY.

1300.4 - OPERATION WITHOUT LICENSE PROHIBITED.

(A) EVERY MEDICAL MARIHUANA ESTBLISHMENT IN THE CITY OF LANSING SHALL BE LICENSED PURSUANT TO THE TERMS AND PROVISIONS SET FORTH IN THIS CHAPTER. EXCEPT AS PROVIDED IN SUBSECTION 1300.4(B), NO PERSON SHALL OPERATE A MEDICAL MARIHUANA ESTALSHMENT IN THE CITY WITHOUT FIRST OBTAINING A LICENSE FOR THE MEDICAL MARIHUANA ESTABLISHMENT FROM THE CITY CLERK. A MEDICAL MARIHUANA ESTABLISHMENT OPERATING WITHOUT A LICENSE UNDER THE PROVISIONS OF THIS CHAPTER IS DEEMED A PUBLIC NUSIANCE.

(B) A MEDICAL MARIHUANA ESTABLISHMENT THAT IS OPERATING ON THE EFFECTIVE DATE OF THIS CHAPTER AND IS NOT IN VIOLATION OF THE CITY'S MORATORIUM ON STARTING NEW OPERATIONS (CITY ORDINANCE 1202) MAY CONTINUE TO OPERATE DURING THE APPLICATION SUBMISSION AND REVIEW PERIODS PROVIDED FOR IN SECTIONS 1300.5 AND 1300.6, ONLY SO LONG AS IT SUBMITS ITS APPLICATION FOR A LICENSE WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS CHAPTER AND ONLY SO LONG AS IT HAS NOT BEEN

NOTIFIED BY THE CITY CLERK THAT IT WOULD NOT BE RECEIVING A LICENSE OR THAT ITS APPLICATION WOULD NOT BE SUBMITTED FOR CONSIDERATION TO THE COMMISSION. ONCE A MEDICAL MARIHUANA ESTABLISHMENT IS NOTIFIED BY THE CITY CLERK THAT IT WILL NOT RECEIVE A LICENSE OR THAT ITS APPLICATION WILL NOT BE SUBMITTED TO THE COMMISSION FOR CONSIDERATION, THE MEDICAL MARIHUANA ESTABLISHMENT MUST CEASE OPERATING WITHIN 30 CALENDAR DAYS FROM THE DATE OF SUCH NOTIFICATION. CONTINUING TO OPERATE AFTER NOTIFICATION FROM THE CLERK SHALL BE A FACTOR THAT MAY BE CONSIDERED BY THE COMMISSION IN SUBSEQUENT LICENSING DETERMINATIONS.

(C) THE CITY CLERK SHALL ISSUE A NEW LICENSE FOR A MEDICAL MARIHUANA ESTABLISHMENT ONLY AFTER THE COMMISSION HAS ISSUED A CERTIFICATE OF APPROVAL. THE TERM OF EACH LICENSE SHALL BE ONE YEAR. A LICENSE ISSUED UNDER THIS CHAPTER MAY BE CONDITIONED ON THE APPROVAL OF THE OPERATOR BY THE STATE AT THE LOCATION UNDER THE MMFLA.

~~IT IS UNLAWFUL FOR ANY PERSON TO ENGAGE IN THE OPERATION OF A MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY UNLESS SUCH PERSON HAS OBTAINED A LICENSE FROM THE CITY UNDER THIS CHAPTER TO DO SO FOR EACH LOCATION AND ADDITIONALLY HAS A LICENSE TO OPERATE FROM THE STATE PURSUANT TO MMFLA. EVERY MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY OF LANSING SHALL BE LICENSED PURSUANT TO THE TERMS AND PROVISIONS SET FORTH IN THIS CHAPTER. EXCEPT AS PROVIDED IN SUBSECTION 1300.4(B), NO PERSON SHALL OPERATE A MEDICAL MARIHUANA ESTABLISHMENT IN THE CITY WITHOUT FIRST OBTAINING A LICENSE. A MEDICAL MARIHUANA ESTABLISHMENT OPERATING WITHOUT A LICENSE UNDER THE PROVISIONS OF THIS CHAPTER IS DEEMED A PUBLIC NUISANCE.~~

~~(B) A MEDICAL MARIHUANA ESTABLISHMENT THAT IS OPERATING ON THE EFFECTIVE DATE OF THIS CHAPTER AND IS NOT IN VIOLATION OF THE CITY'S MORATORIUM ON STARTING NEW OPERATIONS (CITY ORDINANCE 1202) MAY CONTINUE TO OPERATE DURING THE APPLICATION SUBMISSION AND REVIEW PERIODS PROVIDED FOR IN SECTIONS 1300.5 AND 1300.6, ONLY SO LONG AS IT SUBMITS ITS APPLICATION FOR A LICENSE WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS CHAPTER AND ONLY SO LONG AS IT HAS NOT BEEN NOTIFIED BY THE CITY CLERK THAT IT WOULD NOT BE RECEIVING A LICENSE OR THAT ITS APPLICATION WOULD NOT BE SUBMITTED FOR CONSIDERATION PURSUANT TO 1300.5 (C) AND (E). ONCE A MEDICAL MARIHUANA ESTABLISHMENT IS NOTIFIED BY THE CITY CLERK THAT IT WILL NOT RECEIVE A LICENSE OR THAT ITS APPLICATION WILL NOT BE ACCEPTED FOR CONSIDERATION, THE~~

~~MEDICAL MARIHUANA ESTABLISHMENT MUST CEASE OPERATING WITHIN
30 CALENDAR DAYS FROM THE DATE OF SUCH NOTIFICATION.~~

~~(C) THE CITY CLERK SHALL ISSUE A LICENSE FOR A MEDICAL MARIHUANA
ESTABLISHMENT ONLY AFTER THE CITY CLERK DETERMINES THAT THE
APPLICATION AND PROPOSED FACILITY ARE IN COMPLIANCE WITH THE
TERMS, CONDITIONS, AND PROVISIONS OF THIS CHAPTER. THE TERM OF
EACH LICENSE SHALL BE ONE YEAR. A LICENSE ISSUED UNDER THIS
CHAPTER MAY BE CONDITIONED ON THE APPROVAL OF THE OPERATOR
BY THE STATE AT THE LOCATION UNDER THE MMFLA..~~

1300.5– LICENSE APPLICATION SUBMISSION.

~~(A) EACH MEDICAL MARIHUANA ESTABLISHMENT MUST BE LICENSED BY
THE CITY. APPLICATIONS FOR A LICENSE SHALL BE MADE IN WRITING TO
THE CITY CLERK. ALL APPLICATIONS SUBMITTED TO THE CITY CLERK IN
ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER SHALL BE
CONSIDERED FOR THE ISSUANCE OF A LICENSE. EACH APPLICATION
SHALL CONTAIN A SIGNED ACKNOWLEDGEMENT THAT THE APPLICANT IS
AWARE AND UNDERSTANDS THAT ALL MATTERS RELATED TO
MARIHUANA GROWING, CULTIVATION, POSSESSION, DISPENSING,
TESTING, SAFETY COMPLIANCE, TRANSPORTING, DISTRIBUTION, AND USE
ARE CURRENTLY SUBJECT TO STATE AND FEDERAL LAWS, RULES, AND
REGULATIONS, AND THAT THE APPROVAL OR GRANTING OF A LICENSE
HEREUNDER DOES NOT EXONERATE OR EXCULPATE THE APPLICANT
FROM ABIDING BY THE PROVISIONS AND REQUIREMENTS AND PENALTIES
ASSOCIATED WITH THOSE LAWS, RULES, AND REGULATIONS OR
EXPOSURE TO ANY PENALTIES ASSOCIATED THEREWITH; AND FURTHER
THE APPLICANT WAIVES AND FOREVER RELEASES ANY CLAIM, DEMAND,
ACTION, LEGAL REDRESS, OR RECOURSE AGAINST THE CITY OF LANSING,
ITS ELECTED AND APPOINTED OFFICIALS AND ITS EMPLOYEES AND
AGENTS FOR ANY CLAIMS, DAMAGES, LIABILITIES, CAUSES OF ACTION,
DAMAGES, AND ATTORNEY FEES THE APPLICANT MAY INCUR AS A
RESULT OF THE VIOLATION BY APPLICANT, ITS OFFICIALS, MEMBERS,
PARTNERS, SHAREHOLDERS, EMPLOYEES AND AGENTS OF THOSE LAWS,
RULES, AND REGULATIONS AND HEREBY WAIVES, AND ASSUMES THE
RISK OF, ANY SUCH CLAIMS AND DAMAGES, AND LACK OF RECOURSE
AGAINST THE CITY OF LANSING, ITS ELECTED AND APPOINTED
OFFICIALS, EMPLOYEES, ATTORNEYS, AND AGENTS.~~

~~(B) A COMPLETE APPLICATION FOR A LICENSE REQUIRED BY THIS CHAPTER
SHALL BE MADE UNDER OATH ON FORMS PROVIDED BY THE CITY, AND
SHALL CONTAIN ALL OF THE FOLLOWING:~~

- ~~(1) IF THE APPLICANT IS AN INDIVIDUAL, THE APPLICANT'S NAME,
DATE OF BIRTH, PHYSICAL ADDRESS, EMAIL ADDRESS, ONE OR~~

MORE PHONE NUMBERS, INCLUDING EMERGENCY CONTACT INFORMATION, A COPY OF A GOVERNMENT ISSUED PHOTO IDENTIFICATION CARD OF THE APPLICANT; ~~AND A COPY OF THE APPLICANT'S CAREGIVER REGISTRY IDENTIFICATION CARD ISSUED PURSUANT TO THE MMMA;~~

(2) IF THE APPLICANT IS NOT AN INDIVIDUAL, THE NAMES, DATES OF BIRTH, PHYSICAL ADDRESSES, EMAIL ADDRESSES, AND ONE OR MORE PHONE NUMBERS OF EACH STAKEHOLDER OF THE APPLICANT, INCLUDING DESIGNATION OF A STAKEHOLDER AS AN EMERGENCY CONTACT PERSON AND CONTACT INFORMATION FOR THE EMERGENCY CONTACT PERSON, ARTICLES OF INCORPORATION, INTERNAL REVENUE SERVICE SS-4 EIN CONFIRMATION LETTER, AND THE OPERATING AGREEMENT OF THE APPLICANT, IF A LIMITED LIABILITY COMPANY; ~~AND A COPY OF AT LEAST ONE STAKEHOLDER'S CAREGIVER REGISTRY IDENTIFICATION CARD ISSUED PURSUANT TO THE MMMA;~~

(3) THE NAME AND ADDRESS OF THE PROPOSED MEDICAL MARIHUANA ESTABLISHMENT AND ANY ADDITIONAL CONTACT INFORMATION DEEMED NECESSARY BY THE CITY CLERK;

(4) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS, FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE APPLICANT, AFFIRMATION THAT EACH IS AT LEAST 18 YEARS OF AGE AND HAS NOT BEEN CONVICTED OF OR PLED GUILTY OR NO CONTEST TO A DISQUALIFYING FELONY. WITH RESPECT TO ALL OTHER MEDICAL MARIHUANA ESTABLISHMENTS, FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE APPLICANT, AN AFFIRMATION THAT EACH AND EVERY AGENT OR EMPLOYEE IS AT LEAST 18 YEARS OF AGE AND HAS NOT BEEN CONVICTED OF OR PLED GUILTY OR NO CONTEST TO A DISQUALIFYING FELONY;

(5) A SIGNED RELEASE AUTHORIZING THE CITY OF LANSING POLICE DEPARTMENT TO PERFORM A CRIMINAL BACKGROUND CHECK TO ASCERTAIN WHETHER THE APPLICANT, EACH STAKEHOLDER OF THE APPLICANT, EACH OPERATOR AND EMPLOYEE OF THE APPLICANT MEET THE CRITERIA SET FORTH IN THIS CHAPTER;

(6) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONING CENTERS, THE NAME, DATE OF BIRTH, PHYSICAL ADDRESS, COPY OF PHOTO IDENTIFICATION, AND EMAIL ADDRESS FOR ANY OPERATOR OR EMPLOYEE IF OTHER THAN THE APPLICANT;

(7) AN AFFIRMATION UNDER OATH AS TO WHETHER THE APPLICANT OR OPERATOR HAS HAD A BUSINESS LICENSE REVOKED OR SUSPENDED, AND IF REVOKED OR SUSPENDED, THEN THE REASON THEREFORE;

1
2 (8) FOR THE APPLICANT OR FOR EACH STAKEHOLDER OF THE
3 APPLICANT, A RESUME THAT INCLUDES WHETHER THE INDIVIDUAL HAS ANY
4 RELEVANT EXPERIENCE WITH MEDICAL MARIHUANA OR A RELATED
5 INDUSTRY;
6

7 (9) A PATIENT EDUCATION PLAN TO DETAIL TO PATIENTS THE
8 BENEFITS OR DRAWBACKS OF CERTAIN MARIHUANA STRAINS OR PRODUCTS
9 IN CONNECTION WITH THE DEBILITATING MEDICAL CONDITIONS SET FORTH
10 IN THE MICHIGAN MEDICAL MARIHUANA ACT;
11

12 (10) WITH RESPECT TO MEDICAL MARIHUANA PROVISIONS CENTERS, A
13 DESCRIPTION OF DRUG AND ALCOHOL AWARENESS PROGRAMS THAT
14 SHALL BE PROVIDED OR ARRANGED FOR BY THE APPLICANT AND MADE
15 AVAILABLE FOR THE PUBLIC.
16

17 (11) A WRITTEN DESCRIPTION OF THE TRAINING AND EDUCATION THAT
18 THE APPLICANT WILL PROVIDE TO ALL EMPLOYEES;
19

20 (12) A COPY OF THE PROPOSED BUSINESS PLAN FOR THE
21 ESTABLISHMENT, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:
22

23 (I) THE PROPOSED OWNERSHIP STRUCTURE OF THE
24 ESTABLISHMENT, INCLUDING PERCENTAGE OWNERSHIP OF
25 EACH PERSON OR ENTITY; AND
26

27 (II) A CURRENT ORGANIZATION CHART THAT INCLUDES
28 POSITION DESCRIPTIONS AND THE NAMES OF EACH PERSON
29 HOLDING EACH POSITION.
30

31 (13) ONE OF THE FOLLOWING: (A) PROOF OF OWNERSHIP OF THE ENTIRE
32 PREMISES WHEREIN THE MEDICAL MARIHUANA ESTABLISHMENT IS TO BE
33 OPERATED; OR (B) WRITTEN CONSENT FROM THE PROPERTY OWNER FOR USE
34 OF THE PREMISES IN A MANNER REQUIRING LICENSURE UNDER THIS
35 CHAPTER ALONG WITH A COPY OF THE LEASE FOR THE PREMISES;
36

37 (14) A DESCRIPTION OF THE SECURITY PLAN FOR THE MEDICAL
38 MARIHUANA ESTABLISHMENT, INCLUDING, BUT NOT LIMITED TO, ANY
39 LIGHTING ALARMS, BARRIERS, RECORDING/MONITORING DEVICES, AND/OR
40 SECURITY GUARD ARRANGEMENTS PROPOSED FOR THE ESTABLISHMENT
41 AND PREMISES. THE SECURITY PLAN MUST CONTAIN THE SPECIFICATION
42 DETAILS OF EACH PIECE OF SECURITY EQUIPMENT. EACH MEDICAL
43 MARIHUANA ESTABLISHMENT MUST HAVE A SECURITY GUARD PRESENT
44 DURING BUSINESS HOURS;
45

1 (15) A FLOOR PLAN OF THE MEDICAL MARIHUANA ESTABLISHMENT, AS
2 WELL AS A SCALE DIAGRAM ILLUSTRATING THE PROPERTY UPON WHICH
3 THE MEDICAL MARIHUANA ESTABLISHMENT IS TO BE OPERATED, INCLUDING
4 ALL AVAILABLE PARKING SPACES, AND SPECIFYING WHICH PARKING
5 SPACES, IF ANY, ARE HANDICAPPED-ACCESSIBLE;
6

7 (16) ANY PROPOSED TEXT OR GRAPHICAL MATERIALS TO BE SHOWN ON
8 THE EXTERIOR OF THE PROPOSED MEDICAL MARIHUANA ESTABLISHMENT;
9

10 (17) A LOCATION AREA MAP, AS MEASURED PURSUANT TO SECTION
11 1300.13 (D) OF THE MEDICAL MARIHUANA ESTABLISHMENT AND
12 SURROUNDING AREA THAT IDENTIFIES THE RELATIVE LOCATIONS AND THE
13 DISTANCES, AS MEASURED PURSUANT TO SECTION 1300.13 (D), TO THE
14 BUFFERED USES SET FORTH IN SECTION 1300.13 (A) ~~A LOCATION AREA MAP OF~~
15 ~~THE MEDICAL MARIHUANA ESTABLISHMENT AND SURROUNDING AREA~~
16 ~~THAT IDENTIFIES THE RELATIVE LOCATIONS AND THE DISTANCES (CLOSEST~~
17 ~~PROPERTY LINE TO THE SUBJECT ESTABLISHMENT'S PROPERTY LINE) FROM~~
18 ~~THE SUBJECT MEDICAL MARIHUANA ESTABLISHMENT TO THE CLOSEST REAL~~
19 ~~PROPERTY OF AN OPERATIONAL PUBLIC OR PRIVATE ELEMENTARY OR~~
20 ~~SECONDARY SCHOOL, CHURCH, PARK, A FACILITY AT WHICH SUBSTANCE~~
21 ~~ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND~~
22 ~~REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA~~
23 ~~368 OF 1978, MCL 333.6101 ET SEQ., ANOTHER LICENSED MEDICAL MARIHUANA~~
24 ~~ESTABLISHMENT OR A COMMERCIAL CHILD CARE ORGANIZATION (NON-~~
25 ~~HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED~~
26 ~~WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES;~~
27

28 (18) A FACILITY SANITATION PLAN TO PROTECT AGAINST ANY
29 MARIHUANA BEING INGESTED BY ANY PERSON OR ANIMAL, INDICATING
30 HOW THE WASTE WILL BE STORED AND DISPOSED OF, AND HOW ANY
31 MARIHUANA WILL BE RENDERED UNUSABLE UPON DISPOSAL. DISPOSAL BY
32 ON-SITE BURNING OR INTRODUCTION IN THE SEWERAGE SYSTEM IS
33 PROHIBITED;
34

35 (19) A PROPOSED PATIENT RECORDKEEPING PLAN THAT WILL TRACK
36 QUANTITIES SOLD TO INDIVIDUAL PATIENTS AND CAREGIVERS, AND WILL
37 MONITOR INVENTORY;
38

39 (20) A DESCRIPTION OF PROCEDURES FOR TESTING OF CONTAMINANTS,
40 INCLUDING MOLD AND PESTICIDES;
41

42 (21) AN AFFIDAVIT THAT NEITHER THE APPLICANT NOR ANY
43 STAKEHOLDER OF THE APPLICANT IS IN DEFAULT TO THE CITY.
44 SPECIFICALLY, THAT THE APPLICANT OR STAKEHOLDER OF THE APPLICANT
45 HAS NOT FAILED TO PAY ANY PROPERTY TAXES, SPECIAL ASSESSMENTS,
46 FINES, FEE OR OTHER FINANCIAL OBLIGATIONS TO THE CITY;

1
2 (22) VERIFICATION, INCLUDING COPIES OF ACTUAL BANK STATEMENTS,
3 SHOWING THAT THE APPLICANT HAS MINIMUM NET WORTH OF ONE
4 HUNDRED THOUSAND DOLLARS (\$100,000) IN THE APPLICANT'S NAME. WITH
5 COPIES OF ACTUAL BANK STATEMENTS, SHOWING THAT THE APPLICANT HAS
6 TANGIBLE FINANCIAL CAPITAL IN THE APPLICANT'S NAME IN THE AMOUNT
7 SUFFICIENT TO COMPLETE THE MEDICAL MARIHUANA ESTABLISHMENT AND
8 TO FUND THE BUSINESS PLAN AND OTHER PLANS REQUIRED BY THIS
9 SECTION 1300.5;

10
11 (23) AN ESTIMATE OF THE NUMBER AND TYPE OF JOBS THAT THE
12 MEDICAL MARIHUANA ESTABLISHMENT IS EXPECTED TO CREATE, THE
13 AMOUNT AND TYPE OF COMPENSATION EXPECTED TO BE PAID FOR SUCH
14 JOBS, AND THE PROJECTED ANNUAL BUDGET AND REVENUE OF THE
15 MEDICAL MARIHUANA ESTABLISHMENT; AND

16
17 (24) A SIGNED ACKNOWLEDGMENT THAT THE APPLICANT IS AWARE AND
18 UNDERSTANDS THAT ALL MATTERS RELATED TO MARIHUANA, GROWING,
19 CULTIVATION, POSSESSION, DISPENSING, TESTING, SAFETY COMPLIANCE,
20 TRANSPORTING, DISTRIBUTION, AND USE ARE CURRENTLY SUBJECT TO
21 STATE AND FEDERAL LAWS, RULES, AND REGULATIONS, AND THAT THE
22 APPROVAL OR GRANTING OF A LICENSE HEREUNDER DOES NOT EXONERATE
23 OR EXCULPATE THE APPLICANT FROM ABIDING BY THE PROVISIONS AND
24 REQUIRMENTS AND PENALTIES ASSOCIATED WITH THOSE LAWS, RULES AND
25 REGULATIONS OR EXPOSURE TO ANY PENALTIES ASSOCIATED THEREWITH;
26 AND FURTHER THE APPLICANT WAIVES AND FOREVER RELEASES ANY
27 CLAIM, DEMAND, ACTION, LEGAL REDRESS, OR RECOURSE AGAINST THE
28 CITY OF LANSING, ITS ELECTED AND APPOINTED OFFICIALS AND ITS
29 EMPLOYEES AND AGENTS FOR ANY CLAIMS, DAMAGES, LIABILITIES, CAUSES
30 OF ACTION, DAMAGES, AND ATTORNEY FEES THE APPLICANT MAY OCCUR AS
31 A RESULT OF THE VIOLATION BY APPLICANT, ITS OFFICIALS, MEMBERS,
32 PARTNERS, SHAREHOLDERS, EMPLOYEES AND AGENT OF THOSE LAWS,
33 RULES, AND REGULATIOS AND HEREBY WAIVER, AND ASSUMES THE RISK OF,
34 ANY SUCH CLAIMS AND DAMAGES, AND LACK OF RECOURSE AGAINST THE
35 CITY OF LANSING, ITS ELECTED AND APPOINTED OFFICIALS, EMPLOYEES,
36 ATTORNEYS, AND AGENTS.

37
38
39 (25) AS IT RELATES TO A MEDICAL MARIHUANA GROWER FACILITY, THE
40 FOLLOWING ADDITIONAL ITEMS SHALL BE REQUIRED:

41
42 (I) A CULTIVATION PLAN THAT INCLUDES AT A MINIMUM A
43 DESCRIPTION OF THE CULTIVATION METHODS TO BE USED, INCLUDING
44 PLANS FOR THE GROWING MEDIUMS, TREATMENTS, AND / OR ADDITIVES;
45

(II) A PRODUCTION TESTING PLAN THAT INCLUDES AT A MINIMUM A DESCRIPTION OF HOW AND WHEN SAMPLES FOR LABORATORY TESTING BY AN INTERNATIONAL ORGANIZATION FOR STANDARDIZATION ACCREDITED TESTING FACILITY WILL BE SELECTED, WHAT TYPE OF TESTING WILL BE REQUESTED, AND HOW THE TEST RESULTS WILL BE USED;

(III) AN AFFIDAVIT THAT ALL OPERATIONS WILL BE CONDUCTED IN CONFORMANCE WITH THE MMMA, THE MMFLA, MTA AND OTHER APPLICABLE STATE LAW;

(IV) A CHEMICAL AND PESTICIDE STORAGE PLAN THAT STATES THE NAMES OF THE PESTICIDES TO BE USED IN CULTIVATION AND WHERE AND HOW PESTICIDES AND CHEMICALS WILL BE STORED IN THE ESTABLISHMENT, ALONG WITH A PLAN FOR THE DISPOSAL OF UNUSED PESTICIDES;

(V) ALL CULTIVATION MUST BE PERFORMED IN A BUILDING.

(26) PROOF OF AN INSURANCE POLICY COVERING THE ESTABLISHMENT AND NAMING THE CITY, ITS ELECTED AND APPOINTED OFFICIALS, EMPLOYEES, AND AGENTS, AS ADDITIONAL INSURED PARTIES, AVAILABLE FOR THE PAYMENT OF ANY DAMAGES ARISING OUT OF AN ACT OR OMISSION OF THE APPLICANT OR ITS STAKEHOLDERS, AGENTS, EMPLOYEES, OR SUBCONTRACTORS, IN THE AMOUNT OF (A) AT LEAST ONE MILLION DOLLARS FOR PROPERTY DAMAGE; (B) AT LEAST ONE MILLION DOLLARS FOR INJURY TO ONE PERSON; AND (C) AT LEAST TWO MILLION DOLLARS FOR INJURY TO TWO OR MORE PERSON RESULTING FROM THE SAME OCCURRENCE. THE INSURANCE POLICY UNDERWRITER MUST HAVE A MINIMUM A.M. BEST COMPANY INSURANCE RANKING OF B+, CONSISTENT WITH STATE LAW.

(27) (A) PROOF OF A SURETY BOND IN THE AMOUNT OF \$50,000 WITH THE CITY OF LANSING LISTED AS THE OBLIGEE TO GUARANTEE PERFORMANCE BY APPLICANT OF THE TERMS, CONDITIONS AND OBLIGATIONS OF THIS CHAPTER IN A MANNER AND SURETY APPROVED BY THE CITY ATTORNEY; OR, IN THE ALTERNATIVE,

(B) CREATION OF AN ESCROW ACCOUNT AS FOLLOWS;

(1) THE ACCOUNT MUST BE PROVIDED BY A STATE OR FEDERALLY REGULATED FINANCIAL INSTITUTION,

(2) THE ACCOUNT MUST BE FOR THE BENEFIT OF THE CITY TO GUARANTEE PERFORMANCE BY LICENSEE IN COMPLIANCE WITH THE APPLICABLE LAW,

(3) THE ACCOUNT MUST BE IN THE AMOUNT OF TWENTY THOUSAND (\$20,000) AN IN A FORM PRESCRIBED BY THE CITY ATTORNEY.

(28) ANY OTHER INFORMATION DEEMED NECESSARY BY THE CITY.

(C) ALL APPLICATIONS SHALL BE ACCOMPANIED BY A LICENSE APPLICATION FEE IN AN AMOUNT OF \$5,000. SHOULD THE APPLICANT NOT RECEIVE A LICENSE ESTABLISHED BY CITY COUNCIL RESOLUTION. ONE-HALF OF THE APPLICATION FEE SHALL BE RETURNED. IF AN APPLICATION IS APPROVED AND A LICENSE ISSUED, THE FIRST ANNUAL FEE SHALL BE IN AN AMOUNT ESTABLISHED BY CITY COUNCIL RESOLUTION. THE APPLICATION FEE AND THE ANNUAL FEE ARE ESTABLISHED TO DEFRAY THE COSTS OF ADMINISTRATION OF THIS CHAPTER.

(D) UPON RECEIPT OF A COMPLETED APPLICATION MEETING THE REQUIREMENTS OF THIS SECTION AND APPROPRIATE NONREFUNDABLE LICENSE APPLICATION FEE, THE CITY CLERK SHALL REFER A COPY OF THE APPLICATION TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT, THE BUILDING SAFETY OFFICE, THE POLICE DEPARTMENT, THE ZONING ADMINISTRATOR, AND THE CITY TREASURER.

(E) EXCEPT AS PROVIDED IN SECTION 1300.18 NO APPLICATIONS SHALL BE SUBMITTED TO THE MEDICAL MARIHUANA COMMISSION UNLESS :NO APPLICATION SHALL BE ACCEPTED BY THE CITY CLERK UNLESS:

(1) THE FIRE DEPARTMENT AND THE BUILDING SAFETY OFFICE HAVE INSPECTED THE PROPOSED LOCATION FOR COMPLIANCE WITH ALL LAWS FOR WHICH THEY ARE CHARGED WITH ENFORCEMENT AND FOR COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER;

(2) THE ZONING ADMINISTRATOR HAS CONFIRMED THAT THE PROPOSED LOCATION COMPLIES WITH THE ZONING CODE AND THIS CHAPTER , INCLUDING ANY VARIANCES GRANTED UNDER SECTION 1300.18;

(3) THE CITY TREASURER HAS CONFIRMED THAT THE APPLICANT AND EACH STAKEHOLDER OF THE APPLICANT AND THE PROPOSED LOCATION OF THE ESTABLISHMENT IS ARE NOT IN DEFAULT TO THE CITY;

(4) THE POLICE DEPARTMENT HAS DETERMINED THAT THE APPLICANT HAS MET THE REQUIREMENTS OF THIS CHAPTER WITH RESPECT TO THE BACKGROUND CHECK AND SECURITY PLAN.

(F) IF WRITTEN APPROVAL IS GIVEN BY EACH INDIVIDUAL OR DEPARTMENT IDENTIFIED IN SUBSECTION (E), THE CITY CLERK SHALL **REFER A COPY OF THE APPLICATION TO THE COMMISSION FOR ITS EVALUATION.**~~ACCEPT A COPY OF THE APPLICATION FOR CONSIDERATION.~~

1300.6-LICENSE APPLICATION EVALUATION.

(A) EXCEPT AS PROVIDED IN 1300.8(A), **THE COMMISSION WILL ASSESS ALL APPLICATIONS REFERRED TO IT BY THE CITY CLERK** ~~WILL ASSESS ALL APPLICATIONS PURSUANT TO SECTION 1300.5~~ ~~THE PROVISIONS, REQUIREMENTS, AND CRITERIA SET FORTH IN THIS CHAPTER AND SHALL CONSULT WITH THE POLICE DEPARTMENT, THE FIRE DEPARTMENT, THE BUILDING SAFETY OFFICE, THE ZONING ADMINISTRATOR, AND THE FINANCE DEPARTMENT. THE CITY CLERK MAY CONSULT WITH OUTSIDE PROFESSIONALS IN THE BUSINESS AND FINANCE DISCIPLINES.~~

(B) IN ITS APPLICATION **REVIEW AND DELIBERATIONS**, THE **COMMISSION** ~~CITY CLERK~~ ~~SHALL ASSESS, EVALUATE, AND SCORE EACH APPLICATION BASED UPON A SCORING PROCEDURE DEVELOPED BY THE COMMISSION,~~ IN EACH OF THE FOLLOWING CATEGORIES:

- ~~(1) THE CONTENT AND SUFFICIENCY OF THE INFORMATION CONTAINED IN 1300.5 (B) (3) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27),. AND (28); WHETHER THE REPORTS ISSUED BY THE FIRE, POLICE, BUILDING SAFETY, ZONING AND TREASURY DEPARTMENTS INDICATE THAT THE APPLICANT OR ITS STAKEHOLDERS OR EMPLOYEES HAVE SATISFIED THE REQUIREMENTS OF 1300.5 (E) (1-4) AND SUFFICIENTLY ADDRESSED THE CONSIDERATIONS OF 1300.5 (B) (1-25).~~
- (2) WHETHER THE PROPOSED ESTABLISHMENT WILL NEGATIVELY IMPACT THE CHARACTER AND AESTHETICS OF THE SURROUNDING NEIGHBORHOOD AND COMMUNITY, INCLUDING WHETHER THE APPLICANT OR ITS STAKEHOLDERS HAVE ENGAGED IN POSITIVE COMMUNITY OUTREACH ON BEHALF OF THE PROPOSED ESTABLISHMENT, AND WHETHER THE APPLICANT OR ITS STAKEHOLDERS HAVE MADE SIGNIFICANT IMPROVEMENTS TO THE BUILDING OR NEIGHBORHOOD WHERE THE PROPOSED ESTABLISHMENT IS TO BE LOCATED;
- (3) WHETHER THE APPLICANT AND ITS STAKEHOLDERS **POSED A THREAT TO THE** ~~ARE PERSONS OF GOOD CHARACTER, HONESTY, AND INTEGRITY WHO DO NOT DISCREDIT OR TEND TO DISCREDIT PUBLIC CONFIDENCE AND TRUST IN THE MEDICAL MARIHUANA INDUSTRY, OR POSE A THREAT TO THE PUBLIC HEALTH, SECURITY, SAFETY, MORALS, GOOD ORDER, OR GENERAL WELFARE; WHETHER~~

THE APPLICATION HAS PREVIOUSLY OPERATED OR CURRENTLY OPERATES AN ILLEGAL BUSINESS OF ANY KIND.

- (4) WHETHER THE APPLICANT HAS REASONABLY DEMONSTRATED IT POSSESSES SUFFICIENT FINANCIAL RESOURCES TO FUND AND THE REQUISITE BUSINESS EXPERIENCE TO EXECUTIE THE SUBMITTED BUSINESS PLAN AND OTHER PLANS REQUIRED BY SECTION 1300.5.

(C) THE MAXIMUM NUMBER OF LICENSES ISSUED FOR MEDICAL MARIHUANA PROVISIONS CENTERS SHALL BE CAPPED AT TWENTY-FIVE (25), AND IMPLEMENTED IN A TWO-PHASE PROCESS IN ORDER TO BALANCE SERVING PATIENTS' NEEDS AND SPREADING ECONOMIC DEVELOPMENT. (1) PHASE ONE: AT THE CONCLUSION OF A SIXTY (60) DAY ENROLLMENT PERIOD SET BY THE CITY CLERK, THE CITY WILL ISSUE UP TO TWENTY (20) LICENSES TO ALLOW FOR AN EFFICIENT AND MANAGABLE ADMINISTRATIVE REVIEW. THE COMMISSION MAY ADJUST DISTRIBUTION OF PHASE 2 LICENSES TO MEET PATIENTS' NEEDS. (2) PHASE TWO: AT THE CONCLUSION OF A SECOND THIRTY (30)DAY ENROLLMENT PERIOD SET BY THE CLERK, WHICH IS OPEN TO NEW APPLICANTS AND AMENDED APPLICANTS, THE COMMISSION MAY ISSUE UP TO FIVE (5) ADDITIONAL LICENSES. DURING THE TWO-PHASE PROCESS. AN APPLICATION SUBMITTED DURING PHASE ONE AND APPROVED BY THE CLERK, BUT NOT SELECTED FOR APPROVAL DURING PHASE ONE MAY BE CONSIDERED FOR APPROVAL DURING PHASE TWO. THE COMMISSION WILL INITIATE PHASE TWO WITHIN ONE YEAR OF THE START OF PHASE ONE.

(D) IN THE EVENT THAT THERE ARE MORE APPLICANTS WHO MEET THE CRITERIA SET FORTH IN 1300.6(B) THAN LICENSES AVAILABLE IN EITHER PHASE ONE OR TWO, THE TOP SCORING FIFTEEN (15) APPLICANTS IN PHASE ONE AND TOP SCORING TEN (10) APPLICANTS IN PHASE TWO SHALL BE ELIGIBLE TO RECEIVE LICENSES. IN THE EVENT OF A TIE DURING EITHER PHASE ONE OR PHASE TWO, WHICH CAUSES THERE TO BE MORE THAN 15 AND 10 TOP APPLICANTS RESPECTIVELY, THE TIED APPLICANTS WILL BE ENTERED INTO A RANDOM DRAW USING PROCEDURES SET BY THE COMMISSION. ALL LICENSE APPLICATIONS MUST BE SUBMITTED DURING THE OPEN ENROLLMENT PERIODS SET BY THE CLERK.

~~IF THE CITY CLERK ISSUES A CERTIFICATE OF APPROVAL TO AN APPLICANT, THE CITY CLERK SHALL ISSUE AN INITIAL LICENSE TO THAT APPLICANT WITHIN TEN (10) BUSINESS DAYS.~~

(E) NOTHING IN THIS SECTION IS INTENDED TO CONFER A PROPERTY OR OTHER RIGHT, DUTY, PRIVILEGE OR INTEREST IN A LICENSE OF ANY KIND OR NATURE WHATSOEVER INCLUDING BUT NOT LIMITED TO AN ENTITLEMENT. ~~ENTITLING AN APPLICANT TO AN ADMINISTRATIVE~~

1 ~~HEARING UPON DENIAL OF AN APPLICATION OR WITH REGARD TO ANY~~
2 ~~SCORING DECISION.~~
3
4
5

6 **1300.7 – LICENSE RENEWAL APPLICATION.**
7

8 (A) APPLICATION FOR A LICENSE RENEWAL REQUIRED BY THIS
9 CHAPTER SHALL BE MADE IN WRITING TO THE CITY CLERK AT LEAST THIRTY
10 (30) DAYS PRIOR TO THE EXPIRATION OF AN EXISTING LICENSE.
11

12 (B) AN APPLICATION FOR A LICENSE RENEWAL REQUIRED BY THIS
13 CHAPTER SHALL BE MADE UNDER OATH ON FORMS PROVIDED BY THE CITY,
14 AND SHALL CONTAIN ALL OF THE INFORMATION REQUIRED BY 1300.5(B).
15

16 (C) AN APPLICATION **FOR A LICENSE RENEWAL** SHALL BE
17 ACCOMPANIED BY A RENEWAL FEE IN AN AMOUNT **OF \$5,000.** ~~ESTABLISHED BY~~
18 ~~CITY COUNCIL RESOLUTION,~~ OF WHICH HALF WILL BE RETURNED SHOULD THE
19 LICENSE NOT BE RENEWED. THE RENEWAL FEE IS ESTABLISHED TO DEFRAY THE
20 COSTS OF THE ADMINISTRATION OF THIS CHAPTER.
21

22 (D) UPON RECEIPT OF A COMPLETED APPLICATION **FOR A LICENSE**
23 **RENEWAL** MEETING THE REQUIREMENTS OF THIS CHAPTER AND THE LICENSE
24 RENEWAL FEE, THE CITY CLERK SHALL REFER A COPY OF THE RENEWAL
25 APPLICATION TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE
26 DEPARTMENT, THE BUILDING SAFETY OFFICE, THE LANSING POLICE
27 DEPARTMENT, THE ZONING ADMINISTRATOR, ~~AND~~ THE CITY TREASURER, **AND**
28 **THE MEDICAL MARIHUANA COMMISSION.**
29

30 (E) NO **APPLICATION FOR A LICENSE** RENEWAL ~~APPLICATION~~ SHALL BE
31 APPROVED UNLESS:
32

33 (1) THE FIRE DEPARTMENT AND THE BUILDING SAFETY OFFICE HAVE
34 INSPECTED THE PROPOSED LOCATION FOR COMPLIANCE WITH ALL
35 LAWS FOR WHICH THEY ARE CHARGED WITH ENFORCEMENT WITHIN
36 THE PAST CALENDAR YEAR;
37

38 (2) THE ZONING ADMINISTRATOR HAS CONFIRMED THAT THE PROPOSED
39 LOCATION ~~CURRENTLY COMPLIES~~ WITH THE ZONING CODE AND THIS
40 CHAPTER, **AT THE TIME A LICENSE IS GRANTED, INCLUDING ANY**
41 **VARIANCES GRANTED UNDER SECTION 1300.18.**
42

43 (3) THE CITY TREASURER HAS CONFIRMED THAT THE APPLICANT AND
44 EACH STAKEHOLDER OF THE APPLICANT AND THE PROPOSED
45 LOCATION OF THE **ESTABLISHMENT** ~~FACILITY~~ ARE NOT CURRENTLY IN
46 DEFAULT TO THE CITY;

(4) THE POLICE DEPARTMENT HAS REVIEWED THE APPLICATION AND DETERMINED THAT THE APPLICANT HAS SATISFIED THE REQUIREMENTS OF THIS CHAPTER WITH RESPECT TO THE BACKGROUND CHECK AND SECURITY PLAN;

(5) THE ~~MEDICAL MARIHUANA COMMISSION CITY CLERK~~ HAS REVIEWED THE APPLICATION FOR COMPLIANCE WITH 1300.6 (B)(1-3).

(F) IF WRITTEN APPROVAL IS GIVEN BY EACH INDIVIDUAL OR DEPARTMENT IDENTIFIED IN SUBSECTION (E), THE CITY CLERK SHALL ISSUE A LICENSE RENEWAL TO THE APPLICANT. IF NO RENEWAL LICENSE IS ISSUED, HALF OF THE RENEWAL FEE SHALL BE RETURNED. THE RENEWAL SHALL BE DEEMED APPROVED IF THE CITY HAS NOT ISSUED FORMAL NOTICE OF APPROVAL OR DENIAL WITHIN 60 DAYS OF THE APPLICATION BEING FILED. **FILING DATE OF THE APPLICATION, UNLESS THE APPLICANT IS ADVISED OF NON-COMPLIANCE UNDER 1300.7 (E)**

1300.8 – LICENSES GENERALLY.

(A) TO THE EXTENT PERMISSIBLE UNDER LAW, ALL INFORMATION SUBMITTED IN CONJUNCTION WITH AN APPLICATION FOR A LICENSE OR LICENSE RENEWAL REQUIRED BY THIS CHAPTER IS CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE MICHIGAN FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 ET SEQ. **FURTHERMORE, NO PERSONAL INFORMATION CONCERNING THE APPLICANT SHALL BE SUBMITTED TO THE MEIDCAL MARIHUANA COMMISSION.**

(B) LICENSEES MAY TRANSFER A LICENSE ISSUED UNDER THIS CHAPTER TO A DIFFERENT LOCATION UPON RECEIVING WRITTEN APPROVAL FROM THE CITY CLERK. IN ORDER TO REQUEST APPROVAL TO TRANSFER A LICENSE LOCATION, THE LICENSEE MUST MAKE A WRITTEN REQUEST TO THE CITY CLERK, INDICATING THE CURRENT LICENSE LOCATION AND THE PROPOSED LICENSE LOCATION. UPON RECEIVING THE WRITTEN REQUEST, THE CITY CLERK SHALL REFER A COPY OF THE WRITTEN REQUEST TO EACH OF THE FOLLOWING FOR THEIR APPROVAL: THE FIRE DEPARTMENT, THE BUILDING SAFETY OFFICE, THE POLICE DEPARTMENT, THE ZONING ADMINISTRATOR, ~~AND~~ THE CITY TREASURER, **AND THE MEDICAL MARIHUANA COMMISSION.** NO LICENSE TRANSFER SHALL BE APPROVED UNLESS EACH SUCH INDIVIDUAL OR DEPARTMENT GIVES WRITTEN APPROVAL THAT THE LICENSEE AND THE PROPOSED LICENSE LOCATION MEET THE STANDARDS IDENTIFIED **IN THIS CHAPTER, INCLUDING BUT NOT LIMITED TO SECTION 1300.5(E) AND THE MEDICAL MARIHUANA COMMISSION** ~~CITY CLERK~~ HAS DETERMINED THAT THE PROPOSED LOCATION MEETS THE REQUIREMENTS OF 1300.6 (B)(2).

(C) LICENSEES MAY TRANSFER A LICENSE ISSUED UNDER THIS CHAPTER TO A DIFFERENT INDIVIDUAL OR ENTITY UPON RECEIVING WRITTEN APPROVAL BY THE CITY CLERK. IN ORDER TO REQUEST APPROVAL TO TRANSFER A LICENSE TO A DIFFERENT INDIVIDUAL OR ENTITY, THE LICENSEE MUST MAKE A WRITTEN REQUEST TO THE CITY CLERK, INDICATING THE CURRENT LICENSEE AND THE PROPOSED LICENSEE. UPON RECEIVING THE WRITTEN REQUEST, THE CITY CLERK SHALL CONSIDER THE REQUEST AS A NEW APPLICATION FOR A LICENSE AND THE PROCEDURES SET FORTH IN 1300.5 AND 1300.6 SHALL BE FOLLOWED **INCLUDING SUBMISSION OF THE LICENSE APPLICATION FEE. APPLICATION FEES ARE NON-TRANSFERABLE.**

(D) LICENSEES SHALL REPORT ANY OTHER CHANGE IN THE INFORMATION REQUIRED BY THIS CHAPTER TO THE CITY CLERK WITHIN TEN (10) BUSINESS DAYS OF THE CHANGE. FAILURE TO DO SO MAY RESULT IN SUSPENSION OR REVOCATION OF THE LICENSE.

(E) ANY LICENSE APPLICATIONS APPROVED PURSUANT TO THIS CHAPTER SHALL NOT BE EFFECTIVE AND NO MEDICAL MARIHUANA ESTABLISHMENT MAY OPERATE UNLESS THE MEDICAL MARIHUANA ESTABLISHMENT IS OPERATED PURSUANT TO A LICENSE ISSUED UNDER THE MMFLA.

1300.9 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA PROVISIONING CENTER.

EXCEPT AS PROVIDED BY THE RULES AND REGULATIONS ESTABLISHED BY THE MICHIGAN MEDICAL MARIHUANA LICENSING BOARD,

(A) EVERY MEDICAL MARIHUANA PROVISIONING CENTER MUST BE LOCATED IN A BUILDING, **AS DEFINED UNDER SECTION 1300.2.**

(B) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPEN BETWEEN THE HOURS OF 10 P.M. AND 9 A.M.;

(C) CONSUMPTION OF MARIHUANA SHALL BE PROHIBITED ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING CENTER EXCEPT AS PERMITTED BY LANSING CITY CHARTER SECTION 8-501 AND STATE LAW;

(D) A MEDICAL MARIHUANA PROVISIONING CENTER SHALL CONTINUOUSLY MONITOR THE ENTIRE PREMISES ON WHICH THEY ARE OPERATED WITH SURVEILLANCE SYSTEMS THAT INCLUDE SECURITY CAMERAS. THE VIDEO RECORDINGS SHALL BE MAINTAINED IN A SECURE, OFF-SITE LOCATION FOR A PERIOD OF 14 DAYS;

(E) UNLESS PERMITTED BY THE MMMA, PUBLIC OR COMMON AREAS OF THE MEDICAL MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM RESTRICTED OR NON-PUBLIC AREAS OF THE PROVISIONING CENTER BY A

1 PERMANENT BARRIER. UNLESS PERMITTED BY THE MMMA, NO MEDICAL
2 MARIHUANA IS PERMITTED TO BE STORED, DISPLAYED, OR TRANSFERRED IN AN
3 AREA ACCESSIBLE TO THE GENERAL PUBLIC;
4

5 (F) ALL MEDICAL MARIHUANA STORAGE AREAS WITHIN MEDICAL
6 MARIHUANA PROVISIONING CENTER MUST BE SEPARATED FROM ANY
7 CUSTOMER/PATIENT AREAS BY A PERMANENT BARRIER. UNLESS PERMITTED BY
8 THE MMMA, NO MEDICAL MARIHUANA IS PERMITTED TO BE STORED IN AN
9 AREA ACCESSIBLE BY THE GENERAL PUBLIC OR REGISTERED
10 CUSTOMERS/PATIENTS. MEDICAL MARIHUANA MAY BE DISPLAYED IN A SALES
11 AREA ONLY IF PERMITTED BY THE MMFLA;
12

13 (G) ANY USABLE MEDICAL MARIHUANA REMAINING ON THE PREMISES OF A
14 MEDICAL MARIHUANA PROVISIONING CENTER WHILE THE MEDICAL
15 MARIHUANA PROVISIONING CENTER IS NOT IN OPERATION SHALL BE SECURED
16 IN A SAFE PERMANENTLY AFFIXED TO THE PREMISES;
17

18 (H) DRIVE-THRU WINDOWS ON THE PREMISES OF A MEDICAL MARIHUANA
19 PROVISIONING CENTER SHALL NOT BE PERMITTED;
20

21 (I) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE OPERATED IN
22 A MANNER CREATING NOISE, DUST, VIBRATION, GLARE, FUMES, OR ODORS
23 DETECTABLE TO NORMAL SENSES BEYOND THE BOUNDARIES OF THE PROPERTY
24 ON WHICH THE MEDICAL MARIHUANA PROVISIONING CENTER IS OPERATED; **OR**
25 **ANY OTHER NUISANCE THAT HINDERS THE PUBLIC HEALTH, SAFETY AND**
26 **WELFARE OF THE RESIDENTS OF THE CITY OF LANSING.**
27

28 (J) THE LICENSE REQUIRED BY THIS CHAPTER SHALL BE PROMINENTLY
29 DISPLAYED ON THE PREMISES OF A MEDICAL MARIHUANA PROVISIONING
30 CENTER;
31

32 (K) DISPOSAL OF MEDICAL MARIHUANA SHALL BE ACCOMPLISHED IN A
33 MANNER THAT PREVENTS ITS ACQUISITION BY ANY PERSON WHO MAY NOT
34 LAWFULLY POSSESS IT AND OTHERWISE IN CONFORMANCE WITH STATE LAW;
35

36 (L) ALL MEDICAL MARIHUANA DELIVERED TO A PATIENT SHALL BE
37 PACKAGED AND LABELED AS PROVIDED BY STATE LAW AND THIS CHAPTER.
38 THE LABEL SHALL INCLUDE:
39

- 40 (1) A UNIQUE ALPHANUMERIC IDENTIFIER FOR THE PERSON TO WHOM IT
41 IS BEING DELIVERED;
- 42 (2) A UNIQUE ALPHA NUMERIC IDENTIFIER FOR THE CULTIVATION
43 SOURCE OF THE MARIHUANA;
- 44 (3) THAT THE PACKAGE CONTAINS MARIHUANA;

- 1 (4) THE DATE OF DELIVERY, WEIGHT, TYPE OF MARIHUANA AND DOLLAR
2 AMOUNT OR OTHER CONSIDERATION BEING EXCHANGED IN THE
3 TRANSACTION;
4 (5) A CERTIFICATION THAT ALL MARIHUANA IN ANY FORM CONTAINED IN
5 THE PACKAGE WAS CULTIVATED, MANUFACTURED, AND PACKAGED IN
6 THE STATE OF MICHIGAN;
7 (6) THE WARNING THAT; “THIS PRODUCT IS MANUFACTURED WITHOUT
8 ANY REGULATORY OVERSIGHT FOR HEALTH, SAFETY OR EFFICACY.
9 THERE MAY BE HEALTH RISKS ASSOCIATED WITH THE INGESTION OR
10 USE OF THIS PRODUCT. USING THIS PRODUCT MAY CAUSE
11 DROWSINESS. DO NOT DRIVE OR OPERATE HEAVY MACHINERY WHILE
12 USING THIS PRODUCT. KEEP THIS PRODUCT OUT OF REACH OF
13 CHILDREN. THIS PRODUCT MAY NOT BE USED IN ANY WAY THAT DOES
14 NOT COMPLY WITH STATE LAW OR BY PERSON WHO DOES NOT
15 POSSESS A VALID MEDICAL MARIHUANA PATIENT REGISTRY CARD.”
16 (7) THE NAME, ADDRESS, EMAIL ADDRESS, AND TELEPHONE NUMBER OF
17 AN AUTHORIZED REPRESENTATIVE OF THE DISPENSARY WHOM A
18 PATIENT CAN CONTACT WITH ANY QUESTIONS REGARDING THE
19 PRODUCT.
20

21 (M) A LICENSEE SHALL REQUIRE ALL REGISTERED PATIENTS PRESENT BOTH
22 THEIR MICHIGAN MEDICAL MARIHUANA PATIENT/CAREGIVER ID CARD AND
23 STATE IDENTIFICATION PRIOR TO ENTERING RESTRICTED/LIMITED AREAS OR
24 NON-PUBLIC AREAS OF THE MEDICAL MARIHUANA PROVISIONING CENTER, AND
25 IF NO RESTRICTED/LIMITED AREA IS REQUIRED, THEN PROMPTLY UPON
26 ENTERING THE MEDICAL MARIHUANA PROVISIONING CENTER.
27

28 (N) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
29 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT ON
30 THE PREMISES.
31

32 (O) IT SHALL BE PROHIBITED TO DISPLAY ANY SIGNS THAT ARE
33 INCONSISTENT WITH LOCAL LAWS OR REGULATIONS OR STATE LAW.
34

35 (P) IT SHALL BE PROHIBITED TO USE ADVERTISING MATERIAL THAT IS FROM
36 ~~DISPLAYING OR DISTRIBUTING IN ANY MANNER, PHYSICALLY OR~~
37 ~~ELECTRONICALLY, ADVERTISING MATERIAL THAT IS MISLEADING, DECEPTIVE,~~
38 OR FALSE, OR THAT IS DESIGNED TO APPEAL TO MINORS.
39

40 (Q) NO LICENSED MEDICAL MARIHUANA PROVISIONING CENTER SHALL
41 PLACE OR MAINTAIN, OR CAUSE TO BE PLACED OR MAINTAINED, AN
42 ADVERTISEMENT OF MEDICAL MARIHUANA IN ANY FORM OR THROUGH ANY
43 MEDIUM WITHIN THE DISTANCE LIMITATIONS SET FORTH IN SECTION 1300.13 (A)
44

45 ~~(1) WITHIN ONE THOUSAND (1,000) FEET MEASURED PROPERTY LINE TO~~
46 ~~PROPERTY LINE OF THE REAL PROPERTY LINE COMPRISING AN OPERATIONAL~~

~~SCHOOL; A COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ; OR~~

~~(2) WITHIN FIVE HUNDRED (500) FEET, MEASURED PROPERTY LINE TO PROPERTY LINE, OF A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED; A CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS SERVICES ARE CONDUCTED; PARKS; OR ANOTHER MEDICAL MARIHUANA ESTABLISHMENT.~~

(R) CERTIFIED LABORATORY TESTING RESULTS THAT DISPLAY AT A MINIMUM THE TETRAHYDROCANNABINOL (THC), CANNABIDIOL (CBD), TOTAL CANNABINOID TESTING RESULTS, AND A PASS/FAIL RATING BASED ON THE CERTIFIED LABORATORY'S STATE-REQUIRED TESTING MUST BE AVAILABLE TO ALL MEDICAL MARIHUANA PROVISIONING CENTER PATIENTS/CUSTOMERS UPON REQUEST AND PROMINENTLY DISPLAYED.

1300.10 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA GROWER FACILITY.

(A) THE FOLLOWING MINIMUM STANDARDS FOR MEDICAL MARIHUANA GROWER FACILITIES SHALL APPLY:

(1) THE MEDICAL MARIHUANA GROWER FACILITY SHALL COMPLY AT ALL TIMES AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, THE MTA, AND THE GENERAL RULES OF THE ~~MEDICAL MARIHUANA LICENSING BOARD AND THE~~ DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR THEIR SUCCESSORS, AS **THEY MAY BE AMENDED FROM TIME TO TIME.** ~~THE FOREGOING LAWS AND REGULATIONS MAY BE AMENDED FROM TIME TO TIME;~~

(2) EXCEPT AS PROVIDED BY STATE LAW AND LANSING CITY CHARTER, CONSUMPTION AND/OR USE OF MEDICAL MARIHUANA SHALL BE PROHIBITED AT THE GROWER FACILITY;

(3) ALL GROWER ACTIVITY RELATED TO THE GROWER FACILITY SHALL BE PERFORMED IN A BUILDING;

(4) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT ON THE PREMISES;

1 (5) ANY MEDICAL MARIHUANA GROWER FACILITY SHALL COMPLY WITH
2 THE MTA AND SHALL MAINTAIN A LOG BOOK AND/OR DATABASE
3 IDENTIFYING BY DATE THE AMOUNT OF MEDICAL MARIHUANA AND THE
4 NUMBER OF MEDICAL MARIHUANA PLANTS ON THE PREMISES WHICH SHALL
5 NOT EXCEED THE AMOUNT PERMITTED UNDER THE GROWER LICENSE
6 ISSUED BY THE STATE OF MICHIGAN. THIS LOG SHALL BE AVAILABLE TO
7 LAW ENFORCEMENT PERSONNEL TO CONFIRM THAT THE MEDICAL
8 MARIHUANA GROWER DOES NOT HAVE MORE MEDICAL MARIHUANA THAN
9 AUTHORIZED AT THE LOCATION AND SHALL NOT BE USED TO DISCLOSE
10 MORE INFORMATION THAN IS REASONABLY NECESSARY TO VERIFY THE
11 LAWFUL AMOUNT OF MEDICAL MARIHUANA AT THE FACILITY;
12

13 (6) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
14 BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE
15 MMFLA, MTA, AND THE RULES AND REGUALTIONS OF THE MEDICAL
16 MARIHUANA LICENSING BOARD, AS AMENDED;
17

18 (7) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL
19 PERMITS SHALL BE OBTAINED FROM THE CITY OF LANSING OR OTHER
20 APPLICABLE GOVERNMENT AUTHORITY FOR ANY PORTION OF THE
21 STRUCTURE IN WHICH ELECTRICAL WIRING, LIGHTING AND/OR WATERING
22 DEVICES THAT SUPPORT THE CULTIVATION, GROWING OR HARVESTING OF
23 MARIHUANA ARE LOCATED;
24

25 (8) THAT PORTION OF THE STRUCTURE WHERE ANY CHEMICALS SUCH AS
26 HERBICIDES, PESTICIDES, AND FERTILIZERS ARE STORED SHALL BE SUBJECT
27 TO INSPECTION AND APPROVAL BY THE LANSING FIRE DEPARTMENT TO
28 INSURE COMPLIANCE WITH THE MICHIGAN FIRE CODES;
29

30 (9) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
31 MARIHUANA GROWER FACILITY SHALL BE PROHIBITED;
32

33 (10) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN
34 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH CULTIVATING,
35 PROCESSING, OR TESTING MEDICAL MARIHUANA. MULTI-TENANT
36 COMMERCIAL BUILDINGS MAY PERMIT ACCESSORY USES IN SUITES
37 SEGREGATED FROM MEDICAL MARIHUANA GROWER FACILITY;
38

39 (11) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
40 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY,
41 INCLUDING BUT NOT LIMITED TO:
42

43 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;
44

1 (II) WASHING HANDS THOROUGHLY IN ADEQUATE HAND-WASHING
2 AREAS BEFORE STARTING WORK AND AT ANY OTHER TIME WHEN THE
3 HANDS MAY HAVE BECOME SOILED OR CONTAMINATED.
4

5 (III) REFRAINING FROM HAVING DIRECT CONTACT WITH MEDICAL
6 MARIHUANA IF THE PERSON HAS OR MAY HAVE AN ILLNESS, OPEN
7 LESION, INCLUDING BOILS, SORES OR INFECTED WOUNDS, OR ANY OTHER
8 ABNORMAL SOURCE OF MICROBIAL CONTAMINATION, UNTIL THE
9 CONDITION IS CORRECTED.
10

11 (12) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE
12 OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN
13 ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF
14 CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;
15

16 (13) FLOORS, WALLS, AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
17 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
18 IN GOOD REPAIR;
19

20 (14) THERE SHALL BE ADEQUATE SCREENING OR OTHER PROTECTION
21 AGAINST THE ENTRY OF PESTS. RUBBISH SHALL BE DISPOSED OF SO AS TO
22 MINIMIZE THE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR
23 WASTE DEVELOPMENT AND MINIMIZE THE POTENTIAL FOR WASTE
24 BECOMING AN ATTRACTANT, HARBORAGE OR BREEDING PLACE FOR PESTS;
25

26 (15) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
27 MAINTAINED IN A SANITARY CONDITION;
28

29 (16) EACH CULTIVATION CENTER SHALL PROVIDE ITS OCCUPANTS WITH
30 ADEQUATE AND READILY ACCESSIBLE TOILET FACILITIES THAT ARE
31 MAINTAINED IN A SANITARY CONDITION AND GOOD REPAIR;
32

33 (17) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
34 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
35 PREVENTS THE GROWTH OF THESE MICROORGANISMS;
36

37 (18) MEDICAL MARIHUANA GROWER FACILITIES SHALL BE FREE FROM
38 INFESTATION BY INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;
39

40 (19) MEDICAL MARIHUANA GROWER FACILITIES SHALL PRODUCE NO
41 PRODUCTS OTHER THAN USEABLE MEDICAL MARIHUANA INTENDED FOR
42 HUMAN CONSUMPTION.
43

44 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
45 MEDICAL MARIHUANA GROWER FACILITY SHALL BE PROHIBITED.
46

1300.11 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY.

(A) THE FOLLOWING MINIMUM STANDARDS FOR SAFETY COMPLIANCE FACILITIES SHALL APPLY:

(1) THE SAFETY COMPLIANCE FACILITY SHALL COMPLY AT ALL TIMES AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, THE MTA, AND THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD ~~AND THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR THEIR SUCCESSORS, AS THE FOREGOING LAWS AND REGULATIONS~~ **AS THEY** MAY BE AMENDED FROM TIME TO TIME

(2) EXCEPT AS PROVIDED BY STATE LAW AND SECTION 8-501 OF THE LANSING CITY CHARTER CONSUMPTION AND/OR USE OF MEDICAL MARIHUANA SHALL BE PROHIBITED AT THE FACILITY;

(3) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT ON THE PREMISES;

(4) ANY SAFETY COMPLIANCE FACILITY SHALL MAINTAIN A LOG BOOK AND/OR DATABASE IDENTIFYING BY DATE THE AMOUNT OF MEDICAL MARIHUANA ON THE PREMISES AND FROM WHICH PARTICULAR SOURCE. THE FACILITY SHALL MAINTAIN THE CONFIDENTIALITY OF QUALIFYING PATIENTS IN COMPLIANCE WITH THE **MICHIGAN MEDICAL MARIHUANA ACT** ~~MMMA, MMFLA, AND MTA~~, AS AMENDED;

(5) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE BUILDING IN AN ENCLOSED, LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE MMFLA, AND THE MTA, AND THE RULES AND REGULATIONS OF THE MEDICAL MARIHUANA LICENSING BOARD, AS AMENDED;

(6) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH TESTING MEDICAL MARIHUANA;

(7) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY;

(8) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;

1 (9) FLOORS, WALLS AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A
2 MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND
3 IN GOOD REPAIR;

4
5 (10) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE
6 MAINTAINED IN A SANITARY CONDITION;

7
8 (11) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF
9 UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT
10 PREVENTS THE GROWTH OF THESE MICROORGANISMS;

11
12 (B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A
13 MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY SHALL BE PROHIBITED.

14
15 **1300.12 - MINIMUM OPERATIONAL STANDARDS OF A MEDICAL MARIHUANA**
16 **PROCESSOR FACILITY AND A MEDICAL MARIHUANA SECURE TRANSPORTER.**

17
18 (A) THE FOLLOWING MINIMUM STANDARDS FOR PROCESSOR AND A SECURE
19 TRANSPORTER SHALL APPLY:

20
21 (1) THE PROCESSOR AND SECURE TRANSPORTER SHALL COMPLY AT ALL
22 TIMES AND IN ALL CIRCUMSTANCES WITH THE MMMA, THE MMFLA, MTA
23 AND THE GENERAL RULES OF THE MEDICAL MARIHUANA LICENSING BOARD
24 ~~AND THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, OR THEIR~~
25 ~~SUCCESSORS, AS THE FOREGOING LAWS AND REGULATIONS~~ AS THEY MAY
26 BE AMENDED FROM TIME TO TIME;

27
28 (2) EXCEPT AS PROVIDED BY STATE LAW AND SECTION 8-501 OF THE
29 LANSING CITY CHARTER, CONSUMPTION AND/OR USE OF MEDICAL
30 MARIHUANA SHALL BE PROHIBITED AT THE PROCESSOR OR SECURE
31 TRANSPORTER FACILITY;

32
33 (3) ALL ACTIVITY RELATED TO THE PROCESSOR FACILITY SHALL BE
34 PERFORMED INDOORS IN A BUILDING;

35
36 (4) THE PREMISES SHALL BE OPEN FOR INSPECTION DURING THE STATED
37 HOURS OF OPERATION AND AS SUCH OTHER TIMES AS ANYONE IS PRESENT
38 ON THE PREMISES;

39
40 (5) ANY PROCESSOR AND/OR SECURE TRANSPORTER FACILITY SHALL
41 MAINTAIN A LOG BOOK AND/OR DATABASE IN ACCORDANCE WITH THE
42 MMFLA, THE MTA AND THE RULES AND REGULATIONS OF THE MEDICAL
43 MARIHUANA LICENSING BOARD IDENTIFYING BY DATE THE AMOUNT OF
44 MEDICAL MARIHUANA ON THE PREMISES WHICH SHALL NOT EXCEED THE
45 AMOUNT PERMITTED UNDER THE PROCESSOR LICENSE ISSUED BY THE STATE
46 OF MICHIGAN, TO THE EXTENT A STATE PERMIT PROCESS EXISTS. THIS LOG

1 SHALL BE AVAILABLE TO LAW ENFORCEMENT PERSONNEL TO CONFIRM
2 THAT THE PROCESSOR DOES NOT HAVE MORE MEDICAL MARIHUANA THAN
3 AUTHORIZED AT THE LOCATION AND SHALL NOT BE USED TO DISCLOSE
4 MORE INFORMATION THAN IS REASONABLY NECESSARY TO VERIFY THE
5 LAWFUL AMOUNT OF MEDICAL MARIHUANA AT THE FACILITY;

6
7 (6) ALL MEDICAL MARIJUANA WILL BE TAGGED WITH UNIQUE
8 IDENTIFICATION.

9
10 (7) ALL MEDICAL MARIHUANA SHALL BE CONTAINED WITHIN THE
11 BUILDING IN A LOCKED FACILITY IN ACCORDANCE WITH THE MMMA, THE
12 MMFLA, MTA AND THE RULES AND REGULATIONS OF THE MEDICAL
13 MARIHUANA LICENSING BOARD, AS AMENDED;

14
15 (8) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL
16 PERMITS SHALL BE OBTAINED FOR ANY PORTION OF THE STRUCTURE IN
17 WHICH ELECTRICAL WIRING FOR DEVICES THAT SUPPORT THE PROCESSING
18 ~~OR SECURE TRANSPORTING OF MEDICAL MARIHUANA ARE LOCATED;~~

19
20 (9) THAT PORTION OF THE STRUCTURE WHERE THE STORAGE OF ANY
21 CHEMICALS EXIST SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY
22 THE LANSING FIRE DEPARTMENT TO INSURE COMPLIANCE WITH THE
23 MICHIGAN FIRE PROTECTION CODE;

24
25 (10) THE DISPENSING OF MEDICAL MARIHUANA AT THE MEDICAL
26 MARIHUANA PROCESSOR OR SECURE TRANSPORTER FACILITY SHALL BE
27 PROHIBITED EXCEPT AS AUTHORIZED BY LANSING CITY CHARTER AND
28 STATE LAW;

29
30 (11) THERE SHALL BE NO OTHER ACCESSORY USES PERMITTED WITHIN
31 THE SAME FACILITY OTHER THAN THOSE ASSOCIATED WITH THE
32 PROCESSING ~~MULTI-TENANT COMMERCIAL BUILDINGS MAY PERMIT~~
33 ~~ACCESSORY USES IN SUITES OR SECURE TRANSPORTING OF MEDICAL~~
34 ~~MARIHUANA. MULTI-TENANT COMMERCIAL BUILDINGS MAY PERMIT~~
35 ~~ACCESSORY USES IN SUITES~~ SEGREGATED FROM THE PROCESSOR FACILITY;

36
37 (12) ALL PERSONS WORKING IN DIRECT CONTACT WITH MEDICAL
38 MARIHUANA SHALL CONFORM TO HYGIENIC PRACTICES WHILE ON DUTY,
39 INCLUDING BUT NOT LIMITED TO:

40
41 (I) MAINTAINING ADEQUATE PERSONAL CLEANLINESS;

42
43 (II) WASHING HANDS THOROUGHLY IN ADEQUATE HAND-WASHING
44 AREAS BEFORE STARTING WORK AND AT ANY OTHER TIME WHEN THE
45 HANDS MAY HAVE BECOME SOILED OR CONTAMINATED.

(III) REFRAINING FROM HAVING DIRECT CONTACT WITH MEDICAL MARIHUANA IF THE PERSON HAS OR MAY HAVE AN ILLNESS, OPEN LESION, INCLUDING BOILS, SORES OR INFECTED WOUNDS, OR ANY OTHER ABNORMAL SOURCE OF MICROBIAL CONTAMINATION, UNTIL THE CONDITION IS CORRECTED.

(13) LITTER AND WASTE SHALL BE PROPERLY REMOVED AND THE OPERATING SYSTEMS FOR WASTE DISPOSAL ARE MAINTAINED IN AN ADEQUATE MANNER SO THAT THEY DO NOT CONSTITUTE A SOURCE OF CONTAMINATION IN AREAS WHERE MEDICAL MARIHUANA IS EXPOSED;

(14) FLOORS, WALLS, AND CEILINGS SHALL BE CONSTRUCTED IN SUCH A MANNER THAT THEY MAY BE ADEQUATELY CLEANED AND KEPT CLEAN AND IN GOOD REPAIR;

(15) THERE SHALL BE ADEQUATE SCREENING OR OTHER PROTECTION AGAINST THE ENTRY OF PESTS. RUBBISH SHALL BE DISPOSED OF SO AS TO MINIMIZE THE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR THE WASTE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR WASTE BECOMING AND ATTRACTANT, HARBORAGE OR BREEDING PLACES FOR PESTS;

(16) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE MAINTAINED IN A SANITARY CONDITION;

(17) EACH MEDICAL MARIHUANA PROCESSOR FACILITY SHALL PROVIDE ITS OCCUPANTS WITH ADEQUATE AND READILY ACCESSIBLE TOILET FACILITIES THAT ARE MAINTAINED IN A SANITARY CONDITION AND GOOD REPAIR;

(18) MEDICAL MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT PREVENTS THE GROWTH OF THESE MICROORGANISMS;

(19) PROCESSOR FACILITIES SHALL BE FREE FROM INFESTATION BY INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;

(20) PROCESSOR FACILITIES SHALL PRODUCE NO PRODUCTS OTHER THAN USEABLE MEDICAL MARIHUANA INTENDED FOR HUMAN CONSUMPTION.

(B) EXTERIOR SIGNAGE OR ADVERTISING IDENTIFYING THE FACILITY AS A MEDICAL MARIHUANA PROCESSOR FACILITY AND/OR MEDICAL MARIHUANA SECURE TRANSPORTER FACILITY SHALL BE PROHIBITED.

1300.13 – LOCATION, BUFFERING, DISPERSION, AND ZONING REQUIREMENTS FOR MEDICAL MARIHUANA PROVISIONING CENTERS .

(A) EXCEPT IN ACCORDANCE WITH SECTION 1300.18, FOR BUFFERING AND DISPERSION PURPOSES, NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE LOCATED WITHIN:

(1) ONE THOUSAND (1000) FEET, ~~MEASURED FROM PROPERTY LINE TO PROPERTY LINE,~~ OF AN OPERATIONAL SCHOOL INCLUDING PRE-KINDERGARTEN THAT IS LOCATED WITHIN A SCHOOL; OR ; A COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ.;

(2) FIVE HUNDRED (500) FEET, OF THE FOLLOWING BUFFERED USES: PUBLIC PLAYGROUND EQUIPMENT LOCATED IN A PARK; A COMMERCIAL CHILD CARE ORGANIZATION (NON-HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE ORGANIZATIONS ACT 173 PA 116, MCL 722.11 ET. SEQ.~~MEASURED FROM PROPERTY LINE TO PROPERTY LINE, OF; A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED; A CHURCH A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES AND THOSE TERMS ARE DEFINED IN PART 61 OR PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE OFFERED, OR ANOTHER MEDICAL MARIHUANA PROVISIONING CENTER. OR OTHER STRUCTURE IN WHICH RELIGIOUS SERVICES ARE CONDUCTED; PARKS; OR ANOTHER MEDICAL MARIHUANA ESTABLISHMENT.~~

(B) MEDICAL MARIHUANA PROVISIONING CENTERS SHALL BE LIMITED TO F AND F1-COMMERCIAL, G2-WHOLESALE, H-LIGHT INDUSTRIAL, AND I-HEAVY INDUSTRIAL AS SUCH DISTRICTS ARE DESCRIBED AND DESIGNATED PROVIDED BY THE ZONING PROVISIONS OF THE LANSING CODIFIED ORDINANCES.

(C) NO MEDICAL MARIHUANA PROVISIONING CENTER SHALL BE LOCATED WITHIN ANOTHER BUSINESS EXCEPT AS PERMITTED BY THE MEDICAL MARIHUANA LICENSING BOARD REGULATIONS.

(D) FOR THE PURPOSE OF CALCULATING THE BUFFERING AND DISPERSION REQUIREMENTS OF THIS SECTION 1300.13, THE DISTANCE SHALL BE MEASURED

1 ALONG THE CENTER LINE OF THE STREET OR STREETS OF ADDRESS BETWEEN
2 TWO FIXED POINTS ON THE CENTER LINE DETERMINED BY PROJECTING
3 STRAIGHT LINES, AT RIGHT ANGLES TO THE CENTER LINE, FROM THE PART OF
4 THE BUFFERED USE NEAREST TO THE CONTEMPLATED LOCATION OF THE
5 MEDICAL MARIHUANA ESTABLISHMENT AND FROM THE PART OF THE
6 CONTEMPLATED LOCATION NEAREST TO THE BUFFERED USE. THE DISTANCES
7 FROM THE MEDICAL MARIHUANA ESTABLISHMENT TO THE POINT ON THE
8 CENTERLINE AND FROM THE BUFFERED USE TO THE POINT ON THE CENTERLINE
9 SHALL BE INCLUDED IN THE CALCULATION.~~NO MEDICAL MARIHUANA~~
10 ~~ESTABLISHMENT SHALL BE LOCATED IN AN UNZONED AREA OR IN AN AREA~~
11 ~~SUBJECT TO AN AGREEMENT ENTERED INTO PURSUANT TO PUBLIC ACT 425 OF~~
12 ~~1984~~

13
14 (E) EXCEPT AS OTHERWISE PERMISSIBLE UNDER THE LANSING CITY
15 CHARTER AT SECTION 8-501, NO PERSON SHALL ALLOW THE CONSUMPTION OF
16 MARIHUANA OR MARIHUANA INFUSED PRODUCTS ON LICENSED PREMISES.

17
18 (F) NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE LOCATED IN AN
19 UNZONED AREA OR IN AN AREA SUBJECT TO AN AGREEMENT ENTERED INTO
20 PURSUANT TO PUBLIC ACT 425 OF 1984.

21
22 **1300.14 - LOCATION OF MEDICAL MARIHUANA GROWER FACILITIES,**
23 **MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL**
24 **MARIHUANA PROCESSOR FACILITIES, ~~MEDICAL MARIHUANA GROWER~~**
25 **~~FACILITIES,~~ AND MEDICAL MARIHUANA SECURE TRANSPORTERS.**

26
27 (A) ALL MEDICAL MARIHUANA GROWER FACILITIES SHALL BE SUBJECT TO
28 SUBSECTION 1300.13(E) AND LIMITED TO H-LIGHT INDUSTRIAL AND I-HEAVY
29 INDUSTRIAL ZONING DISTRICT AS IDENTIFIED IN THE LANSING CODIFIED
30 ORDINANCES.~~NO MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITY,~~
31 ~~MEDICAL MARIHUANA PROCESSOR FACILITY, MEDICAL MARIHUANA GROWER~~
32 ~~FACILITY, OR MEDICAL MARIHUANA SECURE TRANSPORTER SHALL BE~~
33 ~~LOCATED WITHIN~~

34
35 (1) ~~ONE THOUSAND (1,000) FEET, MEASURED FROM THE PROPERTY LINE~~
36 ~~OF THE MEDICAL MARIHUANA ESTABLISHMENT TO THE PROPERTY LINE OF~~
37 ~~AN OPERATIONAL SCHOOL; A COMMERCIAL CHILD CARE ORGANIZATION~~
38 ~~(NON-HOME OCCUPATION) THAT IS REQUIRED TO BE LICENSED OR~~
39 ~~REGISTERED WITH THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN~~
40 ~~SERVICES, OR ITS SUCCESSOR AGENCY, UNDER THE CHILD CARE~~
41 ~~ORGANIZATIONS ACT, 1973 PA 116, MCL 722.11 ET SEQ.; OR~~

42
43 (2) ~~FIVE HUNDRED (500) FEET, MEASURED FROM THE PROPERTY LINE~~
44 ~~OF THE MEDICAL MARIHUANA ESTABLISHMENT TO THE PROPERTY LINE OF~~
45 ~~A FACILITY AT WHICH SUBSTANCE ABUSE PREVENTION SERVICES OR~~
46 ~~SUBSTANCE ABUSE TREATMENT AND REHABILITATION SERVICES, AS THOSE~~

1 ~~TERMS ARE DEFINED IN PART 61 OF PA 368 OF 1978, MCL 333.6101 ET SEQ., ARE~~
2 ~~OFFERED; OR A CHURCH OR OTHER STRUCTURE IN WHICH RELIGIOUS~~
3 ~~SERVICES ARE CONDUCTED; PARKS; OR ANOTHER MEDICAL MARIHUANA~~
4 ~~ESTABLISHMENT.~~

5
6 (B) ALL MEDICAL MARIHUANA SAFETY COMPLIANCE FACILITIES, MEDICAL
7 MARIHUANA PROCESSOR FACILITIES, AND MEDICAL MARIHUANA SECURE
8 TRANSPORTER FACILITIES SHALL BE SUBJECT TO **SECTION 1300.13(E)**
9 ~~SUBSECTION (A)~~ AND SHALL BE LIMITED TO THE H-LIGHT INDUSTRIAL, I-HEAVY
10 INDUSTRIAL, OR G2-WHOLESALE ZONING DISTRICTS AS IDENTIFIED IN THE
11 LANSING CODIFIED ORDINANCES.

12
13 (C) **NO MEDICAL MARIHUANA ESTABLISHMENT SHALL BE LOCATED IN AN**
14 **UNZONED AREA OR IN AN AREA SUBJECT TO AN AGREEMENT ENTERED INTO**
15 **PURSUANT TO PUBLIC AT 425 OF 1984.**

16
17 (D) **EXCEPT AS OTHERWISE PERMISSIBLE UNDER THE LANSING CITY**
18 **CHARTER AT SECTION 8-501, NO PERSON SHALL ALLOW THE CONSUMPTION OF**
19 **MARIHUANA OR MARIHUNAN INFUSED PRODUCTS ON LICENSED PREMISES.**

20
21 ~~ALL MEDICAL MARIHUANA GROWER FACILITIES SHALL BE SUBJECT TO~~
22 ~~SUBSECTION (A) AND SHALL BE LIMITED TO THE H-LIGHT INDUSTRIAL OR I-~~
23 ~~HEAVY INDUSTRIAL ZONING DISTRICTS AS IDENTIFIED IN THE LANSING~~
24 ~~CODIFIED ORDINANCES.~~

25
26 **1300.15 - LICENSE REVOCATION; BASES FOR REVOCATION; APPEAL OF**
27 **LICENSE DENIAL.**

28
29 (A) **ANY** LICENSE ISSUED UNDER THIS CHAPTER MAY BE REVOKED AFTER AN
30 ADMINISTRATIVE HEARING **AT WHICH A HEARING OFFICER APPOINTED BY THE**
31 **CITY CLERK DETERMINES** ~~AND A DETERMINATION~~ THAT ANY GROUNDS FOR
32 REVOCATION **MUST BE GIVEN TO THE LICENSEE AT LEAST TEN (10) DAYS PRIOR**
33 **TO THE DATE OF THE HEARING BY FIRST CLASS MAIL TO THE ADDRESS GIVEN**
34 **ON THE LICENSE APPLICATION OR ANY ADDRESS PROVIDED TO THE CITY CLERK**
35 **IN WRITINIG SUBSEQUENT TO THE FILING OF AN APPLICATION.** ~~UNDER~~
36 ~~SUBSECTION (B) EXIST. NOTICE OF THE TIME AND PLACE OF THE HEARING AND~~
37 ~~THE GROUNDS FOR REVOCATION MUST BE GIVEN TO THE LICENSEE AT LEAST~~
38 ~~FIVE DAYS PRIOR TO THE DATE OF THE HEARING, BY FIRST CLASS MAIL TO THE~~
39 ~~ADDRESS GIVEN ON THE LICENSE APPLICATION OR ANY ADDRESS PROVIDED~~
40 ~~PURSUANT TO 1300.4(A)(1) OR (2);~~

41
42 (B) A LICENSE **APPLIED FOR OR** ISSUED UNDER THIS CHAPTER MAY BE
43 DENIED OR REVOKED ON ANY OF THE FOLLOWING BASES:
44

(1) A MATERIAL VIOLATION OF ANY PROVISION OF THIS CHAPTER, INCLUDING, BUT NOT LIMITED TO, THE FAILURE TO PROVIDE THE INFORMATION REQUIRED BY SUBSECTION 1300.16(5);

(2) ANY CONVICTION OF A DISQUALIFYING FELONY BY THE LICENSEE, STAKEHOLDER, OR ANY PERSON HOLDING AN OWNERSHIP INTEREST IN THE LICENSE;

(3) COMMISSION OF FRAUD OR MISREPRESENTATION OR THE MAKING OF A FALSE STATEMENT BY THE APPLICANT, LICENSEE, OR ANY STAKEHOLDER OF THE APPLICANT OR LICENSEE WHILE ENGAGING IN ANY ACTIVITY FOR WHICH THIS CHAPTER REQUIRES A LICENSE;

(4) FAILURE TO OBTAIN AND MAINTAIN A CERTIFICATE OF APPROVAL FROM THE ~~MEDICAL MARIHUANA COMMISSION~~ CITY CLERK;

(5) FAILURE OF THE LICENSEE OR THE MEDICAL MARIHUANA ESTABLISHMENT TO OBTAIN OR MAINTAIN A LICENSE FROM THE STATE PURSUANT TO THE MMFLA;

~~(6) THE MEDICAL MARIHUANA ESTABLISHMENT IS DETERMIEND BY THE CITY TO HAVE BECOME A PUBLIC NUISANCE OR OTHERWISE IS OPERATING IN A MANNER DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY OR WELFARE.~~

~~THE MEDICAL MARIHUANA ESTABLISHMENT IS DETERMINED BY THE CITY TO HAVE BECOME A PUBLIC NUISANCE.~~

(C) APPEAL OF DENIAL OF APPLICATION OR REVOCATION OF LICENSE: THE CITY CLERK SHALL NOTIFY AN APPLICANT OF THE REASON(S) FOR DENIAL OF AN APPLICATION OR REVOCATION OF A LICENSE AND PROVIDE THE APPLICANT WITH THE OPPORTUNITY TO BE HEARD. ANY APPLICANT AGGRIEVED BY THE DENIAL OR REVOCATION OF A LICENSE UNDER THIS CHAPTER MAY APPEAL TO THE CITY CLERK, WHO SHALL APPOINT A HEARING OFFICER. SUCH APPEAL SHALL BE TAKEN BY FILING WITH THE CITY CLERK, WITHIN 14 DAYS AFTER NOTICE OF THE ACTION COMPLAINED OF HAS BEEN MAILED TO THE APPLICANT'S LAST KNOWN ADDRESS ON THE RECORDS OF THE CITY CLERK, A WRITTEN STATEMENT SETTING FORTH FULLY THE GROUNDS FOR THE APPEAL. THE REVIEW ON APPEAL OF A DENIAL OR REVOCATION SHALL BE LIMITED TO WHETHER THERE HAS BEEN AN ABUSE OF DISCRETION IN THE DECISION OR THAT THE DECISION IS NOT SUPPORTED BY MATERIAL AND COMPETENT EVIDENCE. THE FINAL AND CONCLUSIVE DECISION ON APPEAL SHALL BE THE CITY COUNCIL WHO SHALL RECEIVE A REPORT AND RECOMMENDATION FROM THE HEARING OFFICER.

1300.16 – PENALTIES; TEMPORARY SUSPENSION OF A LICENSE

1
2 (A) THE CITY OF LANSING MAY REQUIRE AN APPLICANT OR LICENSEE OF A
3 MEDICAL MARIHUANA FACILITY TO PRODUCE DOCUMENTS, RECORDS, OR ANY
4 OTHER MATERIAL PERTINENT TO THE INVESTIGATION OF AN APPLICATION OR
5 ALLEGED VIOLATION OF THIS CHAPTER. FAILURE TO PROVIDE THE REQUIRED
6 MATERIAL MAY BE GROUNDS FOR APPLICATION DENIAL OR LICENSE
7 REVOCATION;

8
9 (B) ANY PERSON IN VIOLATION OF ANY PROVISION OF THIS CHAPTER SHALL
10 BE SUBJECT TO A CIVIL FINE AND COSTS. INCREASED CIVIL FINES MAY BE
11 IMPOSED FOR A REPEAT VIOLATION. AS USED IN THIS SECTION “REPEAT
12 VIOLATION” SHALL MEAN A SECOND OR ANY SUBSEQUENT INFRACTION OF THE
13 SAME REQUIREMENT OR PROVISION COMMITTED BY A PERSON OR
14 ESTABLISHMENT WITHIN ANY 12-MONTH PERIOD. UNLESS OTHERWISE
15 SPECIFICALLY PROVIDED IN THIS CHAPTER OR ANY OTHER CHAPTER FOR A
16 MUNICIPAL INFRACTION, THE PENALTY SCHEDULE IS AS FOLLOWS:

- 17
18 1. \$500, PLUS COSTS, FOR THE FIRST VIOLATION;
19 2. \$750, PLUS COSTS, FOR A REPEAT VIOLATION;
20 3. \$750, PLUS COSTS, PER DAY, PLUS COSTS, FOR ANY VIOLATION THAT
21 CONTINUES FOR MORE THAN ONE DAY.

22
23 (C) ALL FINES IMPOSED UNDER THIS CHAPTER SHALL BE PAID WITHIN 45
24 DAYS AFTER THE EFFECTIVE DATE OF THE ORDER IMPOSING THE FINE OR AS
25 OTHERWISE SPECIFIED IN THE ORDER;

26
27 (D) THE MAYOR MAY TEMPORARILY SUSPEND A MEDICAL MARIHUANA
28 ESTABLISHMENT LICENSE WITHOUT A PRIOR HEARING IF THE MAYOR FINDS
29 THAT PUBLIC SAFETY OR WELFARE REQUIRES EMERGENCY ACTION
30 AFFECTING THE PUBLIC HEALTH, SAFETY, OR WELFARE. THE MAYOR SHALL
31 CAUSE THE TEMPORARY SUSPENSION BY ISSUING A SUSPENSION NOTICE IN
32 CONNECTION WITH INSTITUTION OF PROCEEDINGS FOR NOTICE AND A
33 HEARING;

34
35 (E) IF THE MAYOR TEMPORARILY SUSPENDS A LICENSE WITHOUT A PRIOR
36 HEARING, THE LICENSEE IS ENTITLED TO A HEARING WITHIN THIRTY (30)
37 DAYS AFTER THE SUSPENSION NOTICE HAS BEEN SERVED ON THE LICENSEE
38 OR POSTED ON THE LICENSED PREMISES. IN THE CASE OF A LICENSE ISSUED
39 FOR A MEDICAL MARIHUANA GROWER FACILITY, THE HEARING SHALL BE
40 HELD WITHIN SEVEN (7) DAYS AFTER THE NOTICE HAS BEEN SERVED ON THE
41 LICENSEE OR POSTED ON THE PREMISES OF THE LICENSED FACILITY. THE
42 HEARING SHALL BE LIMITED TO THE ISSUES CITED IN THE SUSPENSION
43 NOTICE;

44
45 (F) IF THE MAYOR DOES NOT HOLD A HEARING WITHIN THIRTY (30) DAYS
46 AFTER THE DATE THE SUSPENSION WAS SERVED ON THE LICENSEE OR

POSTED ON THE LICENSED PREMISES, OR IN THE CASE OF A GROWER FACILITY SEVEN (7) DAYS, THEN THE SUSPENDED LICENSE SHALL BE AUTOMATICALLY REINSTATED AND THE SUSPENSION VACATED.

(G) THE PENALTY PROVISIONS OF THIS CHAPTER ARE NOT INTENDED TO FORECLOSE ANY OTHER REMEDY OR SANCTION THAT MIGHT BE AVAILABLE TO, OR IMPOSED BY THE CITY, INCLUDING CRIMINAL PROSECUTION.

1300.17 -NO VESTED RIGHTS

A PROPERTY OWNER LESSOR, LICENSE APPLICANT, OR LICENSEE SHALL NOT HAVE VESTED RIGHTS OR NONCONFORMING USE RIGHTS THAT WOULD SERVE AS A BASIS FOR FAILING TO COMPLY WITH THIS CHAPTER OR ANY AMENDMENT OF THIS CHAPTER.

1300.18 –ZONING BOARD OF APPEALS

~~THE DISTANCE REQUIREMENTS UNDER THIS CHAPTER SHALL BE REVIEWABLE BY THE BOARD OF ZONING APPEALS FOLLOWING THE CRITERIA PROVIDED IN SECTION 1244.06(C).~~

(A) WHEN APPLYING FOR A LICENSE AS A PROVISIONING CENTER, AN APPLICANT WHO DOES NOT MEET THE REQUIREMENTS OF SECTION 1300.13(A)(1) MAY SEEK A VARIANCE FROM THOSE REQUIREMENTS BY SUBMITTING WITH THEIR APPLICATION A WRITTEN APPLICATION TO THE BOARD OF ZONING APPEALS AND PAYING A FEE SET BY COUNCIL RESOLUTION. UPON RECEIVING AN APPLICATION WITH AN ACCOMPANYING APPLICATION FOR A VARIANCE, THE CITY CLERK SHALL DETERMINE WHETHER THE APPLICANT HAS SUBMITTED A COMPLETE APPLICATION MEETING THE REQUIREMENTS OF SECTION 1300.5, AN APPROPRIATE NONREFUNDABLE LICENSE APPLICATION FEE, AND AN APPROPRIATE VARIANCE APPLICATION FEE. IF THE APPLICANT HAS SATISFIED THESE REQUIREMENTS AND THE APPLICANT HAS RECEIVED WRITTEN APPROVALS UNDER SECTION 1300.5(E), THE CITY CLERK SHALL IMMEDIATELY FORWARD THE APPLICATION TO THE BOARD OF ZONING APPEALS.

(1) THE APPLICATION MUST IDENTIFY ALL OF THE REASONS THE APPLICANT DOES NOT MEET THE REQUIREMENTS OF SECTION 1300.13(A)(2), INCLUDING, IF APPLICABLE, THE NAME AND ADDRESS OF ANY SUBSTANCE ABUSE TREATMENT, PREVENTION, OR REHABILITATION FACILITY; CHURCH OR OTHER STRUCTURE USED FOR RELIGIOUS SERVICES; PUBLIC PARK CONTAINING PUBLIC PLAYGROUND EQUIPMENT; OR PROVISIONING CENTER THAT IS WITHIN 500 FEET OF THE APPLICANT'S LOCATION.

(2) UPON RECEIPT OF A APPLICATION MEETING THE REQUIREMENTS OF SUBSECTION (A), THE BOARD SHALL GIVE NOTICE TO THE OCCUPANTS OF ANY RESIDENTIAL OR COMMERCIAL BUILDINGS WITHIN 500 FEET OF THE APPLICANT'S LOCATION. IF THE

OCCUPANT’S NAME IS NOT KNOWN, THE TERM “OCCUPANT” MAY BE USED. THE NOTICES SHALL BE DELIVERED PERSONALLY OR BY MAIL AT THE ADDRESS GIVEN IN THE LAST ASSESSMENT ROLL.

- 3) THE BOARD OF ZONING APPEALS SHALL EITHER GRANT OR DENY THE VARIANCE WITHIN A REASONABLE TIME. IN DETERMINING WHETHER TO GRANT OR DENY THE VARIANCE, THE BOARD OF ZONING APPEALS SHALL CONSIDER ALL OF THE FOLLOWING:
- (I) THE AMOUNT OF TIME, IF ANY, THAT THE APPLICANT HAS BEEN OPERATING AT THE PRESENT LOCATION;
 - (II) THE EXTENT TO WHICH THE APPLICANT HAS DEMONSTRATED A COMMITMENT TO THE BETTERMENT OF THE NEIGHBORHOOD;
 - (III) THE DISTANCE BETWEEN THE APPLICANT’S LOCATION AND ANY RELEVANT FACILITY THAT IS WITHIN 500 FEET OF THE APPLICANT’S LOCATION.
 - (IV) THE NEED FOR A PROVISIONING CENTER AT THE LOCATION IN ORDER TO PROVIDE THE SAFE AND EFFICIENT ACCESS TO MEDICAL MARIHUANA WITHIN THE CITY;
 - (IV) THE CHARACTER OF THE STRUCTURE AND ITS SURROUNDINGS; AND
 - (VI) THE IMPACT OF THE VARIANCE ON THE CHARACTER OF THE STRUCTURE’S SURROUNDINGS AND OWNERS OF OTHER PROPERTIES IN THE VICINITY.
- (4) IF THE BOARD OF ZONING APPEALS APPROVES THE VARIANCE, THE APPLICATION SHALL IMMEDIATELY BE SUBMITTED TO THE MEDICAL MARIHUANA COMMISSION.

1300.19-SUNSET

PURSUANT TO SECTION 3-307 OF THE LANSING CITY CHARTER, THIS CHAPTER SHALL EXPIRE DECEMBER 1, 2027.

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

COW DRAFT #1 – CREATED JUNE 26, 2017

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

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

CITY OF LANSING
NOTICE OF PUBLIC HEARING

Z-4-2017, Vacant Property on Victor Avenue
Rezoning from “B” Residential District to “C” Residential District

The Lansing City Council will hold a public hearing on Monday, August 14, 2017 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider Z-4-2017. This is a request by Reid Machinery, Inc. to rezone the vacant, .57 acre parcel of land located immediately east of 1219 Victor Avenue, legally described as:

Lot 7, except the East 20 feet thereof, also Lots 8-12 and the East 30 Feet of Lot 13;
Block 29, Elmhurst Subdivision

from “B” Residential to “C” Residential. The purpose of the rezoning is to permit the construction of 3 duplexes on the site.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, August 14, 2017 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-4-2017

Parcel Number: 33-01-01-29-259-120

Legal Descriptions: Lot 7, except the East 20 feet thereof, also Lots 8-12 and the East 30 Feet of Lot 13; Block 29, Elmhurst Subdivision, City of Lansing, Ingham County, MI, from "B" Residential district to "C" Residential district

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2017, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

BY THE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Stephanie Space of 735 N. Francis Avenue in Lansing, MI, 48912, to the Building Board of Appeals for a term to expire June 30, 2020; and

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

WHEREAS, the Committee on Development & Planning met on August 7, 2017 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Stephanie Space of 735 N. Francis Avenue in Lansing, MI, 48912, to the Building Board of Appeals for a term to expire June 30, 2020.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing received and filed an application from Cameron Tool Corporation requesting an Industrial Facilities Exemption Certificate (IFT-1-17) pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, prior to acting upon this request, it is necessary to hold a public hearing on Cameron Tool Corporation's application for an Industrial Facilities Exemption Certificate (IFT-3-14), to allow for any resident or taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the August 28, 2017 at 7:00 p.m., on the Cameron Tool Corporation application for an Industrial Facilities Exemption Certificate (IFT-1-17) located at 1800 Bassett, Lansing, MI within the boundary more particularly described as:

N 3 FT LOT 2 SHIRLEY PARK, ALSO LOTS 1 THRU 9 INCL, OUTLOTS A & B, ALL VAC SHIRANN ST SHIRANN SUB, ALSO PARTS LOTS 27 THRU 34 ASSESSORS PLAT NO 11 COM N LINE BASSETT ST 163 FT W OF E LINE LOT 30, TH N 231 FT TO N LINE LOT 31, W 1.5 FT, N 165 FT, W 167.76 FT, S 66 FT, W 169.65 FT, S 197.64 FT, E 85.66 FT TO POINT 90.34 FT W OF NE COR LOT 29, S 14.91 FT, E 80.99 FT, S 117.34 FT TO N LINE BASSETT ST, E 172.3 FT TO BEG; ASSESSORS PLAT NO 11 Tax ID 33-01-01-08-126-004, and

PARTS LOTS 31, 33 & 34 COM SW COR LOT 31, TH E 125 FT, N TO S LINE LOT 34, E 169.65 FT, N 66 FT, W 283.88 FT TO E LINE LMRR, S'LY 264.03 FT ALONG R/W TO BEG; ASSESSORS PLAT NO 11 Tax ID 33-01-01-08-126-093, and

LOTS 27, 28 & W 25.7 FT LOT 29, EXC COM 9.3 FT W OF NE COR LOT 29, TH S 14.66 FT, W 80.99 FT, N 14.91 FT, E 81.04 FT TO BEG, EXC PARTS ABOVE LOTS USED AS BASSETT ST R/W ASSESSORS PLAT NO 11, Tax ID 33-01-01-08-126-082,

and that the City Clerk cause the legislative body of each taxing unit levying ad valorem taxes on this property, as well as the owners of real property located within the stated boundary, be notified of this application and the scheduled public hearing.

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolution to Set a Public Hearing Regarding the Granting of an
Obsolete Property Rehabilitation Act Certificate
At 1101 South Washington Avenue

WHEREAS, Super Fancy Too, LLC, owner of the property located at 1101 South Washington Avenue in the City of Lansing, Michigan (the "Property") has applied to the City of Lansing for the City to approve the issuance of an Obsolete Property Rehabilitation Exemption Certificate (the "OPRA Certificate"), pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the "Act"); and

WHEREAS, the Property in question of the Certificate is legally described as:

W 80 FT LOT 40 SPARROWS SUB OF BLOCK 200, Ingham County, Michigan -- Parcel Number: 33-01-01-21-257-002, and

WHEREAS, the Act requires that before granting a Certificate the Lansing City Council hold a public hearing in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on Monday, August 28, 2017 at 7:00 p.m. for the purpose of receiving public comment on the approval of an OPRA Certificate under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing.

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolution to Set a Public Hearing Regarding the Granting of an
Obsolete Property Rehabilitation Act Certificate
At 1103 South Washington Avenue

WHEREAS, REO Life, LLC, owner of the property located at 1103 South Washington Avenue in the City of Lansing, Michigan (the "Property") has applied to the City of Lansing for the City to approve the issuance of an Obsolete Property Rehabilitation Exemption Certificate (the "OPRA Certificate"), pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the "Act"); and

WHEREAS, the Property in question of the Certificate is legally described as:

LOT 1 CAPITOL COMMONS URBAN RENEWAL PLAT NO 1, Ingham County, Michigan --
Parcel Number: 33-01-01-16-360-002, and

WHEREAS, the Act requires that before granting a Certificate the Lansing City Council hold a public hearing in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on Monday, August 28, 2017 at 7:00 p.m. for the purpose of receiving public comment on the approval of an OPRA Certificate under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing.

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolution to Set a Public Hearing Regarding an Amendment to the
Obsolete Property Rehabilitation Act Certificate Application
At 629 West Hillsdale Street

WHEREAS, DED Development, LLC, owner of the property located at 629 West Hillsdale Street in the City of Lansing, Michigan (the "Property") has filed a request with the City of Lansing for the City to approve an amendment to the Obsolete Property Rehabilitation Exemption Certificate (the "OPRA Certificate") application, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the "Act"); and

WHEREAS, the Property in question of the Certificate is legally described as:

LOT 1 CAPITOL COMMONS URBAN RENEWAL PLAT NO 1, Ingham County, Michigan --
Parcel Number: 33-01-01-16-360-002, and

WHEREAS, the Act requires that before approving an amendment, the Lansing City Council shall hold a public hearing in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on Monday, August 28, 2017 at 7:00 p.m. for the purpose of receiving public comment on the approval of an OPRA Certificate under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing.

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BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 24, 2017, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

SLU-2-2017: Special Land Use Permit, 3600 N. Grand River Avenue, Residential Land Use in the "H" Light Industrial District

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Celebration Banquets, LLC to transfer ownership of a Resort Class C license at 200 Edgewood Blvd., Lansing, MI 48911, Ingham County; and

WHEREAS, the Committee on General Services reviewed the request with affirmative action taken.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Celebration Banquets, LLC to transfer ownership of a Resort Class C license at 200 Edgewood Blvd., Lansing, MI 48911, Ingham County.

RESOLUTION #2017-707
 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.

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State Community Corrections Advisory Board, the Ingham County Board of Commissioners, and the City of Lansing approved the original Ingham County/City of Lansing Community Corrections Comprehensive Plan in 1991; and

WHEREAS, The State Community Corrections Advisory Board approved the Funding Application and Plan for FY 2017-2018; and

WHEREAS, the FY2017-2018 Application provides for the following CCAB Plans and Services programming: Relapse Prevention and Recovery (\$67,898) to be provided by C-E-I CMH; Gatekeeper services (\$4,069) to be provided by the CCAB Staff Consultant; Men's MRT Cognitive Change Groups (\$18,000) to be provided by Wellness, Inc. and Women's MRT Cognitive Change Groups (\$8,082) to be provided by Prevention and Training Services; Domestic Violence Intervention Groups (\$12,000) to be provided by Prevention and Training Services; Opioid Specific Program Services (\$55,000) to be provided by Tri-County Community Adjudication Program; Day Reporting services (\$40,274) to be provided by Northwest Initiative ARRO; and Electronic Monitoring Services for Pretrial defendants (\$10,134) to be provided by Sentinel, Inc. for a subcontract program total of \$215,457; and

WHEREAS, the FY 2017-2018 Application also provides funding for a special part-time Pretrial Services Investigator (\$25,683) to enhance the community supervision capacity of 30th Circuit Court Pretrial Services and for CCAB Administration in the amount of \$50,422 for a Plans and Services total of \$291,562 for the time period of October 1, 2017 through September 30, 2018; and

WHEREAS, the FY 2017-2018 grant award provides Ingham County use of a projected average daily population of 30 residential beds with M.D.O.C. contracting directly with residential providers rather than with local jurisdictions for a projected value of \$531,075 and another 1.23 beds per day funded with Drunk Driver Jail Reduction – Community Treatment Program (DDJR-CTP) grant funds in the amount of \$21,169; and

WHEREAS, pursuant to the FY 2017-2018 grant award the County may enter into subcontracts for the purpose of implementing Plans and Services programs and services identified in the Community Corrections Plan and Application; and

WHEREAS, the Subcontractors for Plans and Services programming are willing and able to provide the services that the County requires.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes entering into an Agreement with the Michigan Department of Corrections for Ingham County/City of Lansing Community Corrections FY 2017-2018 in the amount of \$291,562 in CCAB Plans and Services and Administration funds, \$21,169 in Drunk Driving Jail Reduction and Community Treatment Program funds for a total of \$312,731

and for the use of an estimated 30 residential beds per day for a value amounting to \$531,075 for the time period of October 1, 2017 through September 30, 2018.

BE IT FURTHER RESOLVED that the Ingham County Board of Commissioners authorizes entering into subcontracts for CCAB Plans and Services programming from October 1, 2017 through September 30, 2018 with Wellness, Inx. for the actual cost of Men's MRT Cognitive Change groups not to exceed \$18,000; with Prevention and Training Service for the cost of Women's MRT Change Groups for a cost not to exceed \$8,082; with Prevention and Training Services for the cost of Domestic Violence Intervention Groups for a cost not to exceed \$12,000; with Tri County Community Adjudication Program for the cost of Opioid Specific Program services not to exceed \$55,000; with CEI Community Mental Health for the actual cost of Relapse Prevention and Recovery services not to exceed \$67,898; with Northwest Initiative AARO for the actual cost of Day Reporting services not to exceed \$40,274; and with Sentinel, Inc. for the actual cost of electronic monitoring services for Pretrial defendants not to exceed \$10,134.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners authorizes the continued funding of a special part-time (19 hours per week) Pretrial Services Investigator position at the ICEA PRO06 salary grade not to exceed \$25,683.

BE IT FURTHER RESOLVED, that entering into the subcontracts and maintaining the Pretrial Services Investigator position are contingent upon entering into the Agreement with the State.

BE IT FURTHER RESOLVED, that the subcontracts and Pretrial Services Investigator position are contingent throughout the subcontract period on the availability of grant funds from the State of Michigan for these purposes.

BE IT FURTHER RESOLVED, that the Board Chairperson is authorized to sign any necessary contracts/subcontracts consistent with this resolution subject to approval as to form by the County Attorney.

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE City OF LANSING

WHEREAS, the Mayor made reappointments to various Boards as stated below:

Board of Water & Light Board of Commissioners:

Anthony Mullen as an At-Large Member for a term to expire June 30, 2021

Board of Zoning Appeals:

Josh Hovey as Planning Board Representative for a term to expire June 30, 2018

Employees Retirement Board:

Scott Dedic for a term to expire June 30, 2020

Lansing Entertainment & Public Facilities Authority:

James Butler for a term to expire June 30, 2020

Fred Sparrow for a term to expire June 30, 2020

Memorial Review Board:

Maria Starr VanCore for a term to expire June 30, 2018

Michigan Avenue Corridor Improvement Authority:

Scott Gillespie for a term to expire June 30, 2021

Park Board:

Veronica Gracia-Wing as an At-Large Member for a term to expire June 30, 2021

Planning Board:

Josh Hovey as 4th Ward Member for a term to expire June 30, 2020

Lynne Martinez as an At-Large Member for a term to expire June 30, 2020

John Ruge as 1st Ward Member for a term a term to expire June 30, 2021

WHEREAS, the Mayor's office has verified that the nominees have been vetted and meet the qualifications as required by the City Charter.

BE IT RESOLVED, the City Council confirms the reappointments to various Boards as stated below:

Board of Water & Light Board of Commissioners:

Anthony Mullen as an At-Large Member for a term to expire June 30, 2021

Board of Zoning Appeals:

Josh Hovey as Planning Board Representative for a term to expire June 30, 2018

Employees Retirement Board:

Scott Dedic for a term to expire June 30, 2020

Lansing Entertainment & Public Facilities Authority:

James Butler for a term to expire June 30, 2020

Fred Sparrow for a term to expire June 30, 2020

Memorial Review Board:

Maria Starr VanCore for a term to expire June 30, 2018

Michigan Avenue Corridor Improvement Authority:

Scott Gillespie for a term to expire June 30, 2021

Park Board:

Veronica Gracia-Wing as an At-Large Member for a term to expire June 30, 2021

Planning Board:

Josh Hovey as 4th Ward Member for a term to expire June 30, 2020

Lynne Martinez as an At-Large Member for a term to expire June 30, 2020

John Ruge as 1st Ward Member for a term a term to expire June 30, 2021.

City of Lansing
Counties of Ingham and Eaton, State of Michigan
RESOLUTION SUBMITTING SIDEWALK AND NEIGHBORHOOD STREET
IMPROVEMENTS BOND PROPOSAL
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council of the City of Lansing (the “City”) has determined that it is in the best interest of the City and its residents and property owners that the City improve, replace, reconstruct and construct sidewalks and neighborhood streets, including related site improvements, appurtenances and attachments (the “Project”); and

WHEREAS, the City Council has determined that the City should borrow money in an amount not-to-exceed Eleven Million Five Hundred Thousand Dollars (\$11,500,000) and issue general obligation bonds of the City in one or more series for the purpose of paying the cost of the Project; and

WHEREAS, the City Council wishes to place a proposal to issue bonds for the Project before the qualified electors of the City at the general election to be held in the City on Tuesday, November 7, 2017 (the “Election Date”); and

WHEREAS, in order for the bond proposal to be submitted to the City’s electors on the Election Date, it is necessary for the City Council to certify the ballot wording of the proposal to the City and County Clerks as required by Act 116, Public Acts of Michigan, 1954, as amended (the “Michigan Election Law”).

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The bond proposal attached to this Resolution as Exhibit A (the “Bond Proposal”) shall be submitted to a vote of the qualified electors of the City on the Election Date.
2. The ballot wording of the Bond Proposal is hereby certified to the City and County Clerks for submission to the City’s electors on the Election Date. The City Clerk is hereby authorized and directed to file this Resolution and/or complete any such forms, certificates or documents as may be required by the County Clerk to evidence the foregoing certification and/or submission as required by the Michigan Election Law.
3. The City Clerk and the County Clerk are hereby directed to (a) post and publish notice of last day of registration and notice of election for the Election Date in the manner required by the Michigan Election Law, and (b) have prepared and printed, as provided by the Michigan Election Law, ballots for submitting the Bond Proposal on the Election Date, which ballots may include other matters presented to the electorate on the same date.

4. The estimated first year millage rate and simple average annual millage rate set forth in the Bond Proposal are reasonable estimates of such millage rates based on current assumptions.

5. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the City reasonably expects to reimburse itself with the proceeds of debt to be incurred by the City for costs of the Project that were or will be paid subsequent to sixty (60) days prior to the date hereof.
- (b) The maximum principal amount of debt expected to be issued for the Project is \$11,500,000.
- (c) The expenditures described above are “capital expenditures” as defined in Treasury Regulation § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

6. The Director of Finance shall submit annually in March of each year a report to Council detailing the expenditures made to pay costs of the project.

7. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Public Service Department of the City of Lansing received a Conditional Commitment letter from the Michigan Department of Transportation of our selection to receive a Federal Transportation Alternatives Program (TAP) grant totaling up to \$180,000 in federal funds for the Kalamazoo Street Bike Lane Extension project; and

WHEREAS, the local match is 20% up to \$45,000 of the total estimated project cost of \$225,000; and

WHEREAS, the project will widen Kalamazoo Street between Cedar Street and Larch Street to accommodate restriping Kalamazoo Street to include bike lanes from Larch Street to Washington Square; and

WHEREAS, the project includes curb radius improvement and an ADA compliant pathway connection to the River Trail at the northwest quadrant of Cedar Street and Kalamazoo Street; and

WHEREAS, the Public Service Department is requesting acceptance of the TAP grant; and

WHEREAS, the proposed enhancements are identified in the Tri-County Regional Planning Commission's Transportation Improvement Program; and

WHEREAS, the City of Lansing recognizes the importance of the continued maintenance of these and other enhancements and has committed to implementing a maintenance plan/program over the design life of the facility constructed with TAP funding and has budgeted sufficient monies to ensure the continued maintenance of the enhancements; and

WHEREAS, Mitchell Whisler, a staff engineer for the Public Service Department, will act as the agent on behalf of the Kalamazoo Street Bike Lane Extension project; and

WHEREAS, Chad A. Gamble, P.E., Director of Public Service and Chief Operations Officer is authorized to sign a project agreement upon receipt of a funding award; and

WHEREAS, the Administration and the City Council recognize the importance and need for safe, alternate modes of transportation for all users;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves acceptance of the Transportation Alternatives Program grant for the purposes of funding of non-motorized, ADA and safety related improvements to Kalamazoo Street and the River Trail;

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BE IT FINALLY RESOLVED, the Administration is authorized to receive the funds, create the necessary accounts, and make necessary transfers for administration in accordance with the requirements of the grantor.

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-5-2017: 1024 Lake Lansing Road, Rezoning from “B” Residential District
to “F-1” Commercial District

was introduced by the Committee on Development & Planning, read a first time by its title and referred to the Committee on Development and Planning.

DRAFT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, , 2017, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-5-2017: 1024 Lake Lansing Road, Rezoning from “B” Residential District to “F-1” Commercial District

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances.

Z-8-2016; Rezoning 3001 S. Washington Avenue; “D-1” Professional Office and “J” Parking Districts to “F” Commercial District

Is read a second time by its title. The Ordinance was reported from the Committee on Development & Planning and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
BROWN CLARKE	☐	☐
DUNBAR	☐	☐
HUSSAIN	☐	☐
HOUGHTON	☐	☐
SPITZLEY	☐	☐
WASHINGTON	☐	☐
WOOD	☐	☐
YORKO	☐	☐

☐ ADOPTED

☐ FAILED

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-8-2016

Parcel Number's: 33-01-01-28-304-002

Legal Descriptions: Lots 4 & 5 & the East 90 feet of Lot 6, Holmesdale Subdivision, City of Lansing, Ingham County, MI, from "D-1" Professional Office & "J" Parking Districts to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2016, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect upon the expiration of seven (7) days from the date this notice of adoption is published in a newspaper of general circulation.

PASSAGE OF ORDINANCE

Amendments to Liquor License Ordinance Chapter 830, Section 830.06 regarding criteria for revocation or objection to transfer, issuance or renewal of licenses to permit the sale of beer and wine and/or spirits on premises

Is read a second time by its title. The Ordinance was reported from the Committee on General Services and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
BROWN CLARKE	☐	☐
DUNBAR	☐	☐
HOUGHTON	☐	☐
HUSSAIN	☐	☐
SPITZLEY	☐	☐
WASHINGTON	☐	☐
WOOD	☐	☐
YORKO	☐	☐
☐ ADOPTED	☐ FAILED	

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND
CHAPTER 830, SECTION 830.06 OF THE LANSING CODIFIED ORDINANCES
PROVIDING CRITERIA FOR REVOCATION OR OBJECTION TO TRANSFER, ISSUANCE
OR RENEWAL OF LICENSES TO PERMIT THE SALE OF BEER AND WINE AND/OR
SPIRITS ON PREMISES.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 830.06 of the Codified Ordinances of the City of Lansing,
Michigan, be and is hereby amended to read as follows:

830.06. Criteria for revocation or objection to transfer, issuance or renewal.

Upon determination of the existence of any one or more of the following elements or
grounds, the City may recommend revocation of an already existing license or object to the
transfer, issuance or renewal of a license:

- (a) A person whose license, under this chapter or any State law, has been revoked for
cause in the three years preceding the date of application for a new license or transfer or
an existing license;
- (b) A person who, at the time of application or renewal of any license already issued
under this chapter, would not be eligible for such license upon a first application, as
determined by any State or local law;
- (c) A copartnership, unless all of the members of such copartnership qualify to obtain a
license. A limited partnership shall not be disqualified from being issued or holding a
license, as long as all general partners are qualified to obtain such a license-;

- (d) A corporation if any officer, manager or director thereof, or a stock owner or stockholders owning in the aggregate more than five percent **(5%)** of the stock of such corporation, would not be eligible to receive a license under this chapter for any reason;
- (E) A person who has been convicted of a violation of any ~~F~~ederal or ~~S~~tate law concerning the manufacture, possession or sale of alcoholic liquor or a controlled substance, where such violation occurred on the licensed premises;
- (F~~g~~) Any premises where there exists a violation of any applicable City building, electrical, mechanical, plumbing or fire code or any City zoning law, or of any applicable public health law or regulation, any ~~State~~ MICHIGAN Liquor Control Commission rule or regulation of any other applicable City ordinance or ~~S~~tate law;
- ~~(h) Any premises where the applicant or licensee suffers or allows or intends to allow in or upon the premises a person who exposes to public view any pubic region, anus or genitals, as well as other types of nudity prohibited by statute or local ordinance. No on-premises licensee shall suffer or allow in or upon the licensed premises the showing of films, television slides or other electronic reproduction depicting scenes wherein any person exposes to the public view any pubic region, anus or genitals, as well as other types of nudity prohibited by statute or local ordinance. This prohibition does not apply to any publicly broadcast television transmission from a Federally licensed station.~~
- ~~(i) Any premises where the applicant or licensee suffers or allows or intends to allow in or upon the premises a person who performs, or simulates performance of, the following explicit sexual activities: sexual intercourse, masturbation, sodomy, bestiality, fellatio or cunnilingus. No on-premises licensee shall suffer of allow in or upon the licensed premises the showing of films, television slides or other electronic reproduction depicting~~

~~scenes wherein a person performs, or simulates performance of, the following explicit sexual activities: sexual intercourse, masturbation, sodomy, bestiality, fellatio or cunnilingus. This prohibition shall not apply to any publicly broadcast television transmission from a Federally licensed station.~~

(G) Any premises where it is determined by Council that the premises do not, or will not reasonably soon after the commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, screening and noise control, or where a nuisance does or will exist as determined by applicable City ordinances;

(H) If Council determines that the proposed location is inappropriate, considering the desirability of establishing a location in developed, commercial areas in preference to isolated, undeveloped areas; traffic safety; accessibility to the site from abutting roads; capability of abutting roads to accommodate such commercial activity; distance from public or private schools for minors; proximity of an inconsistent zoning classification; and accessibility from primary roads or State highways;

(I) If the applicant or licensee owes personal OR REAL property taxes; ~~or~~, SPECIAL ASSESSMENTS, SEWER OR WATER CHARGES THAT ARE DELINQUENT FOR THE PREMISES;

(J) If the applicant or licensee has filed an application containing false information with the City Clerk.

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

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

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

Approved as to form:

City Attorney

Dated: _____



Chris Swope
Lansing City Clerk

August 11, 2017

Members of the Lansing City Council
10th Floor City Hall
Lansing, MI 48933

Dear Councilmembers:

The Minutes from the Meetings of the following Boards, Commissions, and Authorities of the City of Lansing were placed on file in the City Clerk's Office and are available for review in the City Clerk's Office and at the following website: <http://lansingmi.gov/AgendaCenter>

BOARD NAME

DATE OF MEETING

Lansing Brownfield Authority
Lansing Economic Development Corporation
Tax Increment Authority

June 2, 2017
June 2, 2017
June 2, 2017

Historic District Commission

June 12, 2017
April 17, 2017

Planning Board

July 5, 2017
June 6, 2017

If my staff or I can provide further assistance or information relative to the filing of these minutes, please contact us at 483-4131.

Sincerely,

Chris Swope, CMC, CMMC
Lansing City Clerk

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 □ 517-377-0068 FAX

www.lansingmi.gov/clerk □ clerk@lansingmi.gov

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, appropriates the following donation amounts received for the Human Relations and Community Services Connect 4 Kids program:

General Fund Revenues

From Fund Balance (FY 2017 Donations)	\$26,510.00
Donations (FY 2018 Donations)	<u>1,355.00</u>
Total Revenues	<u><u>\$27,865.00</u></u>

General Fund Expenditures

Human Service Agency Operating - Kids Connect	<u>\$27,865.00</u>
Total Expenditures	<u><u>\$27,865.00</u></u>

**SECOND AMENDMENT TO THE
CITY OF LANSING DEFINED CONTRIBUTION PLAN**

The City of Lansing Defined Contribution Plan is hereby amended, effective May 26, 2017, as set forth below.

1. The effective date of the Third Amendment to the Plan, executed November 15, 2013 (prior to the adoption of the restated Plan, which became effective on January 1, 2016) shall be changed from September 17, 2012 to January 1, 2013.

2. Section 19.2(a), which was added by Section E of Addendum A to the Adoption Agreement, shall be replaced in its entirety with the following:

(a) **Effective Date:** The provisions of this Article XIX shall be effective as of January 1, 2013.

3. Section I of Schedule A to the Adoption Agreement shall be replaced in its entirety with the following:

I. Bargaining Units

An individual whose terms of employment are governed by a collective bargaining agreement between the Employer and a bargaining unit that is listed below is eligible to participate in the Defined Contribution Plan pursuant to the terms of the Plan.

Name of Bargaining Unit	Effective Date
Teamsters Local No. 214 Supervisory and Non-supervisory	January 1, 2013
Teamster 243 – 54-A District Court (formerly Teamster 580 – 54-A District Court)	March 31, 2014
Teamster 243 Supervisory (formerly Teamster 580 Supervisory)	May 19, 2014
Teamster 243 Clerical, Technical, and Professional (formerly Teamster 580 Clerical, Technical, and Professional)	May 19, 2014

CITY OF LANSING

Dated: _____, 2017

By: _____

Its: _____

06326:00017:3132256-1

**CITY OF LANSING
CITY COUNCIL RESOLUTIONS**

RESOLVED: That the Second Amendment to the City of Lansing Defined Contribution Plan is hereby adopted effective as set forth therein; and

FURTHER RESOLVED: That _____, Chairperson of the Defined Contribution Board, is hereby authorized to execute the Second Amendment and any related documents that are necessary in order to implement the foregoing resolution on behalf of the City.

Resolution – Appointment of Mark Eagle of 1417 Corbett Street in Lansing, MI, 48910, as a Fourth Ward member of the Human Relations & Community Services Board for a term to expire June 30, 2020.

BY THE _____

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Mark Eagle of 1417 Corbett Street in Lansing, MI, 48910, as a Fourth Ward member of the Human Relations & Community Services Board for a term to expire June 30, 2020; and

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

WHEREAS, the _____ Committee met on _____ and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Mark Eagle of 1417 Corbett Street in Lansing, MI, 48910, as a Fourth Ward member of the Human Relations & Community Services Board for a term to expire June 30, 2020.

Resolution – Appointment of Ryan Earl of 3337 Radford Drive of Lane in Lansing, MI, 48911, as a Third Ward member of the Human Relations & Community Services Board for a term to expire June 30, 2019.

BY THE _____

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Ryan Earl of 3337 Radford Drive of Lane in Lansing, MI, 48911, as a Third Ward member of the Human Relations & Community Services Board for a term to expire June 30, 2019; and

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

WHEREAS, the _____ Committee met on _____ and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Ryan Earl of 3337 Radford Drive of Lane in Lansing, MI, 48911, as a Third Ward member of the Human Relations & Community Services Board for a term to expire June 30, 2019.

Resolution – Appointment of Chad Guerrant of 1210 Fairway Lane in Lansing, MI, 48912, as an At-Large member of the Human Relations & Community Services Board for a term to expire June 30, 2021.

BY THE _____

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Chad Guerrant of 1210 Fairway Lane in Lansing, MI, 48912, as an At-Large member of the Human Relations & Community Services Board for a term to expire June 30, 2021; and

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

WHEREAS, the _____ Committee met on _____ and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Chad Guerrant of 1210 Fairway Lane in Lansing, MI, 48912, as an At-Large member of the Human Relations & Community Services Board for a term to expire June 30, 2021.

Resolution – Appointment of Julie Rowe of 1910 Old Oakland in Lansing, MI, 48915, as an At-Large member of the Human Relations & Community Services Board for a term to expire June 30, 2018.

BY THE _____

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Julie Rowe of 1910 Old Oakland in Lansing, MI, 48915, as an At-Large member of the Human Relations & Community Services Board for a term to expire June 30, 2018; and

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

WHEREAS, the _____ Committee met on _____ and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Julie Rowe of 1910 Old Oakland in Lansing, MI, 48915, as an At-Large member of the Human Relations & Community Services Board for a term to expire June 30, 2018.

Resolution – Appointment of Daniel Barclay of 1117 Lorraine Avenue in Lansing, MI, 48910, as an Electrical Contractor representative on the Electrical Board for a term to expire June 30, 2021.

BY THE _____

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Daniel Barclay of 1117 Lorraine Avenue in Lansing, MI, 48910, as an Electrical Contractor representative on the Electrical Board for a term to expire June 30, 2021; and

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

WHEREAS, the _____ Committee met on _____ and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Daniel Barclay of 1117 Lorraine Avenue in Lansing, MI, 48910, as an Electrical Contractor representative on the Electrical Board for a term to expire June 30, 2021.

Resolution – Appointment of Craig Calkins of 2511 Clifton Avenue in Lansing, MI, 48910, as an Electrical Journeyman representative on the Electrical Board for a term to expire June 30, 2019.

BY THE _____

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Craig Calkins of 2511 Clifton Avenue in Lansing, MI, 48910, as an Electrical Journeyman representative on the Electrical Board for a term to expire June 30, 2019; and

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

WHEREAS, the _____ Committee met on _____ and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Craig Calkins of 2511 Clifton Avenue in Lansing, MI, 48910, as an Electrical Journeyman representative on the Electrical Board for a term to expire June 30, 2019.

Resolution – Appointment of Tiffany Dowling as a Business Owner Member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2020.

BY THE _____

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Tiffany Dowling as a Business Owner Member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2020; and

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

WHEREAS, the _____ Committee met on _____ and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Tiffany Dowling as a Business Owner Member of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2020.

Resolution – Appointment of Tom Donaldson as a representative of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2019.

BY THE _____

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Tom Donaldson as a representative of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2019; and

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

WHEREAS, the _____ Committee met on _____ and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Tom Donaldson as a representative of the Saginaw Street Corridor Improvement Authority for a term to expire June 30, 2019.

1. Resolutions— Multiple Re-appointments to Boards/Commissions:

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE City OF LANSING

WHEREAS, the Mayor made reappointments to various Boards as stated below:

Board of Fire Commissioners:

Yvonne McConnell-Young as a Third Ward Member for a term to expire June 30, 2019;
and

Capital Area Transportation Authority:

Anne Wilson as a City of Lansing representative for a term to expire September 30,
2020

Robert Swanson as a City of Lansing representative for a term to expire September 30,
2020; and

Lansing Entertainment & Public Facilities Authority:

Cynthia Bowen as an At-Large Member for a term to expire June 30, 2019,

Charles Janssen as an At-Large Member for a term to expire June 30, 28; and

Memorial Review Board:

Maria Starr VanCore as an At-Large Member for a term to expire June 30, 2018; and

WHEREAS, the Mayor's office has verified that the nominees have been vetted and
meet the qualifications as required by the City Charter.

NOW, THERFORE, BE IT RESOLVED that the City Council confirms the
reappointments to various Boards as stated below:

Board of Fire Commissioners:

Yvonne McConnell-Young as a Third Ward Member for a term to expire June 30, 2019;
and

Capital Area Transportation Authority:

Anne Wilson as a City of Lansing representative for a term to expire September 30,
2020

Robert Swanson as a City of Lansing representative for a term to expire September 30,
2020; and

Lansing Entertainment & Public Facilities Authority:

Cynthia Bowen as an At-Large Member for a term to expire June 30, 2019,

Charles Janssen as an At-Large Member for a term to expire June 30, 28; and

Memorial Review Board:

Maria Starr VanCore as an At-Large Member for a term to expire June 30, 2018



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

August 7, 2017
Cul, LLC
c/o Michael J. Brown
mbrown@cebhlaw.com

RID #912168

Reference/Transaction: Transfer Ownership Escrowed 2017 Class C License Only from Seems like a Good Idea, LLC; Transfer Location from 601 E. Michigan to 313 N. Cedar, Lansing; New SDM License in conjunction, Issued under MCL 436.1533(5)(A), Non-Transferable, Sunday Sales Permit (PM), Sunday Sales Permit (AM), Dance-Entertainment Permit, Outdoor Service Area and Catering Permit

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Cul, LLC

Business address and phone number: 313 N. Cedar St, Lansing MI 48912

Home address and phone number of partner(s)/subordinates:

- 1. Patrick K. Gillespie Trust, Patrick K. Gillespie, Trustee-**
- 2. Infantry, Inc.-330 Marshall St Ste. 100 Lansing MI 4912**

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

A copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011



RECEIVED
2017 AUG -3 AM 10:49
CITY OF LANSING
AFFIDAVIT OF DISCLOSURE CLERK

TO: CITY CLERK

DATE: 7-28-17

I Katherine Diehl make the following disclosure under oath:
(Name)

PLEASE CHECK THE BOX AND FILL IN THE APPROPRIATE BLANKS FOR EACH OF THE FOLLOWING ITEMS

- | | Yes | No | |
|----|-------------------------------------|-------------------------------------|--|
| 1. | ☒ | ☐ | I am an ☐ elected or ☐ appointed ☒ officer or ☐ employee of the City of Lansing holding the position of <u>Sergeant</u> in the <u>City of Lansing Police</u> Department |
| | ☐ | ☒ | I am an immediate family member related to an elected or appointed officer or employee of the City of Lansing named _____, holding the position of _____ in the _____ Department |
| | ☒ | ☐ | I am a Business Associate of an elected or appointed officer or employee of the City of Lansing named <u>Paul Beasinger</u> holding the position of <u>Sergeant</u> in the <u>City of Lansing Police</u> Department. |
| 2. | ☐ | ☒ | I may derive income or benefit directly or indirectly from the bidding of, negotiation of, solicitation of or entry into a contract with the City or from and City action detailed below. (Charter 5-505.1) |
| | ☐ | ☒ | I may have a conflict between a personal interest and the public interest, the nature of which is disclosed below. (Charter 5-505.2) [Chapter 290.04(l) of the Code of Ordinances] |
| | ☐ | ☒ | I may have a financial interest in a matter proposed to be acted upon by the City of Lansing as described below. [Chapter 290.04(l) of the Code of Ordinances] |
| | ☐ | ☒ | I make this disclosure because of a possible appearance that I may be in violation of or in conflict with the City of Lansing Ethics Ordinance as provided for in the Code of Ordinances and in the City Charter. |

3. My City of Lansing position is:
☒ Full-time ☐ Part-time (less than 25 hours/wk) ☐ Unpaid

4. PLEASE DESCRIBE IN DETAIL YOUR REASON(S) FOR SUBMITTING THIS DISCLOSURE AND EXPLAIN WHY YOU THINK A CONFLICT MAY/MAY NOT EXIST.

I am submitting this disclosure based on departmental guidelines. There are no perceived conflicts of interest. I will be providing general personal safety consulting.

I hereby certify that this disclosure is complete and accurate to the best of my knowledge, information and belief.

The foregoing Affidavit of Disclosure was executed on this 28 day of July, 2017.

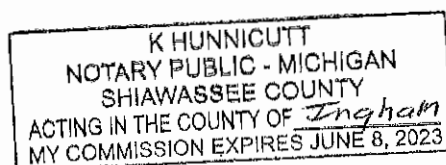
Katherine Dill
Signed

State of Michigan, County of Ingham

Subscribed and sworn to before me this 28th day of July, 2017.

K. Hunnicutt
Notary Public/Deputy Clerk

County, Michigan
My Commission Expires: _____



ATTACHMENT TO AFFIDAVIT OF DISCLOSURE

Please provide additional information about your outside business or employment. Of special interest to the Board is how the activities of the business or employment may directly or indirectly affect the City. This disclosure is about information and is not an indication of any anticipated conflict of interest or suspected wrongdoing. Therefore, please describe for the Board what it is you actually do and be detailed and specific. You are not required to limit your disclosure only to the following questions. For each business, include in your answer such things as:

- What is the form of your business entity and what percentage do you own? Contract employee for Keene Training and Consulting
0 %
- Are you self-employed? NO
- Who is your employer, if applicable? Keene Training and Consulting
- What are the things you actually do in the business? Personal Safety Consulting
- Who are your clients and who receives your goods or services? Private citizens and clients of Keene Training
- How and where are your services performed? Classroom scenarios and presentations in the Mid Michigan area.

- How often do you do outside work? 4 to 8 hrs. month

- Does your business or employer contract with the City? NO

- In performing your business or outside employment, do you use any City facilities or equipment?
NO If so, describe: _____

- Is any of your business or employment conducted in the City? _____ If so, describe:
Services maybe provided at their private property
which may be within the Lansing City limits.
- Does your business advertisement or circulars, if any, contain any reference to the City or your
City employment? NO

- Is there any additional information that you believe would assist the Board of Ethics in its review
of your business or personal activities for potential conflicts of interest? NO If so, please
describe: _____

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.

**OFFICE OF THE CITY ATTORNEY****MEMORANDUM****RECEIVED**

AUG 07 2017

LANSING CITY COUNCIL

To: SHERRIE BOAK, General Services

From: VENUS KUMAR, Paralegal

Subject: SPECIAL ASSESSMENTS CLAIM; Arthur Ostaszewski
Date of Incident: 5/24/17

Date: August 7, 2017

Attached is a Claim Form received by this office from Arthur Ostaszewski for \$3,652.00 due to Trash violations at 114 W. Willow St.

This claim is being referred to General Services for consideration on the City Council's agenda because this claim exceeds \$2,500.00.

Thank you for your assistance.

/vmk
Attachments

RECEIVED AUG 03 2017

DATE: 7/31/2017

PPN: 33-01-01-09-183-121
DATE SUBMITTED: 7/24/2017
ADDRESS OF VIOLATION: 114 W. Willow Street
LISTED TAXPAYER OF RECORD: Ostaszewski, Arthur
OTHER TAXPAYER OF RECORD:
CLAIMANT: Ostaszewski, Arthur
CLAIMANT'S ADDRESS: 114 W. Willow Street
Lansing, MI 48906

1453

TYPE OF ACTIONS CONTESTED: Trash Removal
VIOLATION DATE: 5/24/2017
NOTIFICATION DATE: 5/24/2017
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT: \$3,652.00
CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 17-027 6/28/2017
AMOUNT OF CLAIM: \$3,652.00

ADDITIONAL ACTIONS CONTESTED:
VIOLATION DATE:
NOTIFICATION DATE:
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT:
CONTRACTOR NAME - INVOICE NO. - DATE:
AMOUNT OF CLAIM:
MEMO DATE - INVOICE NO.:

HISTORY:	Trash Violation	Grass Violation
	5/24/2017	5/24/2017

CITATIONS IN PREVIOUS YEAR: Failure to Register
1/25/2016

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: A trash notices was sent to the claimant on 5/24/2017 with a compliance due date of 5/31/2017. Claimant is aware of what the invoice pertains as the claimant has made multiple phone calls and e-mail to the officer that wrote the violations as well as the supervisors (Scott Sanford Lead Housing Inspector and Marshaun Blake Fire Marshal) regarding the trash and grass notices. Upon advisement from Assistant City Attorney Abood we were to proceed as normal and a cleanup was performed. This office recommends denial of the claim.





RECEIVED JUL 21 2017

City of Lansing

OFFICE OF THE CITY ATTORNEY

Claim Form – Special Assessments

1453

Please provide the following information so we can contact you regarding your claim.

NAME: ARTHUR OSTASZEWSKI DATE: 7-20-17
MAILING ADDRESS: 114 W Willow
CITY: Lansing STATE: MI ZIP CODE: 48906
TELEPHONE: Home () 517-936-7991 Work () _____

Please provide the following information on the incident(s) for which you are filing a claim. IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW, WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM.

ADDRESS: 114 W Willow PARCEL NO. 33-01-01-09-183-121
DATE OF INCIDENT: 7/20/17 AMOUNT YOU WERE BILLED: 3652.00
TOTAL AMOUNT YOU ARE CONTESTING: 3652.00
TYPE OF ASSESMENT: Trash-Admin Fee Contractor Charge

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

There is insufficient information in the invoice to adequately address all the fraudulent issues of this invoice. A FOIA was initiated to review all the records related to Code Compliance # 114 West Willow on 7-17-2017. I reserve my right to review this file & build my case against this charge (Inv 00096970) of \$3652.00 upon its review. I have no information as to when this contractor did what? work, how many people? ect. I expressed that all issues related to "trash" on my property (over)

A description of the claims review process is available on our website at: http://www.lansingmi.gov/attorney/Claims_review_process.jsp

were resolved, per my meeting with Code Compliance at the site on June 01, 2017.

- 4). There was No! trash on the property
- 3). All Code Compliance inspections were fraudulent & involved trespass.
- 2). All Contractor work done on behalf of Code Compliance was in violation of City Code & involved trespass.
- 1). At No time did Code Compliance identify to me any issue with trash on the property, either on writing or by our mutual inspection on June 01, 2017.
(Zachery Prover).
0. Wood, was removed from the property, along with material items such as tomato stands, border logs, sitting stumps, & fire wood, as well as dirt work & a fire. This material WAS NOT VISIBLE from the right of way or any neighbors yard, and did not constitute as "trash".

I reserve the right to counter this fraudulent invoice with additional evidence in the future, as I examine the requested FOIA, and put together my case

to
7-17-17



CITY OF LANSING

316 N. CAPITOL SUITE C2

Lansing, MI 48933

Ph: (517) 483-4361

Fax: (517) 377-0100

Bill To:

OSTASZEWSKI ARTHUR

114 W WILLOW ST

LANSING, MI 48906-4853

DUE DATE 08/06/2017

INVOICE

07/10/2017

TOTAL AMOUNT DUE

\$ 3,652.00



Invoice Number	Record No.	Address	Amount Due
00096970	E17-05009	114 W WILLOW ST	\$3652.00

07/07/2017

Trash - Admin Fee

Trash - Contractor Charge

TOTAL DUE:

\$3652.00

Questions regarding this invoice: Contact **CODE COMPLIANCE** at 517.483.4361

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
City of Lansing Treasurers Office
124 W Michigan Ave 1st Fl
Lansing MI 48933
- In order to assure proper credit, please
- Payment in full is due within 30 days fr
- Any unpaid balance remains as a lien ag

Appeals Process:

If you intend to appeal this nuisance fee, Committee within 30 days after the nuisar available in the City Attorney's Office a completed claim to: Lansing City Attorne

Other Information:

- July property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only -- invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04

Payments may be made online or in person Monday thru Thursday 8:00 a.m. - 4:30 p.m., at the above address or by mail

There is no information as to what, where, by whom, any Trash was removed. For \$3652 gone, there should be a report with ^{photo} documentation provided. This is bogus-completely. 7/21/2017

Lue and Ancy Yang
120 W Willow St
Lansing, MI 48906

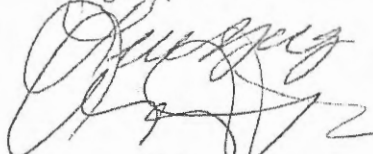
07/18/2017

Art Ostaszewski
114 W Willow St
Lansing, MI 48906

Dear Art,

We are really saddened to see that the wood pile that continuously bordered our properties as neighbors have been removed from your property. The wood truly acted as a natural privacy hedge between our properties and was never an issue with us being there EVER. As a natural hedge between our properties in the last years, it was beautiful creating a warmth feeling allowing us to watch birds and animals in its natural habitat while they came and fed on top of the wood during the warm seasons. We have even taken family pictures on many occasions standing and sitting behind it due to the natural country living it created in our photo background.

Regards,



Lue and Ancy Yang

704-253-3472

Letter from neighbor which
bordered the wood that was
removed as "Trash". Obviously
this WAS NOT an issue between
these ~~two~~ properties 7/21/17

Crenshaw, LaSondra

From: Arthur Ostaszewski <inetcarp@gmail.com>
Sent: Tuesday, August 1, 2017 10:51 AM
To: Kumar, Venus; inetcarp
Subject: repeated requests for meeting since June with City denied...thx for reply.

OK, It was worth a try to speak with you.

I had asked repeatedly for a meeting with Code Compliance as well as the City Attorney back in June to clarify and resolve the issues with the inspections and my property and was denied.

I think we could have avoided this escalation weeks ago by simple communication with either of your Offices....I have done my due diligence in trying.

AO

Art Ostaszewski
114 W Willow
Lansing MI 48906

517-936-7991

On Tue, Aug 1, 2017 at 10:17 AM, Kumar, Venus <Venus.Kumar@lansingmi.gov> wrote:

We do not meet with claimants prior to the Claims Review Committee as this is the purpose for the committee. The meeting will not be scheduled until the end of the month, so you should be fine as far as your time on assignment.

Thank you,

Venus Kumar

Assistant to the City Attorney

Office of the City Attorney



City of Lansing

124 W. Michigan

City Hall – 5th Floor

Lansing, MI 48933

[517.483.4320](tel:517.483.4320)

Direct: [517.483.4319](tel:517.483.4319)

Fax: [517.483.4081](tel:517.483.4081)

venus.kumar@lansingmi.gov

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From: Arthur Ostaszewski [mailto:inetcarp@gmail.com]

Sent: Monday, July 31, 2017 4:54 PM

To: Kumar, Venus; inetcarp

Subject: Re: 114 West Willow / Art Ostaszewski - Request for meeting with City...thx for reply.

Thanks for getting back to me.

Note, I will be on assignment in Lake Huron from Friday August 4th to August 11th. I will not have cell service nor be available. Please schedule my review for dates outside of that period.

Im requesting to meet with you prior to the Claims Committee, in hopes of dismissing these charges. I do not think these fines have merit, and I think I can show you that code enforcement

violated their own protocols. I was billed for trash and grass removal, when there was no violation to begin with.

Im asking for 15 minutes of your time prior to Friday Aug 4th if possible.. Even a phone call would help.

thanks,

Art

Art Ostaszewski

114 W Willow

[517-936-7991](tel:517-936-7991)

On Mon, Jul 31, 2017 at 4:37 PM, Kumar, Venus <Venus.Kumar@lansingmi.gov> wrote:

Hello Mr. Ostaszewski,

Yes, I received your claims. I have starting the process and once I have all the information gathered regarding your claims, you will be scheduled for a claims review meeting for the smaller claim. The larger claim, because it is over \$2500 it will go directly to General Services which is part of City Council and they will review your claim. I will send you a letter with a date and time of your meeting with the Claims Review Committee for the smaller claim. You will receive separate communication from General Services with the date and time of the meeting where your larger claim will be heard and you will have the opportunity to attend that meeting and speak about your claim. The process does take a little bit of time, so please be patient. The Claims Review Committee meets once per month. I don't have the August date yet but as soon as I do, and if your information has come back from Code Compliance, you will be scheduled in August.

Thank You,

Venus Kumar

Assistant to the City Attorney

Office of the City Attorney



City of Lansing

124 W. Michigan

City Hall – 5th Floor

Lansing, MI 48933

[517.483.4320](tel:517.483.4320)

Direct: [517.483.4319](tel:517.483.4319)

Fax: [517.483.4081](tel:517.483.4081)

venus.kumar@lansingmi.gov

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From: Arthur Ostaszewski [mailto:inetcarp@gmail.com]

Sent: Monday, July 31, 2017 2:38 PM

To: Jenks, Emily; inetcarp; Kumar, Venus

Subject: Re: 114 West Willow / Art Ostaszewski FOIA - \$29.89 - Request for meeting with City

Thank You. I will be by tomorrow either at 10am or between 12 and 1pm, to make the payment and receive the FOIA material. To defend my Code Compliance Appeal in full, I am assuming my FOIA request documentation is materially complete as requested:

A) All complaints and followup received for potential Code Violations at 114 W Willow, including City of Lansing response to complainants referring to 114 West Willow.

B) All documented correspondence and inspections done by the City,

including written summary and pictures taken and all notifications made under IPMC 104.3, as well as management review of actions and followup

C) All correspondence with Erics Refuse Inc, relating to 114 West Willow, including pictures, documentation, written material, authorization to enter 114 W Willow, detailed correspondence and invoices received, between the City and Erics Refuse Inc pertaining to 114 West Willow / Art Ostaszewski.

D) All email, attachments, pictures, and correspondence conducted by City Code Enforcement Employees, including but not limited to Scott Sanford and Zachary Driver, related to 114 West Willow / Art Ostaszewski for the time period April 1, 2017 to July 17, 2017.

It is difficult to appeal \$3900 in fines when there is no basis for what was done, what rate was charged, who did the work, what invoice the city received, etc. These charges are completely bogus and NO TRASH was found or removed. The violations im fined for were resolved on June 1st with a walkthrough I did on my property with Zachary Driver of Code Compliance.

The City did not follow up with any request for additional action needed from me to be in compliance. I have ample evidence to show this.

Also, because I do not have Ms. Kumars email, please extend my request to Ms. Kumar for a meeting with regards to my Code Compliance Appeals. I believe a review of pertinent details of my case will help resolve all issues without taking up our time.

Thanks,

AO

Art Ostaszewski

inetcarp@gmail.com

[517-936-7991](tel:517-936-7991)

On Mon, Jul 31, 2017 at 2:12 PM, Jenks, Emily <Emily.Jenks@lansingmi.gov> wrote:

Art,

Your responsive documents came to my desk late last Friday. The total came to \$29.89. There were apparently more documents than they originally anticipated. Since I have them printed off and ready to go, if you would like to come in and pay for them I can hand them to you for your own review so you do not have to pay any additional money for the time an employee of my office would require to oversee the review.

Regarding your claims appeals, Venus Kumar will be handling them because I will be leaving this office to go to law school in the fall. Please let me know if you have any questions!

Best,

Emily

From: Arthur Ostaszewski [mailto:inetcarp@gmail.com]

Sent: Monday, July 31, 2017 12:20 PM

To: Jenks, Emily; inetcarp

Subject: Re: 114 West Willow / Art Ostaszewski FOIA - payment? Timetable? Request Mtg with City Attorney_ AO

Hello Ms. Jenks,

I have not heard from the City Attorneys Office concerning my FOIA request per 114 West Willow and Code Compliance for over a week, now two weeks since initial submittal. I am willing to drop off a check for the FOIA request, I am also ready to view the file that is on hand at Code Compliance. Please let me know the status of the FOIA request.

Also, since you are administering my Code Compliance Appeals, I would like to sit down with the City Attorneys office to discuss dismissal of these charges and a preliminary review of my case for dismissal.

Thanks,

AO

Art Ostaszewski

114 West Willow

Lansing, MI 48906

inetcarp@gmail.com

[517-936-7991](tel:517-936-7991)

On Fri, Jul 21, 2017 at 1:27 PM, Arthur Ostaszewski <inetcarp@gmail.com> wrote:

Ms. Jenks,

Thanks for meeting with me this afternoon on my FOIA request, and taking my appeal of both Code Compliance invoices (00096970 - \$3652.00) and (00096005 - \$362.50).

I request your offices expedited review of my appeals, and dismissal of the charges.

These are fraudulent and bogus charges, and I think everyone involved has better, more pertinent things to work on in serving the City. I request that these charges be completely dismissed upon your Offices review of the appeals material provided.

As per my many emails to both Code Compliance and the City Attorneys office since May 24th 2017, I stand willing to meet and attempt to reach amicable resolution on these matters concerning 114 W Willow with the City in the most expeditious way possible.

If we are to proceed, let me know when the FOIA charges come in and I will pay in person by check. I will add the FOIA cost to my appeals total should the case proceed, along with the additional material that I am processing.

I look forward to hearing from your office.

Thanks,

Art

Art Ostaszewski

114 W Willow

Lansing, MI 48906

[517-936-7991](tel:517-936-7991)

inetcarp@gmail.com

On Fri, Jul 21, 2017 at 11:53 AM, Jenks, Emily <Emily.Jenks@lansingmi.gov> wrote:

Got your email Arthur, I let Code know to begin pulling the documents. Just so you know, we only accept check or money order payments!

From: Arthur Ostaszewski [mailto:inetcarp@gmail.com]

Sent: Friday, July 21, 2017 11:53 AM

To: Jenks, Emily; inetcarp

Subject: Re: FOIA for Code Compliance File viewing related to 114 West Willow / Art Ostaszewski April 1, 2017 to July 17, 2017

Im stopping by the Attorneys office at lunch today 7-21-17 to drop off my fine appea,s I can pay for the FOIA charges at that time.

AO

On Fri, Jul 21, 2017 at 11:20 AM, Jenks, Emily <Emily.Jenks@lansingmi.gov> wrote:

Arthur,

My name is Emily and I coordinate FOIA requests for the City. I'm emailing to let you know that Code Compliance is anticipating there will be costs for this request, even if you would just like to come in and view the documents. The costs pertain to compiling information, since you asked for several different things that will take time to put together, and costs for printing out documents for you to view. Code estimates that it would cost around \$12, but that cost could change if it takes them less or more time than anticipated.

Best,

Emily Jenks

Legal Intern

Office of the City Attorney



City of Lansing

124 W. Michigan

City Hall – 5th Floor

Lansing, MI 48933

517.483.4320

Fax: 517.483.4081

Emily.Jenks@lansingmi.gov

PRIVILEGED AND CONFIDENTIAL: This electronic message, together with all of its contents, contains information from the Office of the City Attorney. This information may be privileged, confidential, or otherwise protected from disclosure. The information is intended for the addressee(s) only and any unauthorized use is prohibited. Do not disclose, copy, distribute, or otherwise use this message or its contents if you are not the intended addressee(s). If you have received this message in error, notify the Office of the City Attorney immediately at 517-483-4320 or Emily.jenks@lansingmi.gov

From: Arthur Ostaszewski [mailto:inetcarp@gmail.com]

Sent: Monday, July 17, 2017 1:05 PM

To: FOIA Request; inetcarp

Subject: FOIA for Code Compliance File viewing related to 114 West Willow / Art Ostaszewski April 1, 2017 to July 17, 2017

FOIA COORDINATOR

Office of the City Attorney

124 W. Michigan Avenue, 5th Floor

Lansing, MI 48893

Email: FOIA.Request@lansingmi.gov

This FOIA request pursuant to the Freedom of Information Act, MCL 15.231 et seq. is a request to inspect public records prepared, owned, used, possessed, or retained by the City related to the Code Compliance Office and its employees and contractor actions ,related to my home at 114 West Willow.

I would like to EXAMINE only, the entire City of Lansing Code Compliance File for my residence at 114 West Willow from April 1 2017 to the July 17 2017. I do not want any copies at this time, I would just like to view the material on hand in the file related to recent actions by the City.

This would include but not limited to:

A) All complaints and followup received for potential Code Violations at 114 W Willow, including City of Lansing response to complaintants referring to 114 West Willow.

B) All documented correspondence and inspections done by the City,

including written summary and pictures taken and all notifications made under IPMC 104.3, as well as management review of actions and followup

C) All correspondence with Erics Refuse Inc, relating to 114 West Willow, including pictures, documentation, written material, authorization to enter 114 W Willow, detailed correspondence and invoices received, between the City and Erics Refuse Inc pertaining to 114 West Willow / Art Ostaszewski.

D) All email, attachments, pictures, and correspondence conducted by City Code Enforcement Employees, including but not limited to Scott Sanford and Zachary Driver, related to 114 West Willow / Art Ostaszewski for the time period April 1, 2017 to July 17, 2017.

Again, this is for viewing only, and not meant to create any burden or time in coordinating or organizing the material in any way. I would like to view the files at your office and schedule a time to do so.

Sincerely,

Arthur Ostaszewski

114 West Willow

Lansing, MI 48906

inetcarp@gmail.com

[517-936-7991](tel:517-936-7991)

FOIA Request Checklist:

If you would like to submit a FOIA request, please review the following FOIA checklist to ensure a speedy and accurate response to your request.

- Make sure you are addressing the correspondence to the correct person/department.
- Make sure the correspondence is addressed to the Freedom of Information Act Administrator or Coordinator.
- Advise the administrator that you are requesting documents pursuant to the Freedom of Information Act, and refer to the Act as MCL 15.231 et seq.
- Describe the record(s) requested in detail so that it can be located.
- Describe the subject matter of the documents requested, and, if possible, the date the documents were created.

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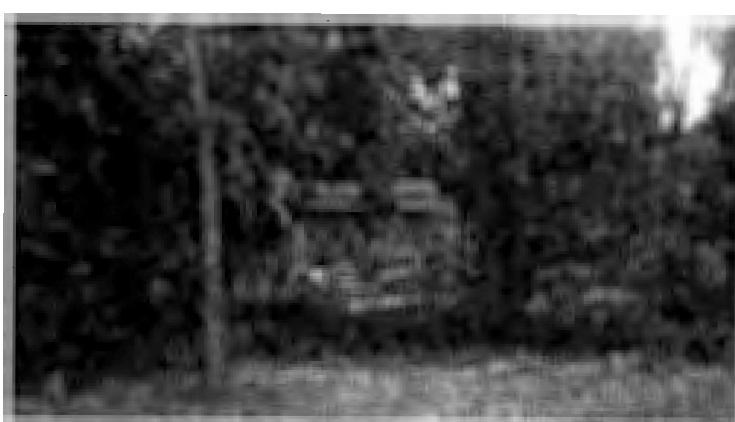
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For more information please visit <http://www.symanteccloud.com>

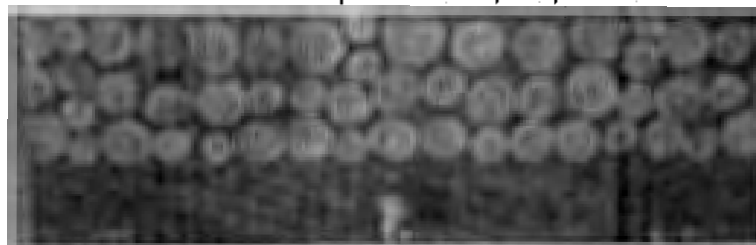
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Natural Privacy Hedge that existed between properties 114 W Willow and 120 West Willow prior to 6/29/2017



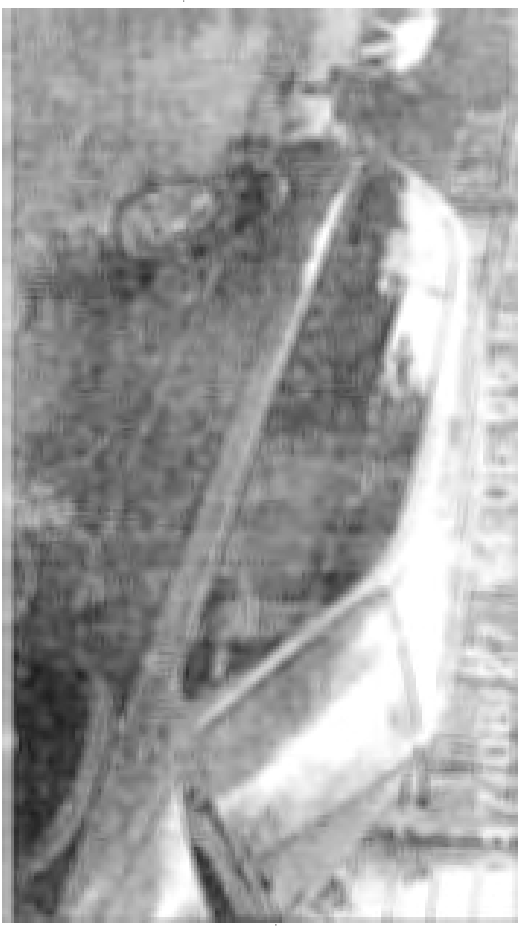
Destruction of Privacy Hedge. Larceny of valuable wood after 6/29/2017



Items wood at 114 West Willow was being seasoned and used for by owner.

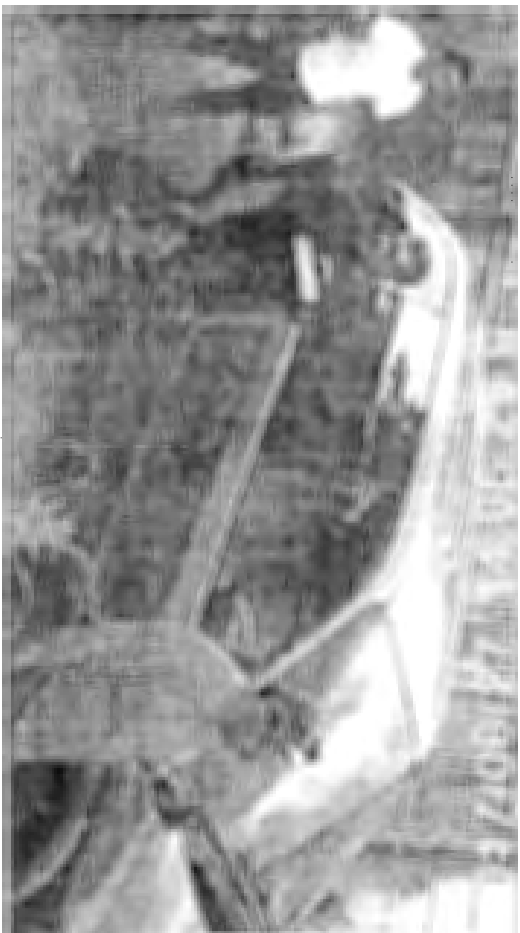
mov234

Draft copy of Code Violation IPMC 104.3
video
& trespass
& theft of valuable property - Not Trash!
-As 7/22/19

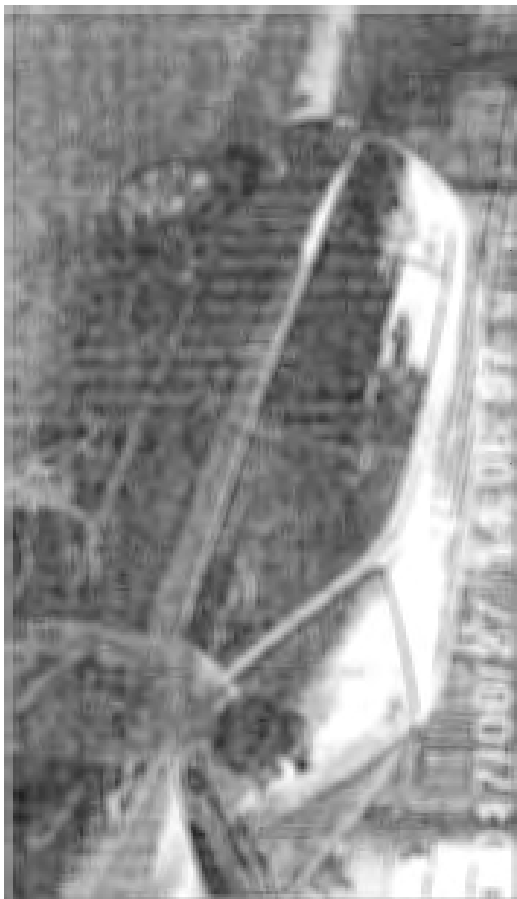


more available

mov235



MOV236



6:50
Pupse

mov237

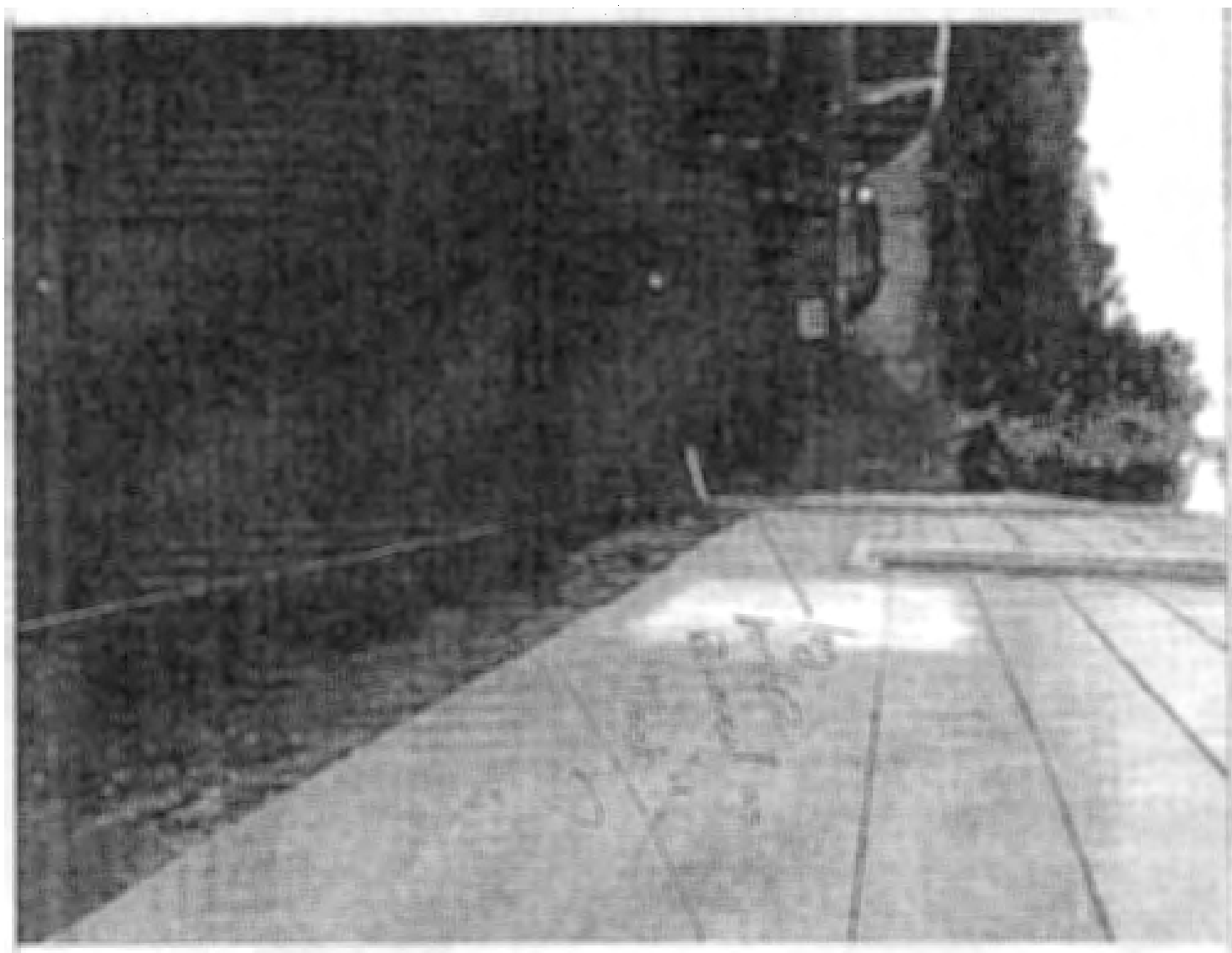


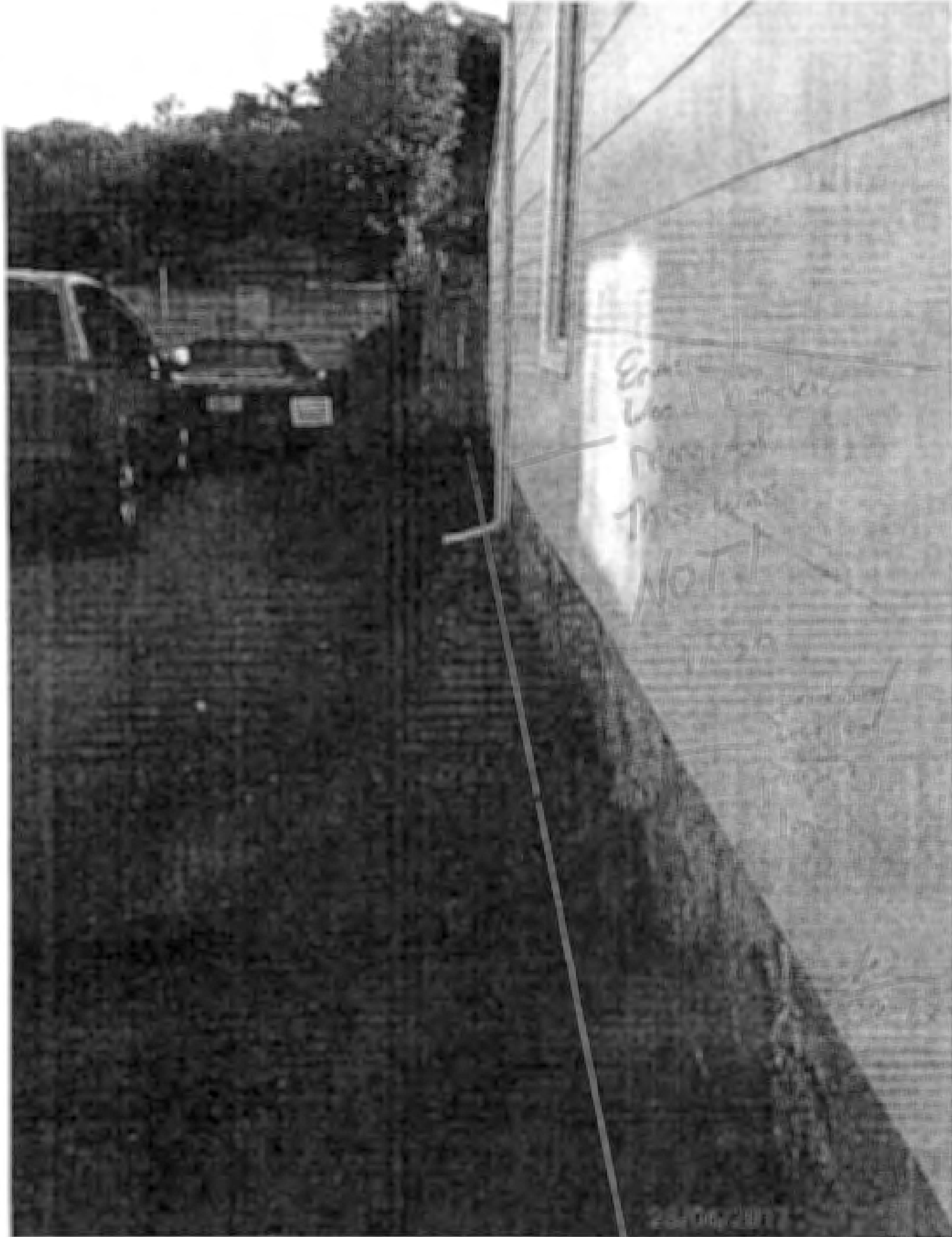
Mov238



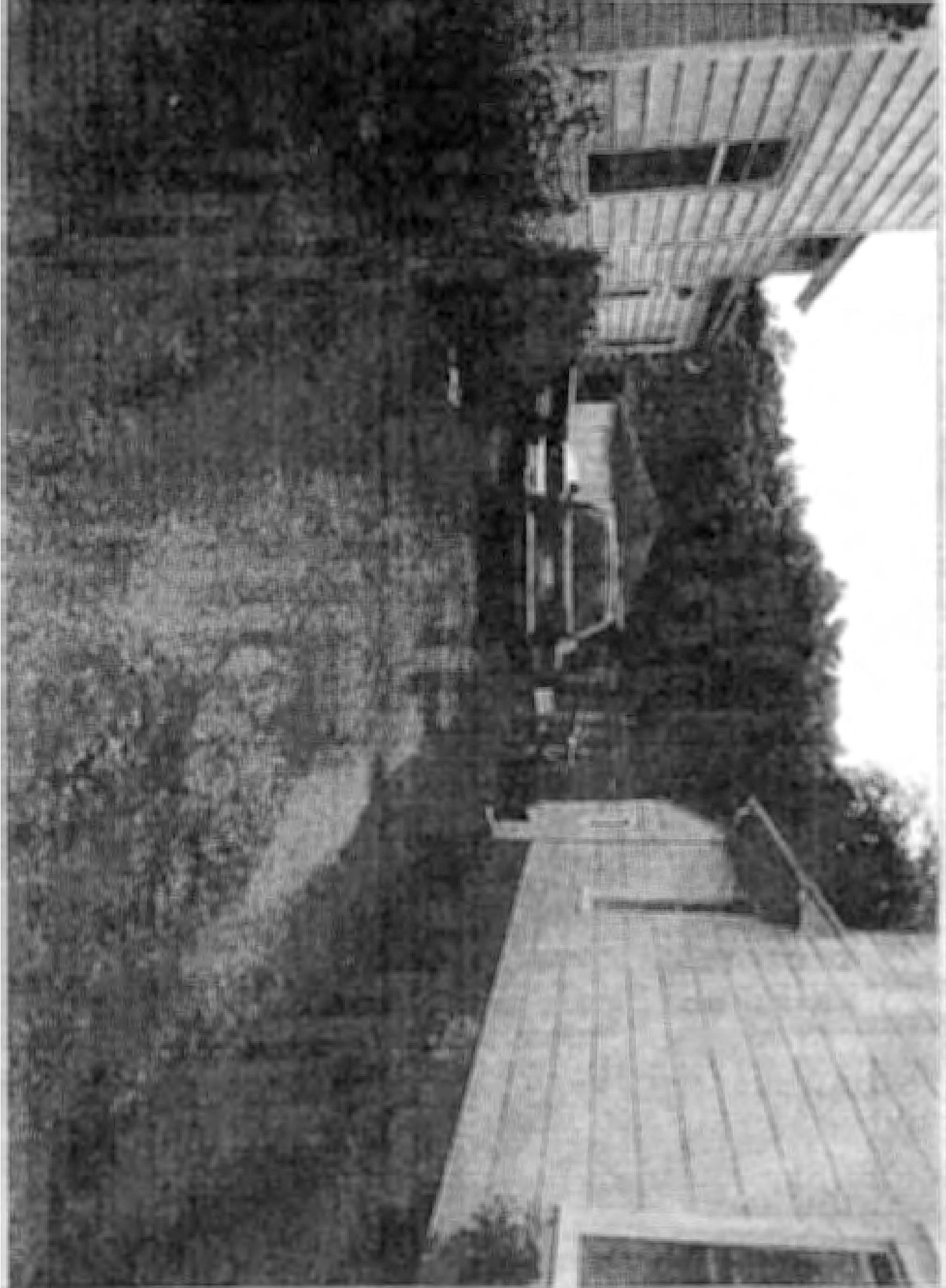


2017/06/28 08:52:44









MOV 081

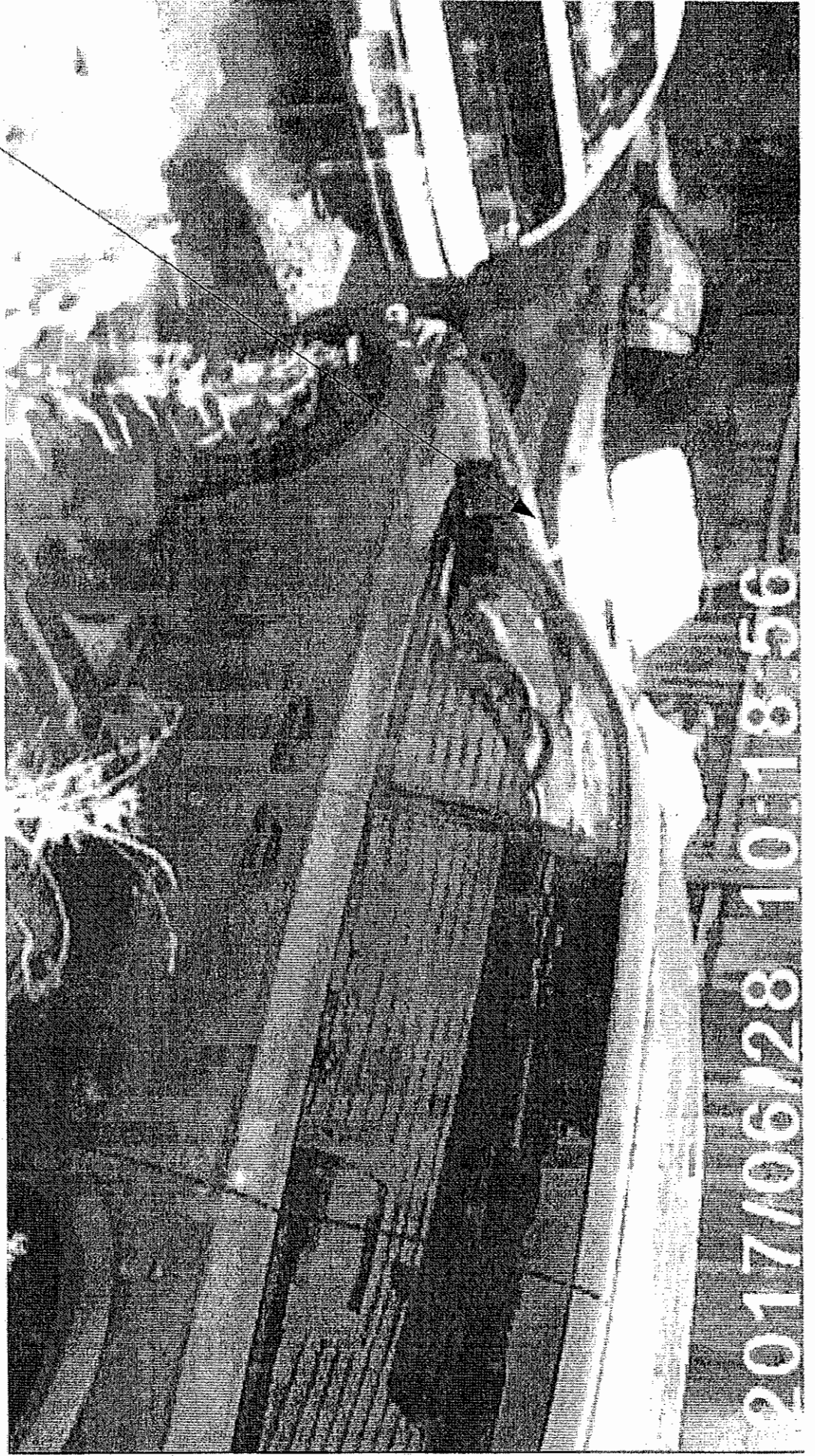




Note: Trespass sign has been removed / ignored 10:18:46 mov 114



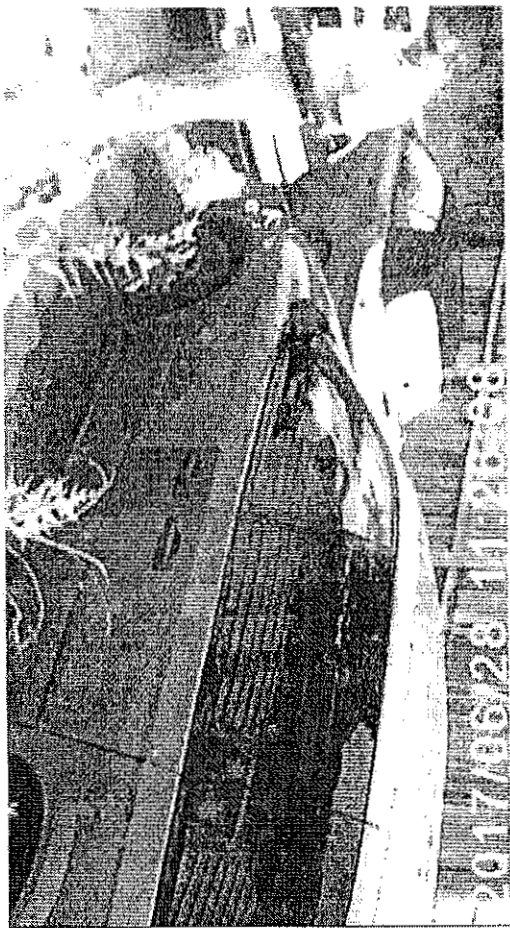
Note: Trespass sign is being retied by worker – 10:18:54 mov 114



Note: Trespass sign is being restaked by worker – 10:18:56 mov 114

Note: Trespass line is evident after being restaked by worker – 10:22:45 mov 115





Note: AO inspecting property at – 11:26:06 mov 122



Re-entering past no trespass sign



Pulling No trespass Stake Mov 126



Walking over No trespass line marker mov 129



Worker handling No Trespass sign, dropping to ground Mov 159



Worker ignoring No Trespass sign Mov 161



Hauling out "leaves"? Past no trespass sign? MOV 172



Hauling out "sticks and leaves"? Past both no trespass sign and stakes MOV 174

↓
Not "trash"



Theft of Material from behind garage- garbage can lid and aluminum chimney flue
past trespass sign and stakes MOV 176



Theft from behind garage- past trespass sign and stakes MOV 178

Not "Trash"



Ground debris - trespass sign and stakes MOV 180 also 189



Not
"Not"

Removing linear wood used as edge boarder- trespass sign and stakes MOV 191 192



Theft of spare tire behind garage - trespass sign and stakes MOV 195



Theft of tomato planter behind garage by lead worker? - trespass sign and stakes MOV 199



Movement of door mat, why? - reinitialization of trespass sign and stakes MOV 202 203



Mov 2063 reinstalation of fence..acknowledge of camera



Ripping out Survey Stakes at lot line – mov 207



Hopping over reinstalled No trespass sign MOV 208



Leaving area taking pictures No trespass sign MOV 209



Mov 210 trespass sign back up, but still in backyard taking pictures



Mov 211 – final pics

Eric's Refuse LLC

P.O. Box 16035
Lansing, MI 48901

Invoice

Date	Invoice #
7/5/2017	6623

Bill To
City of Lansing Office of Code Compliance 316 North Capital Lansing, MI 48933-1238

property address
14 W Willow ST 33-01-01-09-183-121

Terms

work complete
7/5/2017

Quantity	Item Code	Description	Price Each	Amount
1	1hr 3cy	first hour and 3 yards of debris	175.00	175.00
15	add hr	additional hour after 1	150.00	2,250.00
37	class 2	construction material after 3	26.00	962.00
		6/28/17 total yards 40 submitted by Zachary Driver Two trucks two crews all day job had to call Code-com, (Zach) They had no trespassing signs up, we took them down and put them back up shown in 222 and 223. also took pics of the car blocking the entrance to the backyard. so we had a long way to carry the brush piles, in between the cars. we also took before and after pics of the cars, just in case there was a problem.		
All work is complete!			Total	\$3,387.00



**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**

316 N. Capitol St. C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-1111

TRASH AND DEBRIS COLLECTION NOTICE

OSTASZEWSKI ARTHUR or Current Occupant
114 W WILLOW ST
LANSING, MI 48906-4858

Violation Date: 05/24/2017
Violation Location: 114 W WILLOW ST
Parcel No: 33-01-01-09-183-121
Compliance Due Date: May 31, 2017

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

AREA: Entire Exterior
Violation: Deteriorated building materials

Violation: Carpeting/Carpet Padding debris

Violation: Brush & Tree Limb debris

Violation: Deteriorated metal product

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice.** The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year.** If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

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

Code Officer: Zachary Driver (517) 702 4750 Zachary.Driver@lansingmi.gov



**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**

316 N. Capitol, Ste C-1, Lansing, MI 48933-4238
(517) 483-4361 FAX (517) 377-0100

Trash Authorization Form

Submitted to: Eric Crutcher on 06/15/2017

TAXPAYER: OSTASZEWSKI ARTHUR, 114 W WILLOW ST LANSING, MI 48906-4858

Location of Work:

Enf Num: E17-05009

Address: 114 W WILLOW ST
Lot No:
Description:
Parcel No: 33-01-01-09-183-121

Remove Trash and Debris

Work Authorized:

AREA: Entire Exterior

Violation: *Deteriorated building materials*

Violation: *Carpeting/Carpet Padding debris*

Violation: *Brush & Tree Limb debris*

Violation: *Deteriorated metal product*

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 2

Authorized Cubic Yards: 9

Warning Comment:

take brush wrapped in vines as well.

Submitted By: Zachary Driver (517) 702 4750

This action is authorized by the Manager of Code Compliance



















































































































































114 W Willow ST (71)

































OFFICE OF THE CITY ATTORNEY



MEMORANDUM

To: SHERRIE BOAK, General Services
From: VENUS KUMAR, Paralegal
Subject: SPECIAL ASSESSMENTS CLAIM; Marc Moore
Date: August 7, 2017

RECEIVED

AUG 07 2017

LANSING CITY COUNCIL

8/8/17
J.C.

Attached is a Claim Form received by this office from Marc Moore for \$2,930.50 due to Trash violations at 1408 Pontiac St.

This claim is being referred to General Services for consideration on the City Council's agenda because this claim exceeds \$2,500.00.

Thank you for your assistance.

/vmk
Attachments

RECEIVED JUL 20 2017

DATE: 7/20/17

PPN: 33-01-01-22-307-303
DATE SUBMITTED: 7/12/2017
ADDRESS OF VIOLATION: 1408 Pontiac Street
LISTED TAXPAYER OF RECORD: Moore, Marc
OTHER TAXPAYER OF RECORD:
CLAIMANT: Moore, Marc
CLAIMANT'S ADDRESS: 5010 Kessler
Lansing, MI 48910

1446

TYPE OF ACTIONS CONTESTED: Trash Removal
VIOLATION DATE: 6/19/2017
NOTIFICATION DATE: 6/19/2017
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT: \$2,930.50
CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 17-T027 06/29/2017
AMOUNT OF CLAIM: \$2,930.50

ADDITIONAL ACTIONS CONTESTED:

VIOLATION DATE:
NOTIFICATION DATE:
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT:
CONTRACTOR NAME - INVOICE NO. - DATE:
AMOUNT OF CLAIM:
MEMO DATE - INVOICE NO.:

HISTORY: Trash
Violation
6/19/2017

CITATIONS IN PREVIOUS YEAR:

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: The claimant is the new owner of this property as of 4/19/2017 but listed his address as 5010 Kessler Lansing, MI which is now a bank foreclosed on property. Notices were sent to the taxpayer of record and an occupant copy was sent to the 1408 Pontiac address as well. Pictures indicate proper procedures were followed by both the Premise Officer and the contractor. This office would like to notify the claimant that the Assessor still lists 5010 Kessler as his mailing address and he is not receiving his homestead. This office recommends denial of the claim.





City of Lansing

OFFICE OF THE CITY ATTORNEY

RECEIVED JUL 12 2017

1446

Claim Form – Special Assessments

Please provide the following information so we can contact you regarding your claim.

NAME: Marc Moore DATE: 7-12-17
MAILING ADDRESS: 1408 Pontiac
CITY: Lansing STATE: Mich ZIP CODE: 48915
TELEPHONE: Home () 517-885-8926 Work () _____

Please provide the following information on the incident(s) for which you are filing a claim. IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW, WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM.

ADDRESS: _____ PARCEL NO. _____
DATE OF INCIDENT: June / July AMOUNT YOU WERE BILLED: Unknown
TOTAL AMOUNT YOU ARE CONTESTING: Unknown
TYPE OF ASSESMENT: _____

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

I never recieved a notice or warning, or
given time to clean up tires

A description of the claims review process is available on our website at: http://www.lansingmi.gov/attorney/Claims_review_process.jsp

Eric's Refuse LLC

P.O. Box 16035
Lansing, MI 48901

Invoice

Date	Invoice #
7/5/2017	6614

Bill To
City of Lansing Office of Code Compliance 316 North Capital Lansing, MI 48933-1238

property address
1408 Pontiac ST 33-01-01-22-307-303

Terms

work complete
7/5/2017

Quantity	Item Code	Description	Price Each	Amount
1	1hr 3cy	first hour and 3 yards of debris	175.00	175.00
3	add hr	additional hour after 1	150.00	450.00
37	add cy	addition yards after 3	22.00	814.00
223	tire	tire removal	5.50	1,226.50
6/29/17 total yards 40 submitted by Richard Driver Dave Klein we had to do this job first thing in the morning, we took what we could, but then dave let the guy finish up cleaning the remaining tires and debris				
All work is complete!			Total	\$2,665.50

**Nuisance Fees**

City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 07/07/2017

Due Date: 08/06/2017

Pay Invoice In Full



MOORE MARC
5010 KESSLER DR
LANSING MI 48910

Inv Number: 00096964

Parcel: 33-01-01-22-307-303

Address: 1408 PONTIAC ST



Parcel: 33-01-01-22-307-303

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00096964		E17-06382	1408 PONTIAC ST	\$2,930.50
Fee Details:		Quantity	Description	Balance
		1.000	Trash - Admin Fee	\$ 265.00
		2665.500	Trash - Contractor Charge	\$ 2,665.50
Total Amount Due				\$ 2,930.50

Questions regarding this invoice: Contact **CODE COMPLIANCE** at 517.483.4361

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
City of Lansing Treasurers Office
124 W Michigan Ave 1st Fl
Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
- Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:

If you intend to appeal this nuisance fee and it is attached to your tax bill, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney's Office and the City of Lansing's web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:

- July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04

Payments may be made online or in person Monday thru Friday 8:00 a.m. - 4:30 p.m., at the above address or by mail



Mayor Virg Bernero

**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**

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

TRASH AND DEBRIS CORRECTION NOTICE

MOORE MARC or Current Occupant
5010 KESSLER DR
LANSING, MI 48910

Violation Date: 06/19/2017
Violation Location: 1408 PONTIAC ST
Parcel No: 33-01-01-22-307-303
Compliance Due Date: June 26, 2017

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

Violation: Deteriorated furniture

Violation: Indoor type furniture in the outdoors

Violation: Junk tire debris

Violation: Paper/Glass/Plastic/Metal/Cardboard debris

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice.** The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year.** If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

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

Code Officer: Dave Klein (517) 483 4377 Dave.Klein@lansingmi.gov

"Equal Opportunity Employer"

Taxpayer's Copy



Mayor Virg Bernero

**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**

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

TRASH AND DEBRIS CORRECTION NOTICE

Occupant or Current Occupant
1408 PONTIAC ST
LANSING, MI 48910

Violation Date: 06/19/2017
Violation Location: 1408 PONTIAC ST
Parcel No: 33-01-01-22-307-303
Compliance Due Date: June 26, 2017

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

Violation: Deteriorated furniture

Violation: Indoor type furniture in the outdoors

Violation: Junk tire debris

Violation: Paper/Glass/Plastic/Metal/Cardboard debris

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice.** The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year.** If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

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

Code Officer: Dave Klein (517) 483 4377 Dave.Klein@lansingmi.gov

"Equal Opportunity Employer"

Taxpayer's Copy



Mayor Virg Bernero

**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**

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

Trash Authorization Form

Submitted to: Eric Crutcher on 06/27/2017

TAXPAYER: MOORE MARC, 5010 KESSLER DR LANSING, MI 48910

Location of Work:

Enf Num: E17-06382

Address: 1408 PONTIAC ST

Lot No:

Description:

Parcel No: 33-01-01-22-307-303

Remove Trash and Debris

Work Authorized:

Violation: Deteriorated furniture

Violation: Indoor type furniture in the outdoors

Violation: Junk tire debris

Violation: Paper/Glass/Plastic/Metal/Cardboard debris

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 4

Authorized Cubic Yards: 40

Warning Comment:

none

Submitted By: Dave Klein (517) 483 4377

This action is authorized by the Manager of Code Compliance

STATE OF
MICHIGAN
INGHAM COUNTY MI
04/21/2017
2017-016318



REAL ESTATE ★
TRANSFER TAX ★
\$3.30 CO ★
\$22.50 ST ★
TTX# 4200994 ★

04/21/2017 2:38 PM
2017-016318
DERRICK QUINNEY
INGHAM COUNTY MICHIGAN
REGISTER OF DEEDS
RECORDED ON:
04/21/2017 2:59 PM
PAGES: 3

Prepared By / After Recording Return To:

National Asset Advisors, LLC
P.O. Box 1996
Irmo, SC 29063

Grantee Address / Mail Tax Statements To: Marc Moore, 5010 Kessler Drive, Lansing, MI 48910

PROPERTY APPRAISAL (TAX/APN) PARCEL IDENTIFICATION NUMBER
3301-01-22-307-303

QUIT CLAIM DEED

Harbour Portfolio VI LP, a Limited Partnership organized and existing under the laws of the State of Texas, whose mailing address is 8214 Westchester Drive, Suite 635, Dallas, TX 75225, for \$3,000.00 (Three Thousand Dollars) in consideration paid, forever remises, releases and quitclaims to **Marc Moore**, Grantee, whose tax mailing address is 5010 Kessler Drive, Lansing, MI 48910, all the right, title, interest and claim which the Grantor has in and to the following real property:

Legal Description – SEE EXHIBIT "A"

Notwithstanding anything herein to the contrary, there is, excepted from this conveyance and reserved unto Grantor and its successors and assigns all of the oil, gas and other mineral interests of whatsoever kind or nature in, on, under and that may be produced from the Property not previously conveyed or reserved of record, and all rights pertaining thereto; provided, however, Grantor waives and relinquishes any and all rights to the use of the surface of the land conveyed hereby for exploration, development and/or production of such minerals.

Property Address: 1408 Pontiac Street, Lansing, MI 48910

Parcel Number: 3301-01-22-307-303

Prior Instrument Reference: 04/29/2011, Instrument Number: Book 3420, Page 581

Subject to easements, restrictions and reservations of record.

To have and to hold, the above quitclaimed premises, together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining, to the said Grantee, her heirs, successors and assigns, forever.





1408 Pontiac ST (2)









1408 Pontiac ST (6)















1408 Pontiac ST (13)



1408 Pontiac ST (14)



OFFICE OF THE CITY ATTORNEY

MEMORANDUM



RECEIVED

AUG 07 2017

LANSING CITY COUNCIL

To: SHERRIE BOAK, General Services
From: VENUS KUMAR, Paralegal
Subject: SPECIAL ASSESSMENTS CLAIM; Meghan Towner
Date of Incident: 8/16/2016
Date: August 7, 2017

Attached is a Claim Form received by this office from Meghan Towner for \$3,987.00 due to Trash violations at 4628 Stafford Ave.

This claim is being referred to General Services for consideration on the City Council's agenda because this claim exceeds \$2,500.00.

Thank you for your assistance.

/vmk
Attachments

DATE: 8/01/2017

PPN: 33-01-01-33-378-451
DATE SUBMITTED: 7/24/2017
ADDRESS OF VIOLATION: 4628 Stafford Ave
LISTED TAXPAYER OF RECORD: Towner, Meghan
OTHER TAXPAYER OF RECORD:
CLAIMANT: Towner, Meghan
CLAIMANT'S ADDRESS: 4628 Stafford Avenue
Lansing, MI 48910

1458

TYPE OF ACTIONS CONTESTED: Trash Removal
VIOLATION DATE: 8/16/2016
NOTIFICATION DATE: 8/16/2016
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT: \$3,912.00 + \$75.00 2nd notice
fee = \$3,987.00
CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 16-T037 9/02/2016
AMOUNT OF CLAIM: \$3,987.00

ADDITIONAL ACTIONS CONTESTED:
VIOLATION DATE:
NOTIFICATION DATE:
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT:
CONTRACTOR NAME - INVOICE NO. - DATE:
AMOUNT OF CLAIM:
MEMO DATE - INVOICE NO.:

HISTORY:	Grass Violation 6/14/2016	Trash Violation 8/16/2016
CITATIONS IN PREVIOUS YEAR:	Grass Violation 6/05/2015	Trash Violation 8/28/2015
CLAIMANT'S CIRCUMSTANCES:	See Attached	

CODE OFFICER'S NOTES: This claimant purchased this property on 6/28/2016 the previous owner received a grass violation on 6/14/2016 and then this claimant received a trash violation on 8/16/2016. When the Premise Officer wrote the second violation the claimant was charged a 2nd notice fee. The claimant states she called to talk to someone about the bill but she could not remember who it was she spoke with. The \$75.00 fee should be waived due to this trash violation being her first in the calendar year. Proper notice was sent to the taxpayer of record which is the claimant and it was mailed to 4628 Stafford. After the claimant received her tax bill she called to discuss the bill and when we were finished her mother came on the line and stated they cut down all the trees and the wood chipper they were going to use would not work. The claimant's mother also indicated they had planned on burning most the debris that were cut down but indicated there was a burn ban. Please refer to the pictures and the amount of debris on the property they could not burn this amount of debris in a timely manner. Please also refer to the picture the Premise Officer took on the day the property was submitted to the contractor and the large amount of brush and downed trees on the property. The claimants mother had also indicated that they cut all the trees down and really didn't have a plan to remove the debris outside of burning/chipping what they had cut and she indicated that it was so hot outside that they left the debris and were going to remove it when it became cooler outside. Proper notice was sent to taxpayer of record at the time pictures indicate proper procedures were taken by both the officer and the contractor therefore we recommend denial of the claim but do suggest the claim be reduced by \$75.00 for the second notice fee.



RECEIVED JUL 24 2017

City of Lansing

OFFICE OF THE CITY ATTORNEY

Claim Form – Special Assessments

1458

Please provide the following information so we can contact you regarding your claim.

NAME: Meghan Towner DATE: 7-11-17
MAILING ADDRESS: 4628 Stafford Ave
CITY: Lansing STATE: Mi ZIP CODE: 48910
TELEPHONE: Home (517) 862-3916 Work () _____

Please provide the following information on the incident(s) for which you are filing a claim. IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW, WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM.

ADDRESS: 4628 Stafford Ave PARCEL NO. 33-01-01-33-378-45
DATE OF INCIDENT: _____ AMOUNT YOU WERE BILLED: \$4,933.35
TOTAL AMOUNT YOU ARE CONTESTING: \$3,987
TYPE OF ASSESMENT: Trash Removal

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

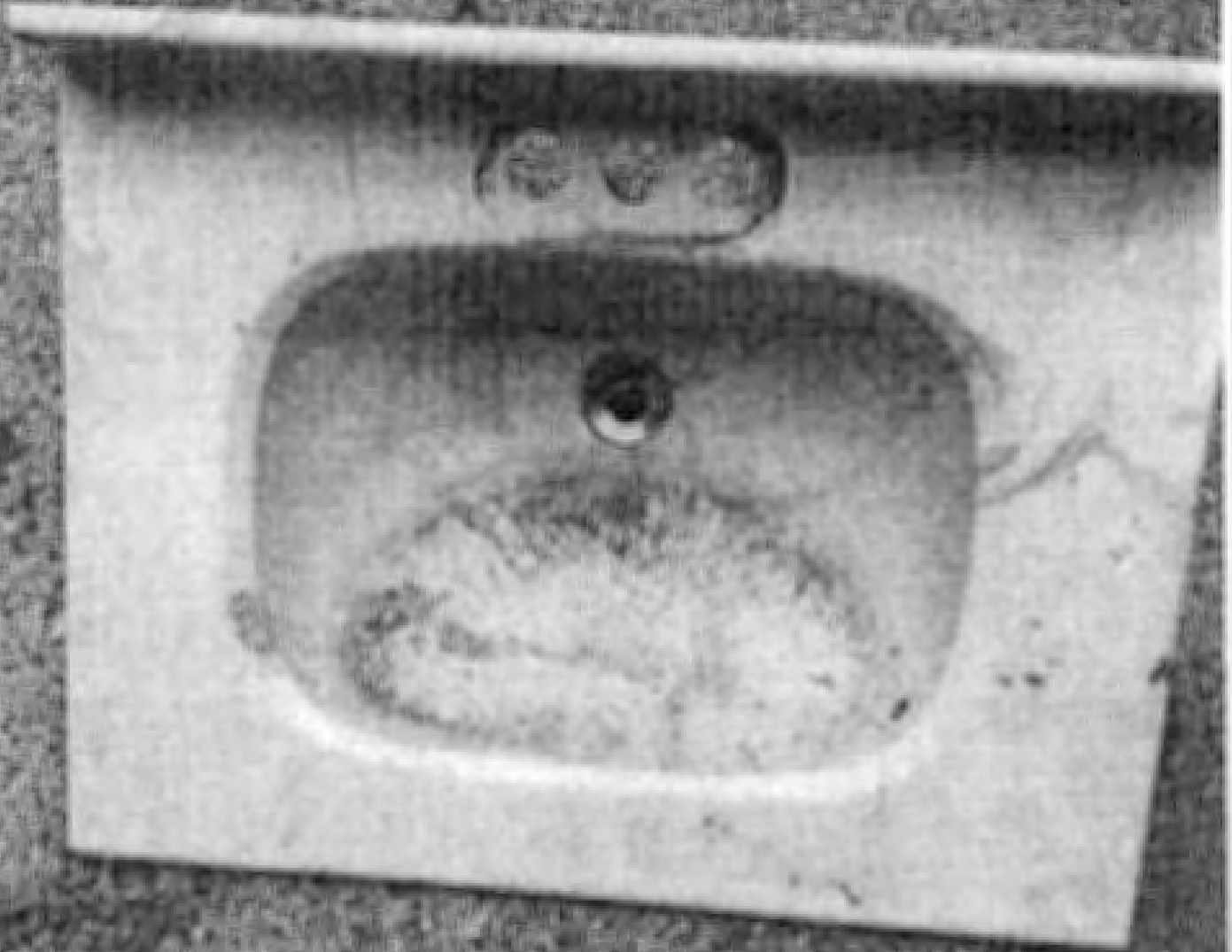
Please see attached.

also enclosed:

a picture of the sink that was
supposedly hauled away which is still
in my possession.

Copy of Contractor's contract.

A description of the claims review process is available on our website at: http://www.lansingmi.gov/attorney/Claims_review_process.jsp



Copy of Contractor's Contract
an addl. \$1000⁰⁰ was also paid to him

~~in~~ James Deaton

~~and~~ on Aug 27th 2016 has

been hired to replace (4) windows
shades, Remodel Bathroom, ceiling
all windows Remodel back porch
Paneling 3 walls / painting 3 1/2 Rooms
Down all plugo fixtures
cleaning all walls, screens
cleaning yard & carpet, clean
kitchen, check all sockets
murry, Door molding, Flooring
1/2 up front.

agree 1000⁰⁰ included material

Mother _____

Owner _____

Sign James Deaton

Date 8/28/16 today

Special Note

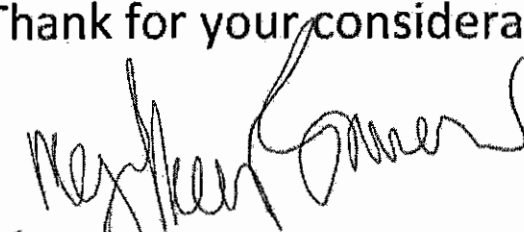
Meghan Turner
Wichita Downs

Shortly after closing on the property at 4628 Stafford Ave. I received a notice labeled "2nd notice" from the city which was delivered to the neighbors house. It was a notice for trash in the front yard. I never received a 1st notice. When I called and left a message about the notice I never received a call back. When I finally was able to get ahold of someone I was told the 1st notice was sent to the previous owner who had since moved out. I was in the process of cleaning up the property in regards to the lawn and tree overgrowth. I had branches in the front yard which I then moved to the backyard so I could begin cutting them up and burning them, which proved difficult. At the time we were experiencing 90 degree weather and there was a burning ban declared in the city of Lansing which prevented my purchase of a burn permit. In August of last year I hired what I thought was a legitimate contractor to assist in the remodeling of said property. This individual (James Dentmond) ended up being a conman. He threw the vanity/sink combo that was removed from the property. He also discarded an entertainment center which had been torn apart. The contractor was paid \$2000 to do numerous jobs including the hauling away of these items, most of which remained undone.

When the gentlemen from the city arrived, the only "trash" items were the vanity/sink combo, the entertainment center , and a ¼ sheet of plywood which had been left by the previous owner. There were some recyclables in the BACK yard that had also been left by the previous owner. The gentlemen left the vanity and the recyclables even though they took pictures of these items. They proceeded to haul away SOME of the branches in the back yard which I had been working on. No other trash was removed. I never received a bill from the city except the "2nd Notice" fine of \$75. I assumed the gentlemen had reported the lack of trash and the city had dismissed the complaint.

I recently received my property tax bill and upon review saw the \$3987.00 charge for trash removal. I am not a wealthy person. I am a 22 year old young lady who purchased a house for \$15000 with a loan from my mothers retirement account. I make payments to her on a biweekly basis from my paycheck I receive from Mcdonalds (my employer). I inherited a mess on the property from the previous owner in the way of overgrown trees.

Thank for your consideration,

 7-21-17

CITY OF LANSING

316 N. CAPITOL SUITE C2

Lansing, MI 48933

Ph: (517) 483-4361

Fax: (517) 377-0100

Invoice No.: 00080751**Date: 09/07/2016****Record: E16-12627**

TOWNER MEGHAN L

4628 STAFFORD AVE

LANSING, MI 48910



Item Category	Item Description	Amount Due
Code Compliance	Trash - Admin Fee	\$265.00
Code Compliance	Trash - Contractor Charge	\$3,647.00
Total Amount Due		\$3,912.00

Eric's Refuse LLC

P.O. Box 16035

Lansing, MI 48901

Invoice

Date	Invoice #
9/4/2016	5520

Bill To
City of Lansing Office of Code Compliance 316 North Capital Lansing, MI 48933-1238

property address
4628 Stafford Ave 33-01-01-33-378-451

Terms

work complete
9/4/2016

Quantity	Item Code	Description	Price Each	Amount
1	1hr 3cy	first hour and 3 yards of debris	175.00	175.00
15	add hr	additional hour after 1	150.00	2,250.00
47	class 2	construction material after 3	26.00	1,222.00
		work complete 9/2/16 total yards 50 submitted by Jacob Odom		
All work is complete!			Total	\$3,647.00

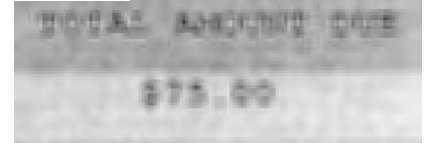
CITY OF LANSING
316 N. CAPITOL SUITE C2
Lansing, MI 48933
Ph: (517) 483-4361
Fax: (517) 377-0100

Invoice No.: 00079367

Date: 08/16/2016

Record: E16-12627

TOWNER MEGHAN L
4628 STAFFORD AVE
LANSING, MI 48910



Item Category	Item Description	Amount Due
Code Compliance	Trash 2nd Notice	\$75.00
Total Amount Due		\$75.00



Mayor Virg Bernero

**LANSING FIRE DEPARTMENT
FIRE MARSHAL'S OFFICE
Code Enforcement Section**

316 N. Capitol Avenue Ste. C-2

Lansing, MI 48933

Phone: 517-483-4361

Fax: 517-377-0100

16-T037

7/06/2017-RECD CALL FROM MEGHAN REGARDING TRASH BILL SHE IS STATING SHE NEVER RECD NOTICE BUT GOT THE 2ND NOTICE FEE SHE KEEPS SAYING SHE CALLED I HAVE NO NOTES TO INDICATE SHE EVER CALLED BUT SHE SAYS SHE NEVER GOT THE LETTER OR THE BILL WHICH WERE ALL MAILED TO HER ADDRESS/SHE STATED SHE IS LOW INCOME AND WORKS AT MCDONALDS/I TOLD HER I CAN'T WAVE THIS/HER MOTHER THEN CAME ON THE PHONE AND STATED THEY CUT THE TREES DOWN/CHIPPER DIDN'T WORK THEN IT WAS TOO HOT TO CLEAN THE PROPERTY/THEY INTENDED TO BURN THE WOOD BUT THERE WAS A BURN BAN AT THAT TIME SHE STATED/LMP



Mayor Virg Bernero

**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**

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

TRASH AND DEBRIS CORRECTION NOTICE

**TOWNER MEGHAN L or Current Occupant
4628 STAFFORD AVE
LANSING, MI 48910**

Violation Date: 08/16/2016
Violation Location: 4628 STAFFORD AVE
Parcel No: 33-01-01-33-378-451
Compliance Due Date: August 23, 2016

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

Violation: Brush & Tree Limb debris

INSPECTOR COMMENTS: *in the front yard.*

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice.** The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year.** If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

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

Code Officer: Jacob Odom (517) 483 4378

"Equal Opportunity Employer"

Taxpayer's Copy



Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section
316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

Trash Authorization Form

Submitted to: Eric Crutcher on 08/24/2016

TAXPAYER: TOWNER MEGHAN L, 4628 STAFFORD AVE LANSING, MI 48910

Location of Work:

Enf Num: E16-12627

Address: 4628 STAFFORD AVE

Lot No:

Description:

Parcel No: 33-01-01-33-378-451

Remove Trash and Debris

Work Authorized:

Violation: Brush & Tree Limb debris

INSPECTOR COMMENTS: *in the front yard.*

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 1

Authorized Cubic Yards: 4

Warning Comment:

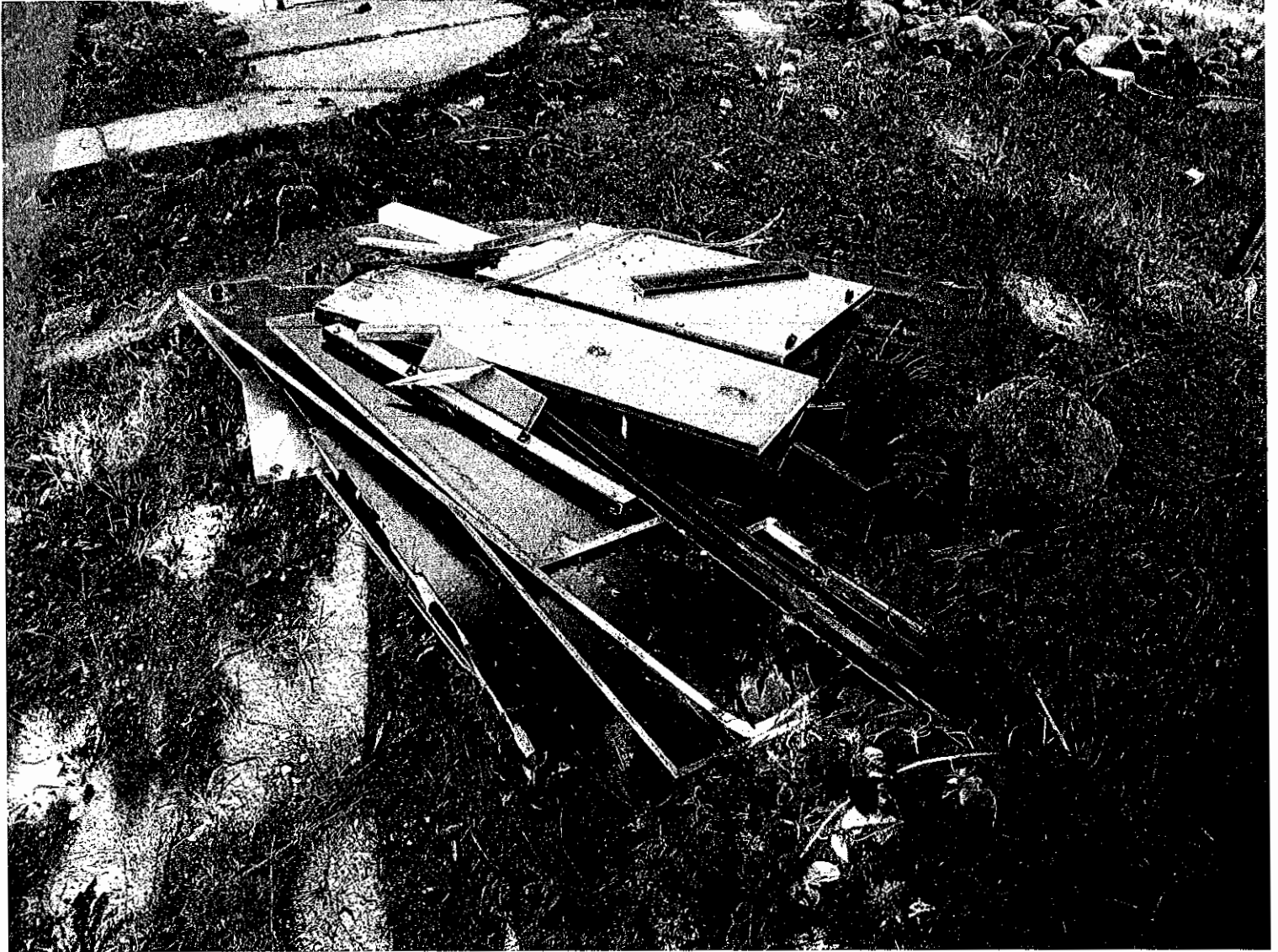
<NONE>

Submitted By: Jacob Odom (517) 483 4378

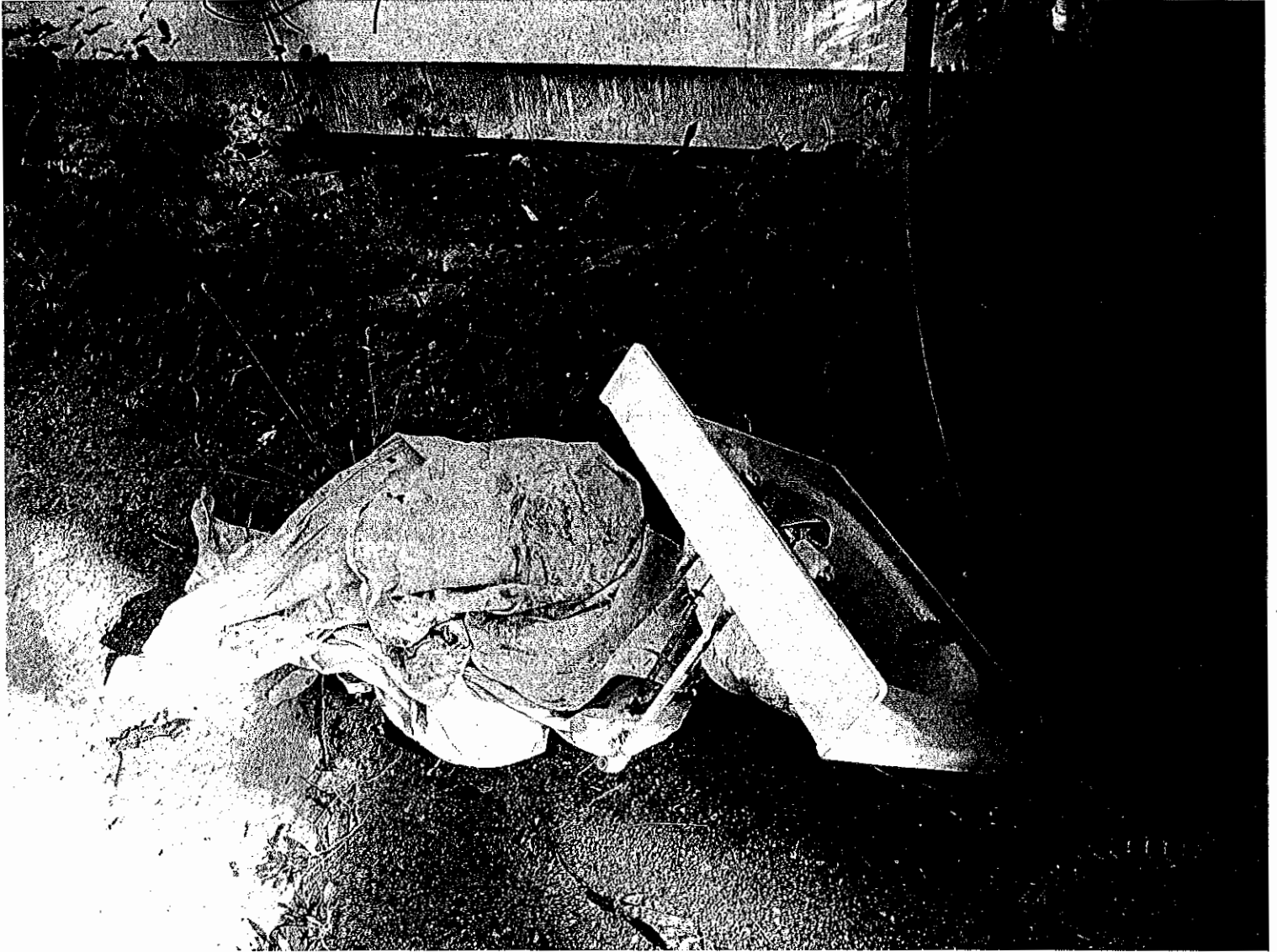


4628 Stafford Ave (1)

























4628 Stafford Ave (13)

















4628 Stafford Ave (21)











4628 Stafford Ave (28)











OFFICE OF THE CITY ATTORNEY

MEMORANDUM



To: SHERRIE BOAK, General Services

From: VENUS KUMAR, Paralegal

Subject: SPECIAL ASSESSMENTS CLAIM; Patricia and Michael McGill
Date of Incident: 9/13/2016

Date: August 7, 2017

RECEIVED

AUG 07 2017

LANSING CITY COUNCIL

8/8/17

Attached is a Claim Form received by this office from Patricia and Michael McGill for \$2,972.00 due to Trash violations at 211 W. Grier St.

This claim is being referred to General Services for consideration on the City Council's agenda because this claim exceeds \$2,500.00.

Thank you for your assistance.

/vmk
Attachments

DATE: 7/31/2017

PPN: 33-01-01-04-377-111
 DATE SUBMITTED: 7/14/2017
 ADDRESS OF VIOLATION: 211 W. Gier Street
 LISTED TAXPAYER OF RECORD: McGill, Patricia, McGill, Michael, Haviland, Megan, McGill
 OTHER TAXPAYER OF RECORD: Ashley
 CLAIMANT: McGill, Patricia & McGill, Michael
 CLAIMANT'S ADDRESS: 1327 S. Gunderson Avenue
 Berwyn, IL 60402

1449

TYPE OF ACTIONS CONTESTED: Trash Removal
 VIOLATION DATE: 9/13/2016
 NOTIFICATION DATE: 9/13/2016
 2ND NOTICE ASSESSMENT DATE:
 AMOUNT OF ASSESSMENT: \$2,792.00
 CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 16-T043 10/10/2016
 AMOUNT OF CLAIM: \$2,972.00

ADDITIONAL ACTIONS CONTESTED:
 VIOLATION DATE:
 NOTIFICATION DATE:
 2ND NOTICE ASSESSMENT DATE:
 AMOUNT OF ASSESSMENT:
 CONTRACTOR NAME - INVOICE NO. - DATE:
 AMOUNT OF CLAIM:
 MEMO DATE - INVOICE NO.:

HISTORY:	Safety/Fire 2/01/2016	Grass Violation 5/27/2016	Trash Violation 5/27/2016	Trash Violation 9/13/2016
----------	--------------------------	---------------------------------	---------------------------------	---------------------------------

CITATIONS IN PREVIOUS YEAR:

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: This property was cited for a trash violation on 9/13/2016 with a compliance due date of 9/20/2016. The Code Enforcement Officer returned on 9/26/2017 the violations were still present and a cleanup was performed. Notices were mailed to the address for the taxpayer of record on file at the time. The claimant had the address changed to 211 W. Gier in order to have the failure to register letter resolved and as so the niece/granddaughter could claim homestead on the property even after the fire the left mailing address as 211 W. Gier until 7/06/2017. This office recommends denial of the claim.



RECEIVED JUL 14 2017



City of Lansing

OFFICE OF THE CITY ATTORNEY

Claim Form – Special Assessments

1449

Please provide the following information so we can contact you regarding your claim.

NAME: PATRICIA S. McGill & Michael W. McGill DATE: 12-15-2016

MAILING ADDRESS: 1327 S. GUNDERSON AVE.

CITY: Beaumont STATE: IL ZIP CODE: 60402

TELEPHONE: Home () _____ Work (708) 341-4369 - CELL phone
(708)

Please provide the following information on the incident(s) for which you are filing a claim. IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW, WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM.

ADDRESS: 211 W. GIER ST., LANSING PARCEL NO. 33-01-01-04-377-111

DATE OF INCIDENT: 9/13/2016 AMOUNT YOU WERE BILLED: \$2,792.⁰⁰

TOTAL AMOUNT YOU ARE CONTESTING: \$2,972.⁰⁰

TYPE OF ASSESSMENT: NUISANCE Fee

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

PLEASE SEE ATTACHED TYPED
LETTER AND PACKAGE

A description of the claims review process is available on our website at: http://www.lansingmi.gov/attorney/Claims_review_process.jsp

CLAIM FORM-SPECIAL ASSESMENTS

Detailed Description

Date: 12/15/2016

Re: E16-14108 / 211 W. Gier St. / \$2,792.00

We were never given a proper warning or notice to take care of the situation that the City of Lansing was requesting. All letters, documents, and correspondence pertaining to this matter were mailed by the building and safety department to the subject property address 211 W. Gier St., Lansing, MI 48906 even though the same department knew that the subject property was vacant due to a serious fire and that permits were obtained to rehab the property using the 1327 S. Gunderson Ave., Berwyn, IL 60402 as the official address for all correspondence. More importantly as proof the Lansing Building and Safety Dept. knew where to send any notices to the proper address a previous notice for a violation on 5/27/2016 on the same subject property was mailed to 1327 S. Gunderson Ave., Berwyn, IL 60402. Due to the above facts any fine for the above stated violation

should be removed since there was never a proper and fair notice given.

Also, the fact that there is a fine of \$2,792 is absolutely ridiculous and criminal since you can see in the pictures (which are attached to this claim form), that were taken by the contractor hired by the City of Lansing to remove the debris, there was not even close to any amount of work performed or material or dumpster cost that would warrant the City of Lansing to pay or reimburse \$2,792 to the contractor they hired. As you can see in the attached pictures at best there was about five cubic yards of larger pieces of wood debris not the extremely exaggerated figure of 30 yards on Eric's Refuse LLC quoted on there invoice which a copy of is attached and part of this claim. Also, it should have taken one person at most three hours to put the wood pieces into a ten yard dumpster and not the 12 hours that is also quoted on the invoice. Please look at the pictures and see if it realistically even makes sense that it would take someone 12 hours to do this job! I have been doing construction for over thirty years, and including labor and dumpster this should have cost \$600 at the most. Even using the invoice figures of \$175 for the first hour of labor and 3 yards of debris and adding \$300 for two more hours of labor (\$150 an hour) and then adding \$52 for two more cubic yards of debris (\$26 a yard) the total cost should have been \$527 using the

invoice's "Price Each" figures. More importantly the wood debris was rotted pieces of wood from the back porch deck we had to replace and it was stacked in piles in the back of the house while we were waiting for a ten yard dumpster to arrive and was not visible from the street and therefore should not have been an issue in the first place. Hopefully the committee reviewing this claim sees that the \$2,792 fee was extremely and fraudulently inflated and extremely unfair. My mother who is 88 years old and living on social security cannot afford to pay a \$2,792 fine which is about ten percent of \$29,000 for which she paid for the house. Also, I would hope the people responsible to hire contractors to do this type of work for the City of Lansing will review quotes for work done by this particular contractor and put thought to not using his services any more since I am pretty sure the City of Lansing doesn't want to unfairly cheat its citizens or people doing business within the City limits.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael W. McGill", written in a cursive style.

Michael W. McGill

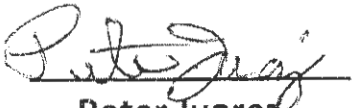
Date: 12/15/2016

Re: E16-14108 / 211 W. Gier St. / \$2, 792.00

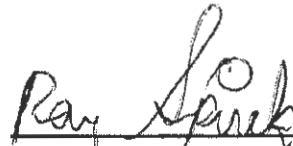
To: Whom it may concern

We helped do the work to rehab the property at 211 W. Gier St. The wood and debris that was hauled away by someone subcontracted by the City of Lansing on 9/13/2017 was stacked in piles behind the back of the house and was going to be removed and hauled away by us the following day. The wood that was taken came from parts of the old deck on the back of the house that was rotted. More importantly there was about only five cubic yards of wood and debris that needed to be hauled away and the charge of \$2,792.00 to do this is an outrageous and astronomical figure. A ten yard dumpster at \$400.00 would have easily held all the material to be hauled away and it should have took no more than three hours at best for one person to load up the dumpster with the above mentioned debris to be removed since most of it was just semi large pieces of wood and old rotted decking. If using a one person figure of \$50.00 dollars an hour it still would have only been \$150.00 for the labor and adding that to the dumpster cost means the charge for removal of the debris should have been no more than \$550.00. Also, there was no need for them to throw out our table and two chairs that we were using when we eat our lunches on the job site.

Sincerely,


Peter Juarez


Derik Juarez


-Ray Spirek

Eric's Refuse LLC

P.O. Box 16035
Lansing, MI 48901

Invoice

Date	Invoice #
10/16/2016	5661

Bill To
City of Lansing Office of Code Compliance 316 North Capital Lansing, MI 48933-1238

property address
211 W Gler St 33-01-01-04-377-111

Terms	work complete
	10/16/2016

Quantity	Item Code	Description	Price Each	Amount
1	1hr 3cy	first hour and 3 yards of debris	175.00	175.00
11	add hr	additional hour after 1	150.00	1,650.00
27	class 2	construction material after 3	26.00	702.00
		work complete 10/10/16 total yards 30 submitted by Dave Vincent		
All work is completed			Total	\$2,527.00

TRASH EIL-14103

\$ 2,792.10

09/13/16



211





211 W Gier St (27)

















































Mayor Virg Bernero

**LANSING FIRE DEPARTMENT
FIRE MARSHAL'S OFFICE
Code Enforcement Section**

316 N. Capitol Avenue Ste. C-2

Lansing, MI 48933

Phone: 517-483-4361

Fax: 517-377-0100

12/18/2015-owners son mike mcgill called from 708-484-4763 yelling stated this isn't a rental a family member lives there stated he is POA for his mother he has been a licensed real estate broker for over 30 yrs nowhere in Illinois do you have to register rentals thinks the City of Lansing is just broke looking to make money/1st stated he was going to add the family member on as owner then changed to rental registration form being done/then wanted a box on the rr form to say they don't receive rent/would not stop with would if my mother uses this as a summer home/kept trying to come up with different ways not to have to register the property transferred to scott/lmp utilitis is Davis Conley's name/lmp

6/09/2016-complied letter due to property being followed up by Officer Castillo and property is now tagged/lmp



Mayor Virg Bernero

**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**

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

TRASH AND DEBRIS CORRECTION NOTICE

MCGILL PATRICIA S & MICHAEL W or Current Occupant
211 W GIER ST
LANSING, MI 48906

Violation Date: 09/13/2016
Violation Location: 211 W GIER ST
Parcel No: 33-01-01-04-377-111
Compliance Due Date: September 20, 2016

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

Violation: Indoor type furniture in the outdoors

Violation: Deteriorated furniture

Violation: Deteriorated building materials

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. **If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice.** The contractor's expenses plus a \$265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. **Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra \$75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year.** If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

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

Code Officer: Dave Vincent (517) 483 4379

"Equal Opportunity Employer"

Taxpayer's Copy



Mayor Virg Bernero

**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**

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

Trash Authorization Form

Submitted to: Eric Crutcher on 09/26/2016

TAXPAYER: MCGILL PATRICIA S & MICHAEL W, 211 W GIER ST LANSING, MI 48906

Location of Work:

Enf Num: E16-14108

**Address: 211 W GIER ST
Lot No:
Description:
Parcel No: 33-01-01-04-377-111**

Remove Trash and Debris

Work Authorized:

Violation: Indoor type furniture in the outdoors

Violation: Deteriorated furniture

Violation: Deteriorated building materials

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 2

Authorized Cubic Yards: 10

Warning Comment:

Something seems amiss on this property. Use Caution.

Submitted By: Dave Vincent (517) 483 4379

This action is authorized by the Manager of Code Compliance

CITY OF LANSING

316 N. CAPITOL SUITE C2

Lansing, MI 48933

Ph: (517) 483-4361

Fax: (517) 377-0100

Invoice No.: 00083151

Date: 10/18/2016

Record: E16-14108

MCGILL PATRICIA S & MICHAEL W

211 W GIER ST

LANSING, MI 48906

TOTAL AMOUNT DUE**\$2,792.00**

Item Category	Item Description	Amount Due
Code Compliance	Trash - Admin Fee	\$265.00
Code Compliance	Trash - Contractor Charge	\$2,527.00
Total Amount Due		\$2,792.00

Eric's Refuse LLC

P.O. Box 16035
Lansing, MI 48901

Invoice

Date	Invoice #
10/16/2016	5661

Bill To
City of Lansing Office of Code Compliance 316 North Capital Lansing, MI 48933-1238

property address
211 W Gier St 33-01-01-04-377-111

Terms

work complete
10/16/2016

Quantity	Item Code	Description	Price Each	Amount
1	1hr 3cy	first hour and 3 yards of debris	175.00	175.00
11	add hr	additional hour after 1	150.00	1,650.00
27	class 2	construction material after 3	26.00	702.00
		work complete 10/10/16 total yards 30 submitted by Dave Vincent		
All work is complete!			Total	\$2,527.00

