1. Agenda

   Documents: 01-20 15 AGENDA.PDF

2. Packet

   Documents: 01-20 15 PACKET.PDF

INKSTER CITY COUNCIL

January 20, 2015 (Tuesday)
26215 Trowbridge, Inkster, MI 48141
(313) 563-4232 www.cityofinkster.com

Mayor – Hilliard L. Hampton, II
Mayor Pro Tem – Marcus L. Hendricks, District II

Council Members:
Timothy Williams, District I
Lorenzo A. Moner, Jr., District III
Michael A. Canty, District IV
Kim Howard, District V
Dennard Shaw, District VI

FELICIA RUTLEDGE	RICHARD MARSH	DAVID JONES
CITY CLERK	CITY MANAGER	CITY ATTORNEY

Council may be addressed during the Regular Meeting by filling out the Public Participation Form. Address Council as a whole through the Mayor. Please state your name and your address for the record prior to providing your comments. Comments are limited to three (3) minutes.

Council Orientation Agenda – 6:00 PM*

1. Call to Order

2. Discussion

   A. Agenda Discussion
   B. Medical Marijuana Discussion – McKenna & Associates

3. Public Hearing

4. Public Participation (limit to 3 minutes)

5. CLOSED SESSION – Council may enter into Closed Session to discuss contract negotiations, purchase or lease of real property and/or pending litigation in accordance with MCL 15.268 (a), (c), (d), (e) and/or (f).

6. Adjournment

January 20, 2015 (Tuesday)

Regular City Council Agenda – 7:30 PM

1. Call Meeting to Order

   A. Pledge of Allegiance
   B. Roll Call

2. Approval of Agenda

3. Presentations/Discussion

4. Public Hearing

   A. A ***second*** public hearing to consider and ***approve*** the 2015 – 2016 Proposed Final Statement for the Wayne County Community Development Block Grant (CDBG) Program. **Pg. 1**

5. Consent Agenda

   A. January 5, 2015 Regular City Council Meeting Minutes. **Pg. 4**
   B. Allen Brother's & Attorney's PLLC. $34,588.97. **Pg. 9**

6. Boards and Commissions

   A. Update of current list of appointments to Boards & Commissions. **Pg. 10**

7. Previous Business

   A. Consider giving a second reading and ***approval*** to the City of Inkster Building Code of Ordinances by amending Chapter 150, Building regulations to adopt the State of Michigan Building Codes. ***(to be removed from the table)*** **Pg. 17**

8. Ordinance(s)

   A. First Reading(s)

   B. Second Reading(s)

9. New Business

A. Discussion/Action: (Jeannie Fields) Consider adopting the 2015 meeting calendars of the Brownfield Development Authority, Downtown Development Authority, Planning Commission, Economic Development Corporation, Tax Increment Finance Authority and Zoning Board of Appeals. **Pg. 70**

B. Discussion/Action: (Jerome Bivins) Consider authorizing Deputy Director of the DPS to make an application to Wayne County Department of Public Service for the necessary annual permit to occupy the Right-Of-Way of Wayne County Roads on behalf of the City of Inkster and the attached resolution. (Annual Pavement Restoration Permit) **Pg. 73**

C. Discussion/Action: (Jerome Bivins) Consider authorizing Deputy Director of the DPS to make an application to Wayne County Department of Public Service for the necessary annual permit to occupy the Right-Of-Way of Wayne County Roads on behalf of the City of Inkster and the attached resolution. (Annual Maintenance Permit) **Pg. 81**

D. Discussion/Action: (Jerome Bivins) Consider authorizing Deputy Director of the DPS to make an application to Wayne County Department of Public Service for the necessary annual permit to allow temporary closure of certain Local and County Roads on for specified periods in accordance with the general and special conditions of this permit on behalf of the City of Inkster and the attached resolution. (Annual Permit for Special Events) **Pg. 90**

E. Discussion/Action: (Jerome Bivins) Consider authorizing issuance of a Request for Proposal (RFP) to solicit for proposals for the City –wide grass cutting services. **Pg. 99**

10. Public Participation (limit to 3 minutes)

11. Mayor and Council Communication

12. City Clerk

13. City Manager

14. Closed Session
Council may enter into Closed Session to discuss contract negotiations, purchase or lease of real property and/or pending litigation in accordance with MCL 15.268 (a), (c), (d), (e) and/or (f).

15. Adjournment

Felicia Rutledge
City Clerk

REQUEST FOR COUNCIL ACTION

To: Richard Marsh - City Manager **Date: January 12, 2015**

From: M. Jeannie Fields **Date for Council Consideration: January 20, 2015**
Community Development Manager

ACTION REQUESTED: Consider approval of the 2015 – 2016 Proposed Final Statement (with the necessary changes, if applicable) for the Wayne County Community Development Block Grant (CDBG) Program.

Current Action ___X___ Emergency _____ Future _____

Funds Budgeted: If Yes _____ Account #_____ No _____ N/A __X____

Treasurer's Approval _____

BACKGROUND INFORMATION

A public hearing was held during the City Council Meeting January 5, 2015. A second public hearing is being held January 20, 2015, per Department of Housing and Urban Development (HUD) guidelines. Public comment on the Proposed Final Statement (attached) is requested during the hearings. An approval of the Proposed Final Statement (with the necessary changes, if applicable) is being requested in order to prepare a Final Statement to post and to submit the approved CDBG activities in the amount of an estimated $209,482 to Wayne County for funding. The application is due February 13, 2015.

SCOPE OF SERVICES

HUD National Objectives under the Community Development Block Grant (CDBG) include the following: 1) Benefiting low and moderate income persons; 2) Preventing or eliminating slums and blight; and 3) Meeting an urgent need under a state of emergency. Inkster's activities are directed toward HUD Objectives 1 and 2 above. See attached Proposed Final Statement for Inkster activities.

JUSTIFICATION

Promote neighborhood stability through activities that include housing rehabilitation and development, code enforcement, environmental clean-up, and elimination of blight.

PROJECT OR IMPROVEMENT TASKS

Which of the Five (5) Council Goals does this request meet?

This request addresses city council's goal to improve and promote the image of Inkster by utilizing the grant to fund activities such as elimination of blight thru code enforcement activities, housing rehabilitation and infrastructure improvements to improve the safety and quality of life within our neighborhoods.

COSTS

None. All associated costs are reimbursable through the CDBG grant.

PROJECT TIME TABLE

The grant covers the period of July 1, 2015 – December 31, 2016.

RESOLUTION

Approval of the 2015 – 2016 Proposed Final Statement (with the necessary changes, if applicable) is hereby given for the Wayne County Community Development Block Grant (CDBG) Program.

Resolved by _____ Seconded by _____

Yes:
No:
Absent:

CITY OF INKSTER, WAYNE COUNTY
2015 – 2016 PROPOSED FINAL STATEMENT
Wayne County Community Development Block Grant Program (CDBG)

In compliance with federal guidelines, the City of Inkster approved final projects and funding levels for Inkster's allocation of the 2015 – 2016 Wayne County CDBG Program funding as follows:

ACTIVITY	LOCATION	FUNDING
Administration	City-Wide	20,948
Code Enforcement	City-Wide	142,112
Housing Rehabilitation	City-Wide	15,000
Public Services (Neighborhood Clean Up)	City-Wide	31,422
Total Estimated Request Allocation		**$209,482**

The estimated amount reflects no change from the 2014 – 2015 allocation. The above activities meet HUD's National Objectives by benefiting low and moderate income persons and aiding in the prevention or elimination of slums or blight. To submit comments, please contact M. Jeannie Fields at 313.563.7709.

January 5, 2015

Regular City Council Meeting – 7:30 PM

The regular meeting of the Council of the City of Inkster, Wayne County, Michigan convened in the Council Chambers, 26215 Trowbridge, on Monday, January 5, 2015

Prior to the Regular Council Meeting: City Council members discussed:

- The agenda.

Moved by Councilmember Moner, Seconded by Councilmember Canty that Council convenes into a Closed Executive Session at 6:59 p.m. to discuss pending litigation in accordance with MCL 15.286 (e).

Roll Call Vote:

YEAS: 7
NAYS: 0
ABSENT: 0

Moved by Councilmember Canty, Seconded by Councilmember Moner to adjourn the closed Executive Session at 7:25 p.m. – Motion carried unanimously.

Call Meeting to Order

Mayor Hampton called the meeting to order at 7:31 p.m.

Pledge of Allegiance

City Council and the public in attendance pledged allegiance to the flag of the United States of America.

Prayer

Prayer was lead by Pastor Nate Fisher of Shadow Deliverance Church.

Roll Call

Mayor Hampton	Present	Councilwoman Howard	Present
Councilman Moner	Present	Councilman Williams	Present
Mayor Pro Tem Hendricks	Present	Councilman Canty	Present
Councilman Shaw	Present		

***A Quorum was present**

Approval of Agenda

Moved by Councilmember Canty, Seconded by Councilmember Moner to approve the agenda as amended with added items "B" and "C" under New Business. Resolution 01-15-01R Motion carried.

Presentations/Discussion

A. City Operations Update – City Manager, Richard Marsh

Public Hearings

A. A public hearing to consider the 2015-2016 Proposed final statement for the Wayne County' Community Development Block Grant (CDBG) Program.

Moved by Councilmember Moner, Seconded by Councilmember Shaw to *open* the public hearing.
Resolution 01-15-02RR – Motion carried.

Moved by Councilmember Moner, Seconded by Mayor Pro-Tem Hendricks to *close* the public hearing.
Resolution 01-15-03R – Motion carried.

B. A public hearing to consider and ***approve*** a revision in the funding allocation of the Wayne County 2014-2015 Community Development Block Grant (CDBG) Program.

Moved by Councilmember Moner, Seconded by Mayor Pro-Tem Hendricks to *open* the public hearing and approve the funding revision.
Resolution 01-15-04R – Motion carried.

Moved by Councilmember Moner, Seconded by Mayor Pro-Tem Hendricks to *close* the public hearing.
Resolution 01-15-05R – Motion carried

Consent Agenda

A. December 15, 2014 Regular City Council Meeting Minutes.

Moved by Councilmember Moner, Seconded by Mayor Pro-Tem Hendricks to approve rescind his nay vote and change to a yea vote for item 9B at the December 15, 2014 Regular City Council Meeting regarding Konica Minolta
Resolution 01-15-06R – Motion carried.

Moved by Councilmember Moner, Seconded by Councilmember Williams to approve the Consent Agenda.
Resolution 01-15-07R – Motion carried.

Boards and Commission

A. Update of current list of appointments to Boards & Commissions.

Moved by Councilmember Moner, Seconded by Councilmember Canty to appoint Hilliard Hampton to the Police and Fire Pension Board Commission.
Resolution 01-15-08R – Motion carried.

Previous Business

A. Consider giving a second reading and approval to the City of Inkster Building Code of Ordinances by amending Chapter 150, Building regulations to adopt the State of Michigan Building Codes.

Moved by Councilmember Moner, Seconded by Councilmember Shaw to remove from the table a second reading and approval of Building Code of Ordinances Chapter 150.
Resolution 01-15-09R –Motion carried.

Moved by Councilmember Williams, Seconded by Councilmember Canty to table a second reading and approval of Building Code of Ordinances Chapter 150. to the January 20, 2015 Regular City Council meeting.
Resolution 01-15-10R – Motion carried.

Ordinance(s)

A. First Reading(s)

B. Second Reading(s)

New Business

A. Discussion/Action: (Jeannie Fields) Consider appointing a member of City Council to serve on the 2015 Wayne County Community Development Bloc Grant (CDBG) Advisory Council.

Moved by Councilmember Canty, Seconded by Mayor Pro-Tem Hendricks
Resolution 01-15-11R – Motion carried.

B. Discussion/Action: (City Council) To vote in accordance with the vote taken in pending litigation.

Moved by Councilmember Moner, Seconded by Mayor Pro-Tem Hendricks
Resolution 01-15-12R – Motion carried.
Nay: (Shaw)

C. Discussion/Action: (Jeannie Fields) Consider approval of Amendment No. 1 to the Michigan Natural Resources Trust Fund (MNRTF) Project Agreement (TF 11-145) for the Inkster Greenway Trail Project.

Moved by Councilmember Moner, Seconded by Mayor Pro-Tem Hendricks
Resolution 01-15-13R – Motion carried.
Nay: (Shaw)

Public Participation

- **Commissioner Richard LeBlanc** – Wished all residents a Happy New Year. He stated that his coffee hours would be with the second Monday of the month in 2015. He further stated the coffee hours would be co-hosted with Senator David Knezek and State Representative Julie Pluwicki.
- **Dorothy Gardner** – Asked once the schools in the city of Inkster are torn down, who will own the land. Additionally asked the status of the citizen advisory board and is water used by Taylor being metered.
- **Mary McClendon** – Wished all residents a Happy New Year. She thanked the City of Inkster Police department for the Inkster family they adopted for Christmas.
- **Karen Lee** - Asked questions regarding about clean up of 29400 Andover and money being spent on the Reinvent Inkster imitative. She stated H&H needs to sweep up daily on Michigan Ave.

- **Daisy Truss** – Gave Family Literacy updates to the residents of Inkster. She stated that the Literacy movement gave away five thousand books to the City of Inkster children. Further stated on January 28, 2015 would be McDonald Family Literacy night and every Monday at the Inkster Library is a children's play group.
- **Ernest Hendricks** - Wished residents a Happy New Year. He further gave statements regarding the light at Chestnut and Inkster road and dirt in the drains on Beech Daly. He stated if city owned buildings that are being marketed can be place on SEMCOG's website. He further stated for City Council members to take a ride thru their districts and look for code violations. He thanked Police Chief Yost for the movie studio info.
- **Craig Kobylka** – Asked about return envelopes for tax and water bills and about blight. He further gave information regarding Senior Alliance.
- **Bishop Sturgill** – Gave residents NAACP announcements regarding the Youth and Police conversation on January 19, 2015 and the NAACP Freedom Fund Dinner on February 28, 2015.
- **Rev. George Williams** – Stated he is still waiting on termination letters. He further stated he will be hosting a Gospel Tribute.

Mayor and Council Communication

- **Councilman Williams** – Wished each resident a Happy New Year. Additionally, encouraged residents to shop Inkster. He stated Councilman Canty and him picked up compost throughout the city.
- **Mayor Pro-Tem Hendricks** – Stated a resident called and thanked him about DPS workers professionalism and he wanted to make mention of the good job.
- **Councilman Moner** – Gave tribute to brave Veteran Lt. Daniel Fritz U. S. A.T
- **Councilman Shaw** - Asked about an update on the smell on Princeton Street. He further wanted to know what kind of business was operating 27465 in the Town Center Plaza. He stated that he knows that Performance Evaluations will be done for employees and wanted to know would code enforcement be based on quota. He further stated he has been looking at the part time and full time Code Enforcement quota and the part time numbers were higher than full time. He stated the city is moving forward and he applauds the residents for being tough, City Council for making tough decisions and City Administration.
- **Councilman Canty** – Gave an update on Nankin Transient and the purchase of eleven replacement buses and the purchase of an above ground fuel tank. Gave information about a scam in the city of Inkster regarding the water meters. He further asked about the Police and Fire Pension report that City Council use to receive.
- **Mayor Hampton** – Informed residents about the 22nd District Court Amnesty Program and the stated a new date for the opening of the Justice Center should be coming. He further stated that 2015 is the City of Inkster election year and it may be a good time to review the City Charter. Lastly, he stated the Police Department's fleet has some serious issues and he would like to see that worked on by Administration.

City Clerk

- Informed City Council and residents about the new requirements for circulation petitions and the about recount cost.
- Informed residents the city has begun monthly water billing.

City Manager

- Thanked the Citizens for being engaging.
- Thanked the Mayor and Council for the opportunity to serve
- Thanked City Administration for the outstanding job.

Closed Session

Adjournment

There being no further business to come before Council, on a motion duly made by Councilmember Moner, Seconded by Councilmember Shaw and carried, the Regular Council meeting of January 5, 2015 was adjourned at 10:24 p.m.

Felicia Rutledge, City Clerk
City of Inkster

Allen Brothers
Attorneys & Counselors, PLLC
400 Monroe Street, Suite 220
Detroit, MI 48226-2963

Inkster, City of
26215 Trowbridge Street
Inkster, MI 48141

Page: 1
12/30/2014
Account No: 1897M

Attn: City Manager

BREAKDOWN OF FEES/EXPENSES BY CATEGORY

Category	Fees/Costs
Flat fee/City Attorney work	$6,000.00
Municipal Legal Services	$3,018.75
Labor	$0.00
Litigation	$25,570.22
Total Invoice for December 30, 2014	**$34,588.97**

CITY OF INKSTER
Boards & Commissions

[MADE OPERATIVE BY STATE LAW, CITY OF INKSTER CHARTER PROVISION OR CITY OF INKSTER ORDINANCE

AGING COMMISSION

[MEETINGS: Third Friday of each month at 1:00 p.m., Twin Towers Activity Room]

2 Year Term	9 Members	Ordinances: 414,457 & 508
Richard Marsh, Jr., Director		Tenure
Denise Champagne, Project Dir. - (Ex-Officio Member)		Tenure
Rochelle Wells		Exp. 08/20/14
April Walton		Exp. 01/18/15
Audrey Jean Searcy		Exp. 06/02/16
Doris Horne		Exp. 09/07/14
Theola Jones		Exp. 11/15/14
Henry Wade		Exp. 03/07/15
Dorothy M. Moore		Exp. 11/15/15
Nellene Moore		Exp. 08/16/16
Dorothy Gardner		Exp. 06/16/16
Chuck Coleman		Exp. 04/04/15
Gabe Henderson		Exp. 04/04/15
June Patterson		Exp. 12/1/16

BOARD OF REVIEW

[MEETINGS: March, July and December]

Annual Appointment	3 Members	Charter Provision and State Law
Alfreda Robinson		Clerk of the Board – Non Voting
William S. Miller		Exp. 06/02/15
Ned Sanders (Alternate)		Exp. 05/02/14
Dante Williams		Exp. 03/19/14
Celeste McDuffie		Exp. 03/19/14

BEAUTIFICATION COMMITTEE

[MEETINGS: Second Monday of each month @ 6:00 p.m., Recreation Center]

2 Year Term

Toni Bailey	Exp. 04/26/16
Enoch Jackson	Exp. 04/26/14
Joe Burton	Exp. 04/26/14
Rev. George Williams (T)	Exp. 04/26/16
Eunice Williams (C)	Exp. 04/26/14
Wyanetta Motley (S)	Exp. 04/16/14
Horace Jordan	Exp. 04/26/14
Larry Motley (C)	Exp. 04/26/14
Dorothy McClendon	Exp. 05/14*
Dr. Evelyn Clark	Exp. 05/14*
Tommie Jones	Exp. 05/14*
Cephus Thomas	Exp. 04/26/14
Clareese Jordan	Exp. 11/13
LaShawn Westbrook	Exp. 05/14*
Blinda Jones	Exp. 05/14*
Robert Broadnax	Exp. 05/07/14
Minnie Johnson	Exp. 05/14*
Alana Glover	Exp. 05/07/14
Gabe Henderson	Exp. 05/19/16
Shera Johnson	Exp. 05/14*
Demetrius Dalton	Exp. 05/21/14
Henry Wade	Exp. 05/14*

BEAUTIFICATION COMMITTEE (continued)

John W. Gee, Jr.	Exp. 05/14*
Tania James	Exp. 05/14*
Khalisha Nathan	Exp. 05/21/14
Toya Ellis	Exp. 05/14*
Princella Ellis	Exp. 05/21/14
Theresa Lindsey	Exp. 05/21/14
Norma Taylor	Exp. 05/21/14
Alto Baker	Exp. 05/14*
Kent Hudson	Exp. 05/14*
Donna Towns	Exp. 06/04/14
Elcfernick M. Lotman	Exp. 06/14*
Epson Johnson	Exp. 06/14*
Patricia Morgan	Exp. 06/14*
LeVania Henderson	Exp. 06/18/14
DeShandra Motley	Exp. 6/17/15
Denise Motley	Exp. 06/17/15

BUILDING AUTHORITY COMMISSION - *Inactive*

[MEETINGS: Second Monday in January]

3 Year Term | 5 Members | State Law and Resolution 74-1-39

Nathaniel Elcock	Exp. 12/31/05
Hersey Bryant, (C)	Exp. 12/31/00
Horace Wells	Exp. 12/31/01

CABLE TELEVISION COMMISSION

[MEETINGS: Second Tuesday of each month at 6:00 p.m., Recreation Center]

3 Year Term | 9 Members | Ordinances 593 and 609

Timothy Williams Ex-Official		Exp. 11/16/12
~~Danny Van Scholack~~	Dist. 1	Exp. 12/01/11
Vacant	Dist. 2	
Vacant	Dist. 3	
Alfreda Flowers	Dist. 4	Exp. 06/04/15
Vacant	Dist. 5	
Lewis Gregory (C)	Dist. 6	Exp. 01/04/13
~~George Coller~~	Mayoral	Exp. 03/16/12
~~Carmen Mitchell~~	At-Large	Exp. 02/18/11

CANVASSERS BOARD

[MEETINGS: As Required]

4 Year Term | 4 Members | State Law

Deborah Owens (Dem)	Exp. 12/31/15
Gloria Brown (Dem)	Exp. 06/04/16
Courtney Owens (Dem)	Exp. 06/04/16
Eugene Brazeal (Rep)	Exp. 08/06/16

CIVIL SERVICE COMMISSION AND BOARD OF ETHICS

[MEETINGS: Monthly]

3 Year Term | 3 Members | Ordinances 237 & 559

Clarence Oden	Exp. 6/18/15
Vacant - (Employee Representative)	
~~James White~~	Exp. 12/04/11
- (Commission Appointment)	

CONSTRUCTION BOARD OF APPEALS/PROPERTY MAINTENANCE BOARD

[MEETINGS: As required]

3 Year Term	3 Members	Ordinance
Henry Wade - (Licensed Plumber)		Exp. 12/17
Tiara Jones		Exp. 10/17
Kenyatta Mason - (Licensed Electrician)		Exp. 10/17
Marcus Hendricks – - (Licensed Electrician) – Building Inspector - (Licensed Engineer/Inspector		Exp. 12/17

DOWNTOWN DEVELOPMENT AUTHORITY

[MEETINGS: Third Tuesday of each month, 6:00 p.m. City Hall Council Chambers]

4 Year Term	12 Members	State Law and Ordinances 687 and 741
Hilliard L. Hampton, II (Secretary)		Tenure
Martha Theis		Exp. 01/14/18
Lewis Gregory (Treasurer)		Exp. 10/06/18
Cynthia Adams		Exp. 01/14/18
Tom Costello (Chair)		Exp. 10/06/18
Peter Cemot		Exp. 01/21/18
Vacant		Exp. 07/19/14
Andrea Parson		Exp. 08/01/15
Winston Wade (Vice-Chair)		Exp. 12/17/16
Vacant		

ECONOMIC DEVELOPMENT CORPORATION (BOARD OF DIRECTORS)

[MEETINGS: Second Thursday each month, held in the Conference Room, City Hall]

6 Year Term	11 Members	State Law and Ordinances 517 and 570
Hilliard L. Hampton, II		
Bishop Walter Starghill, Jr.		Exp. 06/07/16
Vacant		Exp. 06/07/16
Vacant		Exp. 06/07/16
Deborah Walker		Exp. 06/07/16
Mary Weislo		Exp. 03/07/17
Cassandra Leonard		Exp. 06/07/16
Herbert Johnson		Exp. 06/07/16
Dennis Weislo		EXP. 06/07/19
Vacant		

ELECTRICAL EXAMINING BOARD

Indefinite Terms	4 Members	State Law and Ordinance 616
Walter Bays (Elec. Cont.)		
Andrew Hughes (Adm. Official)		
Carlton Trouteaud (Rep. of Detroit Edison)		

HOUSING AND REDEVELOPMENT

[MEETINGS: Third Tuesday of each month at 6:30 p.m., 4500 Inkster Road]

5 Year Term | 6 Members | State Law and Ordinance 99

Tony Love, Director & Secretary	Tenure
William Acklin	Exp. 03/17
Ernest Hendricks	Exp. 03/19
James Orr	Exp. 11/13
Ernestine Williams	Exp. 03/19
Deborah Walker	Exp. 10/19

INKSTER HISTORICAL COMMISSION

[MEETINGS: Third Saturday of each month at 10:30a.m. Library Study Room]

2 Year Term | 7 Members | State Law and Ordinance 196

Vacant	Dist. 1	
Vacant	Dist. 2	
Vacant	Dist. 3	
Vacant	Dist. 4	
Vacant	Dist. 5	
Michael Wells	Dist. 6	Exp. 12/20/12
Vacant		

LIBRARY BOARD 4 year term

Michael Wells	Exp. 2015
Sandra Markwart	Exp. 2015
Dorothy Gardner	Exp. 2015
Dosys Thompson	Exp. 2015
LaDon Gibbs	Exp. 2015
Paulette Dye	Exp. 2015

LOCAL BUSINESS ENTERPRISE ADVISORY COMMITTEE

[MEETINGS: Third Tuesday of every month at 6:30 P.M., Inkster City Hall]

2 Year Term | 7 Members | Ordinance: 603

Vacant	Dist. 1	
Curtistine Barge	Dist. 2	Exp. 12/05/13
Vacant	Dist. 3	
Vacant	Dist. 4	
Vacant	Dist. 5	
Vacant	Dist. 6	
Vacant	Mayoral	

LOCAL OFFICERS COMPENSATION COMMISSION

[MEETINGS: Minimum of One Meeting Each Odd-Numbered Year.]

7 Year Term | 7 Members | State Law and Ordinance 409

Theodore Mimms	Exp. 11/19/14
Eugene Thompson (VC)	Exp. 11/19/14
Dorothy Gardner	Exp. 11/19/14
Darwin Howard	Exp. 12/15/14
William Howard	Exp. 11/03/15
Cheryl Stinson	Exp. 02/02/16
Vacant	

PARKS AND RECREATION COMMISSION

[MEETINGS: First Tuesday of each month at 7:30 P.M., Recreation Complex]
2 Year Term 9 Members Ordinances: 493 & 551

Sandra French	Dist. 1	Exp 10/06/16
Shirley Miller	Dist. 2	Exp. 03/25/14
Shelby Johnson	Dist. 3	Exp. 09/15/16
Vernell Massey	Dist. 4	Exp. 12/01/16
Larnardo Gambrio	Dist. 5	Exp. 10/15/16
James Richardson IV	Dist. 6	Exp. 09/15/16
Tonia Williams	Mayoral	Exp. 04/04/13
Sheila Garland	Mayoral	Exp. 05/21/14
Norma McDaniel	Council	Exp. 12/20/14

PARKS AND RECREATION YOUTH COMMISSION

2 Year Term 6 Members

Vacant	Dist. 1	
Vacant	Dist. 2	
Cory Wells	Dist. 3	Exp. 12/05/13
Vacant	Dist. 4	
Vacant	Dist. 5	
Vacant	Dist. 6	
Vacant	**Mayoral**	

PLANNING COMMISSION

[MEETINGS: Fourth Monday of each month at 6:00 p.m., City Council Chambers]
3 Year Term 9 Members State Law and Ordinance 33

Marcus Hendricks	Tenure
Hilliard L. Hampton, II	Tenure
Darryl Davis (City appointee)	Exp. 10/15
Robert Thomas (Secretary)	Exp. 10/15
Emmereal Wells	Exp. 01/15
James Garrett	Exp. 08/17
April Walton	Exp. 09/16
Sam Brown (Chairman)	Exp. 10/17
Richard Wooten (Vice Chairman)	Exp. 08/16

POLICE AND FIREMAN RETIREMENT SYSTEM BOARD OF TRUSTEES

[MEETINGS: First Thursday of each month at 1:00 p.m., TIFA Room]
2 Year Term 5 Members Charter

Jean Overman	**Mayoral**	Exp. 02/16
Barry O'Bryan		Exp. 12/13
Christopher Crawley		Exp. 12/13
Hilliard L. Hampton II	**Council**	Exp. 12/14
Charles Hines	**(Pension Board Appt)**	Exp. 12/12

WATER REVIEW COMMITTEE

[MEETINGS: Scheduled by Chairman Marcus Hendricks, City Hall TIFA Room]

Sam Brown	App. 01/07/13
Carl Woods	App. 01/07/13
Ann Coleman	App. 01/07/13
Courtney Owens	App. 01/07/13
Councilmember Williams	App. 02/04/13
Mayor Pro-Tem Hendricks	App. 02/18/13
Dennis Welslo	App. 02/18/13

ZONING BOARD OF APPEALS (ZBA)

[MEETINGS: First Thursday of each month at 6:00 P.M., City Council Chambers]

3 Year Term | 7 Members | State Law and Ordinance 277

Dorothy Gray	Dist. 1	Exp. 01/14/17
Clarence Oden, Jr.	Dist. 2	Exp. 01/14/17
James Cross (VC)	Dist. 3	Exp. 07/01/16
Roosevelt Stubbs	Dist. 4	Exp. 09/2/17
Vanola Williams	Dist. 5	Exp. 09/03/16
Norma McDaniel (S)	Dist. 6	Exp. 10/19/15
Richard Wooten (Chair) (Planning Comm. Appointee)		Exp. 01/14/17

Nankin Transit

[Meetings: Third Thursday of each month at 5:45 p.m., Nankin Transit 37137 Marquette, Westland, MI. 48185]

Michael Canty, Council Appointee	Exp. Tenure
Denise Champagne, Council Appointee	Exp. (Appointed in 2009)

2015 Community Development Block Grant Advisory Council (CDBG)

[Meetings: Dates and times are quarterly and locations are various]

Timothy Williams, Council Appointee	Exp. 2016

COMMITTEES FORMED BY COUNCIL RESOLUTIONS

TAX INCREMENT FINANCE AUTHORITY

[MEETINGS: Second Thursday of each month at 6:30 P.M., City Hall Council]
6 Year Term 13 Members Resolution 85-8-331

Hilliard L. Hampton, II	Tenure
Richard Marsh	Tenure
Bishop Walter L. Starghill, Jr. (Chair)	Exp. 06/07/16
Herbert Johnson (Vice Chair)	Exp. 06/07/16
Deborah Walker (Secretary)	Exp. 06/07/16
Vacant	Exp. 06/07/16
Dennis Weislow	Exp. 06/07/19
Cassandra Leonard	Exp. 06/07/16
Mary Weislow (Treasurer)	Exp. 06/07/16

TIFA WORKING COMMITTEE FOR THE JUSTICE CENTER

5 Members

Bishop Walter L. Starghill	Exp. 06/07/16
Herbert Johnson	Exp. 06/07/16
Deborah Walker	Exp. 06/07/16
Vacant	Exp. 06/07/16
Vacant	

BROWNFIELD REDEVELOPMENT AUTHORITY

[MEETINGS: Second Tuesday of each month at 5:00 P.M., City Hall Council Chambers]
Terms 1, 2 and 3 years Up to 9 members Resolution 02-9-458

Timothy Williams, City Council Representative	Tenure
Richard Marsh, City Manager	**Tenure**
Mark Stuhldreher, Treasurer	Tenure
M. Jeannie Fields, Community Dev. Mgr.	Tenure
Tonia C. Williams (C)	Exp. 10/06/16
Dorothy Gardner	Exp. 10/05/15

CARVER HOMES DISTRICT CITIZENS COUNCIL- *Inactive*

[MEETINGS: Third Thursday of each month at 6:30 P.M., St. Clements Manor]

Velma Hammons
Daniel Henderson
Willie Johnson
Bessie Jones
Melodie Jones
Clara Gray-Joiner
Geneva Lyles
Norma McDaniel
Ramona Rogers
Antonio Shaw
Jacqueline Treadway
Rita Watson
Barbara Whatley
Julius Williams
Glaynda Wright
Chris Yatooma

NOTES:

____ Vacancies and/or Expired terms

*Has not taken the oath

REQUEST FOR COUNCIL ACTION

To: Richard Marsh – City Manager **Date: January 12, 2015**

From: M. Jeannie Fields MJF
Community Development Manager

Date for Council Consideration: Jan 20, 2015

ACTION REQUESTED: Council to offer a second reading and approval of an amendment to Chapter 150 Building Regulations to adopt the State of Michigan Building Code.

Current Action ___X___ Emergency _____ Future _____

Funds Budgeted: If Yes _____ Account #_____ No _____ N/A ___X___

Treasurer's Approval _____

BACKGROUND INFORMATION

Staff, along with the City Attorney, has been working on updating outdated ordinances or adding language to existing ordinances to address on-going issues within the City. Jim Wright, Building Official – McKenna Associates, recommended the adoption of the Michigan Building Code which is required by State law. Though the Building Dept had been using the state code, it had not been officially adopted by City Council and reflected in the Code of Ordinances.

A first reading of the ordinances was held during the December 1, 2014 Council meeting. A second reading is required prior to adoption of the ordinances by City Council.

SCOPE OF SERVICES

Adopt the State of Michigan Building Code.

JUSTIFICATION

Adopt the State of Michigan Building Code to eliminate any conflict of laws pertaining to the City of Inkster Building Code and the State of Michigan Building Code.

PROJECT OR IMPROVEMENT TASKS

Improve and promote the image of Inkster.

COSTS

N/A

PROJECT TIME TABLE

Upon Council approval, the amendments will be published and posted and become effective after thirty (30) days.

RESOLUTION

Resolved by _____ Seconded by _____
that the Inkster City Council hereby adopts Ordinance No. _____ Chapter 150 Building Regulations to adopt the State of Michigan Building Code.

Yes:
No:
Absent:

ORDINANCE NO. ___

**AN ORDINANCE TO AMEND TITLE XV LAND USAGE,
CHAPTER 150 BUILDING REGULATIONS
OF THE CODE OF ORDINANCES OF THE CITY OF INKSTER**

THE CITY OF INKSTER ORDAINS

That Title XV, Chapter 150 Building Regulations of the Code of Ordinances of the City of Inkster is hereby amended by deleting language ~~stricken~~, by adding the language underlined and maintain the *status quo* on any other existing Sections of this Chapter as follows:

CHAPTER 150: BUILDING REGULATIONS

Style Definition: Normal

Section

Building Code

150.001 Title
150.002 Purpose
150.003 Adoption of code by reference

150.004 Adoption of Michigan Building Code Rules Part One, Two, Three and Four by Reference
150.005 Additions, insertions and changes

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CABO One and Two Family Dwelling

Code 150.015 Adoption of code by reference

Mechanical Code

150.025 Title
150.026 Purpose
150.027 Adoption of code by reference
150.028 Adoption of Michigan Mechanical Code Rule Part 9a
150.029 Additions, insertions and changes

Electrical Code

150.040 Title
150.041 Adoption of National Electrical Code by reference
150.042 Electrical inspection
150.043 Permit required; exception
150.044 Inspection required
150.045 Inspection fees
150.046 Access to buildings for inspections
150.047 Reinspections; duty of inspector
150.048 Construction requirements
150.049 Approved materials
150.050 Records and review
150.051 Contractors and electricians; license required
150.052 Board of examiners
150.053 Fees for electrical work and permits
150.054 Foreign corporation; licensing
150.055 Responsibility or liability
150.056 Exemptions
150.057 Enforcing agency

2002 S-10

Plumbing Code

150.080 Title
150.081 Purpose
150.082 Adoption of code by reference
150.083 Additions, insertions and changes

Reciprocal Heating Code

150.096 Adoption of code by reference
150.096 Fees
150.097 Deletions, additions and amendments

Refrigerating Systems Code

150.110 Adoption of code by reference
150.111 Fees
150.112 Deletions, changes and amendments

Property Maintenance Code

150.125 Adoption of code by reference
150.126 Additions, insertions and changes

Unsafe or Dangerous Buildings

150.140 Definitions
150.141 Notice of dangerous building; contents; board of appeals; service
150.142 Hearing; testimony; determination to close proceedings or order building or structure demolished, made safe, or properly maintained; failure to appear or noncompliance with order; hearing; enforcement; reimbursement and notice of cost; lien; remedies
150.143 Enforcement of judgment; lien for judgment amount; priority
150.144 Failure or refusal to comply with order; misdemeanor
150.145 Appeals

Fences

150.160 Definition
150.161 Compliance with requirements and restrictions
150.162 Permit required; application; fee
150.163 Specifications and restrictions
150.164 Maintenance of nuisance; notification
150.165 Appeals and hearings; authority

Swimming Pools

150.175 Definitions
150.176 Permit required for construction; fee
150.177 Construction standards
150.178 Water pressure; floor and wall requirements
150.179 Walkways required; specifications
150.180 Fences required; exception
150.181 Filtration system required
150.182 Authority to inspect

Neighborhood Enterprise Zone Inspection

150.200 Title
150.201 Definitions
150.202 Conditions required
150.203 Issuance of certificate of approval and inspection reports; inspection fees
150.204 Validity of certificate of approval; responsibility of city for defects

House Moving

150.210 Definitions
150.211 Notice of move; cancellation
150.212 Cleanup; repairs
150.213 Violation
150.214 Permit required
150.215 Application
150.216 Inspection
150.217 Conditions for granting permit
150.218 Timely completion of move
150.219 Duration
150.220 Refund of deposits

Rental Dwellings and Rental Units

150.230 Purpose
150.231 Definitions
150.232 Registration required
150.233 Registration forms
150.234 Registration term and renewal
150.235 Responsible local agent
150.236 Transfer of ownership
150.237 Certificate of compliance required
150.238 Certificate of compliance application form and fee
150.239 Posting of certificate of compliance
150.240 Disclaimer of liability

Cross-reference:
Blight violations, see Chapter 156

BUILDING CODE

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§ 150.001 ~~TITLE.~~
~~This subchapter shall be known and may be cited as the BOCA National~~ **Adoption of Building Code** ~~Twelfth Edition, 1993~~ **by Reference**

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~~('68 Code, § 6-1201) (Ord. 668, passed 2-6-89; Am. Ord. 719, passed 3-15-93; Am. Ord. 733, passed 1-4-94)~~

§ 150.002 PURPOSE.

This subchapter shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures, and shall apply to existing or proposed buildings and structures, except as such matters are otherwise provided for in other ordinances or statutes, or in the rules and regulations authorised for promulgation under the provisions of the code.
('68 Code, § 6-1202) (Ord. 668, passed 2-6-89; Am. Ord. 719, passed 3-15-93)

§ 150.003 ADOPTION OF CODE BY REFERENCE.

(A) *Building Codes.*

(1) **STATE BUILDING CODE:** The State Building Code, and any amendments and/or supplements thereto, as promulgated by the State Construction Code Commission in accord with Public Act 230 of 1972 Section 8b(6), as amended, shall be administered and enforced by the city, and shall govern and be observed and followed in all buildings and structures throughout the city. Notice is hereby given that complete copies of the State Building Code, and any amendments and/or supplements thereto are available for public use and inspection at the Clerk's office for the city.

(2) **STATE RESIDENTIAL BUILDING CODE:** The State Residential Building Code, and any amendments and/or supplements thereto, as promulgated by the State Construction Code Commission in accord with Public Act 230 of 1972 Section 8b(6), as amended, shall be administered and enforced by the city, and shall govern and be observed and followed in all one-and two-family dwellings throughout the city. Notice is hereby given that complete copies of the State Residential Building Code, and any amendments and/or supplements thereto are available for public use and inspection in the Clerk' office for the city.

(3) **INTERNATIONAL PROPERTY MAINTENANCE CODE.** A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as The BOCA National Buildingthe most recent edition of the International Property Maintenance Code Twelfth Edition, 1993, as published by the Building Officials and International Code Administrators (BOCA) International, Inc., Council, be and is hereby adopted as the Basic BuildingProperty Maintenance Code of the city for the control of all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancyregulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore and each and all of the regulations, provisions, penalties, conditions, and terms of the BOCA National Buildingsaid Property Maintenance Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this subchaptersection, with the additions, insertions, deletions and changes, if any, prescribed in this subchapter. ('68 Code, § 6-1203) (Ord. 668, passed 2-6-89; Am. Ord. 719, passed 2-16-93; Am. Ord. 732, passed 1-4-94)

§ 150.004 ADOPTION OF MICHIGAN BUILDING CODE RULES PART ONE, TWO, THREE AND FOUR.

A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as the 1990 Edition of the Michigan Building Code Rules Parts 1, 2, 3, and 4, by authority conferred on the Construction Code Commission by Section 4 of Act 230 of the Public Acts of 1972. As

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~~amended, being MCL 125.1504 are hereby referred to, adopted and made a part hereof, as if fully set out in this subchapter.~~
~~(Ord. 719, passed 3-15-93)~~

~~§ 150.005 ADDITIONS, INSERTIONS AND CHANGES.~~
~~The following sections are hereby added, deleted, or revised~~herein as follows:
~~Section 101.1 of the Building Code is hereby amended to read as follows: 101.1~~

~~(A)~~ **(a) Title**

~~"This subchapter~~. These regulations shall be known ~~and may be cited~~ as the ~~Building~~Property Maintenance Code of the City of Inkster, hereinafter referred to as ~~"~~"this ~~code" or "this ordinance"~~Code."
~~Section 104.0 of~~

(b) Building Official. The Building Official shall be designated as the code official and shall be the official in charge of the enforcement of this Code.

~~(B)~~ **(c) Fees.** The fees for activities and services performed by the Building ~~Code is hereby amended by deleting therefrom Sections 104.2, 104.4, 104.5 and amending Section 104.1 to read as follows:~~

~~104.1 Building~~ Official~~:~~

~~"The Department of Building Inspection is hereby created and the Executive Official~~ and/or his designee in ~~charge thereof shall be known as the Code Official. The~~carrying out their responsibilities under this Code ~~Official for the City of Inkster shall be the City Manager or any duly authorized representative."~~

~~2001 S-9~~

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(C) Section 112.3.1 of the Building Code is hereby amended to read as follows: 112.3.1 Fee Schedule:

"A fee for each plan examination, building permit and inspections shall be paid in accordance with Council shall be approved by resolution which may be amended of the City Council from time to time by and shall be filed in the Council Office of the City of Inkster." Clerk.

Section 116.4 of the Building Code is hereby amended

(D) (d) Failure to read as follows: 116.4 Violation Penalties:

"Comply: Any person who shall violate a provision of this code Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than Five Hundred ($500.00) Dollars, or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense."

(E) Sections 121.2, 121.3.1, 121.3.2, 121.3.3, 131.3.4, 121.3.5, 121.3.6, 121.3, 121.4, 121.5, 121.6, 121.6.1, 121.6.2, and 121.7 are hereby deleted from the Building Code.

(F) Section 121.1. Appeals Board is hereby added:

"The Board of Zoning Appeals shall serve as the Building Code Appeals Board."

(G) Section 117.3 of the Building Code is hereby amended to read as follows: 117.2 Unlawful Continuance:

"Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or of unsafe condition conditions, shall be guilty of a misdemeanor and shall be liable to for a fine of not less than $50 or 100 nor more than $500."

(H) Section 3408.2 of the Building Code is hereby amended to read as follows: 3408.2 Applicability:

"Structures existing prior to December 18, 1974 in which there is work involving additions, alterations, or changes of occupancy shall be made to conform to the requirements of this section or the

(B) *Fee Schedule.* A fee for each plan examination, permit, and/or inspection required by the State Building Code, the State Residential Building Code and/or the 2000 International property Maintenance Code, as amended, shall be paid in accordance with the fee schedule adopted by resolution of the City Council for the city, from time to time and shall be posted in the Building Department.

(C) *Violation; penalty.* A violation of the provisions of Sections 3403.0 through 3407.0." ('68 Code, § 6-1204) (Ord. 668, passed 2-6-89; Am. Ord. 710, passed 3-15-93; Am. Ord. 733, passed 1-4-94)

CABO ONE AND TWO FAMILY DWELLING

2001 S 9 ***CODE § 150.015 ADOPTION OF CODE BY REFERENCE.***

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~~A certain document, three copies of which are on file in the office of the City Clerk, being marked and designated as The CABO One and Two Family Dwelling Code, 1989 Edition, as published by Building Officials and Code Administrators (BOCA) International, Inc., is hereby adopted as the CABO One and Two Family Dwelling Code of the city, regulating the fabrication, erection, construction, enlargement, alteration, repair, location and use of detached one and two family dwellings, their appurtenances and accessory structures as herein provided, and each and all of~~ the ~~regulations of~~ State Building Code, the

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CABO One and Two Family Dwelling Code, 1989 Edition, are hereby referred to, and made a part hereof, as if fully set out in this chapter.
('68 Code, § 6-1001) (Ord. 633, passed 6-2-86; Am. Ord. 717, passed 3-15-93) Penalty, see § 10.99

MECHANICAL CODE

§ 150.025 TITLE.

This subchapter shall be known and may be cited as State Residential Building Code, and/or the BOCA National Mechanical Code, 1996 Edition.
('68 Code, § 6-601(a)) (Ord. 671, passed 2-6-89; Am. Ord. 718, passed 3-15-93; Am. Ord. 732, passed 1-4-94; Am. Ord. 776, passed 4-19-99)

§ 150.026 PURPOSE.

This subchapter is for most current edition of the regulation of all matters concerning or pertaining to the design, installation, maintenance, alteration and inspection of mechanical systems, including heating systems, ventilating systems, cooling systems, steam and hot water heating systems, water heaters, process piping, boilers and pressure vessels, appliances utilizing gas, liquid or solid fuel, chimneys and vents, mechanical refrigerator systems, fireplaces, barbecues, incinerators, crematories and air pollution systems.
('68 Code, § 6-601(b)) (Ord. 671, passed 2-6-89; Am. Ord. 718, passed 3-15-93)

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§ 150.027 ADOPTION OF CODE BY REFERENCE.

A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as The BOCA National Mechanical Code, 1996 Edition, as published by the Building Officials and Code Administrators (BOCA), International, Inc., is hereby adopted as the Basic Mechanical Code of Property Maintenance Code in the city for the control of building and structures as herein provided; and each and all of the regulations of the BOCA National Mechanical Code are hereby referred to, adopted and made a part hereof, as if fully set out in this subchapter, with the additions, insertions, deletions and changes, if any, prescribed in this subchapter.
('68 Code, § 6-602) (Ord. 671, passed 2-6-89; Am. Ord. 718, passed 3-15-93; Am. Ord. 732, passed 1-4-94; Am. Ord. 776, 4-19-99)
Cross reference:
Community development fees, see §§ 151.045 through 151.051

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§ 150.028 ADOPTION OF MICHIGAN MECHANICAL CODE RULE PART 9a.

A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as The 1990 Edition of the Michigan Mechanical Code Rule 91, by authority conferred on the Construction Code Commission by Section 4 of Act 230 of the Public Acts of 1972, as amended, being MCL 125.1504, are hereby referred to, adopted and made a part hereof, as if fully set out in this subchapter.
(Ord. 718, passed 3-15-93)

§ 150.029 ADDITIONS, INSERTIONS AND CHANGES.

The following sections are hereby added, deleted or revised as follows: 2001 S-9

(A) Section 101.1 - Title:

"These regulations shall be known as the Mechanical Code of the City of Inkster, hereinafter referred to as `This Code'."

(B) Section 101.2.1 - Appendices: Appendix A, COMBUSTION AIR OPENINGS AND CHIMNEY CONNECTOR PASS-THROUGHS. Shall be adopted in its entirety as published herein.

(C) Section 103.2 - Appointment: This section is hereby deleted and shall be replaced with the following:

"The Code Official for the City of Inkster shall be the City Manager or any duly authorized designee."

(D) Section 106.5.2 - Fee Schedule:

"The fees for all mechanical works shall be as indicated in the fee schedule as may be adopted from time to time by resolution of the Inkster City Council."

(E) Section 106.5.3 - Fee Refunds: The Code Official shall authorize the refunding of fees as follows:

106.5.3.2. Not more than 75 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

106.5.3.3. Not more than 75 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The Code Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 90 days after the date of fee payment.

(F) Section 109 - Means of Appeal: This section is hereby deleted in its entirety and shall be replaced with the following:

"The Board of Zoning Appeals or such other duly authorized board as may be approved by the Inkster City Council shall serve as the Board of Appeals pursuant to the provisions of this chapter.

(G) Section 108.4 - Violation Penalties:
"Persons who violate a provision of this code or shall fail to comply with any of the requirements thereof shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the Code Official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more less than five hundred ($$100 nor in excess of $500.00) dollars, or by imprisonment not exceeding ninety (in excess of 90) days, or both such fine and imprisonment. Each day that in the discretion of the court, together with the costs of prosecution. A separate offense shall be deemed committed upon each day during which a violation occurs or continues shall be deemed a separate offense."

(H) Section 108.6 - Stop Work Orders:

"Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately 1999 S 8 cease. Such

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notice shall be in writing and shall be given to the owner of such property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Code Official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than one hundred fifty ($150.00) dollars or more than five hundred ($500.00) dollars.
('68 Code, § 6-604) (Ord. 671, passed 2-6-89; Am. Ord. 718, passed 3-15-93; Am. Ord. 732, passed 1-4-94; Am. Ord. 776, passed 4-19-99)

ELECTRICAL CODE

§ 150.040 TITLE.

This subchapter shall be known and may be cited as the National Electrical Code/1999 Edition and Technical Amendments of the 1999 N.E.C.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 5-5-98; Am. Ord. 790, passed 8-6-01)

§ 150.041 ADOPTION OF NATIONAL ELECTRICAL CODE BY REFERENCE.

The 1999 National Electrical Code, published by the National Fire Protection Association, with Technical Amendments approved and recommended by the Reciprocal Electrical Council, Inc. and approved by the Bureau of Construction Codes, are hereby adopted by reference, as if fully set out in this subchapter, and shall govern and be observed and followed in all installations of electrical wiring, equipment, apparatus, and fixtures of any voltage. Notice is hereby given that complete copies of the Code and Technical Amendments are available for public use and inspection at the office of the City Clerk.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 5-5-98; Am. Ord. 790, passed 8-6-01)

§ 150.042 ELECTRICAL INSPECTION.

The Inspection Department, hereinafter called the Inspection Authority, shall have and hereby is given jurisdiction, subject to review, as hereinafter provided, over the inspection of all electrical installations including changes, repairs and additions thereto within the city. This jurisdiction shall apply to the installation of devices, apparatus and equipment for connection to electrical supplied systems having any applied voltage.
(Ord. 680, passed 8-7-80; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 5-5-98)

§ 150.043 PERMIT REQUIRED; EXCEPTION.

(A) No alterations or additions shall be made in the existing wiring of any building, nor shall any building be wired for the placing of any electric lights, motors, heating devices or any apparatus requiring the use of electrical current, nor shall any alteration be made in the wiring in any building after the inspection without first notifying the Inspection Authority and securing a permit therefor. Applications for such permits describing such work shall be made by the person, firm or corporation installing the same and the permit, when issued, shall be to such applicant.

(B) This section shall not apply to maintenance and repairs on the premises of the person regularly employing a qualified electrician or electricians for that purpose, nor such minor repair work as repairing flush and snap switches, replacing fuses, changing lamp sockets, and receptacles, taping bar joints and drop cords.

(C) To whom and how permits are issued. Permits covering the installation of electrical wiring and/or equipment in the city shall be issued only to licensed electrical contractors or their designated signed representative.

(D) Home owner's permit. A bona fide owner of a single family residence which is, or will be on completion, his/her own place of residence, and no part of which is used for rental or commercial purposes, nor is now contemplated for such purpose, may do his/her own work, providing he/she applies for and secures a permit, pays the fees, does the work himself/herself in accordance with the provisions hereof, applies for inspections and receives approval of his/her work by the Electrical Inspection Authority. Failure to comply with these requirements will subject the owner's permit to cancellation.

(E) Advertising. It shall be unlawful for a person to use any word or words in any sign, display, business form or document, or advertising medium which indicates, or tends to indicate, that a person is qualified to supervise, install, repair, replace, remove or service any electrical equipment which

requires a permit and/or inspection, unless such is uttered, published or displayed by authority of a licensed electrical contractor whose licensed name and license number is included in such media, and such shall be given prominence at least equal to that of the advertiser's name.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 5-5-98) Penalty, see § 10.99

§ 150.044 INSPECTION REQUIRED.

Upon the completion of the wiring of any building it shall be the duty of the person installing the same to notify the Inspection Authority who shall inspect the installation as soon as possible and if it is found to be in compliance with this subchapter and does not constitute a hazard to the life and property, he shall execute to such person for delivery to the owner, a certificate of inspection authorizing connection to the electrical service and the turning on of the electrical current. All wires which are to be hidden from view shall be inspected before concealment, and any person installing such wires shall notify the Inspection Authority giving him sufficient time in which to make the required inspection before such wires are concealed.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 5-5-98)

§ 150.045 INSPECTION FEES.

When an application is made for a permit to equip any building with electrical fixtures or wiring for heat, light, or power, a fee shall be paid in an amount prescribed by the City Council.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 5-5-98)
Cross reference:
Community development fees; inspection charges, see § 151.062

§ 150.046 ACCESS TO BUILDINGS FOR INSPECTIONS.

The Inspection Authority shall have the right during reasonable hours to enter any building in the discharge of his official duties, or for the purpose of making any inspection or test of the installation of electrical wiring, electrical devices, and/or electrical material contained therein and shall have the authority to cause the turning off of all electrical supply and cut or disconnect in case of emergency any wire where such electrical currents are dangerous to life or property, or may interfere with work of the Fire Department.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 5-5-98)

§ 150.047 REINSPECTIONS; DUTY OF INSPECTOR.

The Inspection Authority shall make periodically a thorough reinspection of the installation in buildings of all wiring, electric devices and electric material now installed, and that may be hereafter installed within the city and any installation of any wiring or device found to be in a dangerous and unsafe condition, the person, firm or corporation owning, using or operating the same shall be notified

and shall make the necessary repairs or changes required to place such wiring, device and material in a safe condition. The Inspection Authority is hereby empowered to disconnect or order the discontinuance of electrical service to such wiring, devices, and/or material so found to be defectively installed until the installation of such wiring, device and material has been made safe as directed by the Inspection Authority.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 5-5-98)

§ 150.048 CONSTRUCTION REQUIREMENTS.

(A) No certificate of inspection shall be issued unless the electrical installation is in strict conformity with the provisions of this subchapter, the statutes of the state, the rules and regulations issued by the Michigan Public Service Commission under the authority of the statutes of the state, and unless they are in conformity with approved methods of construction for the safety of persons and property.

(B) The regulations as laid down in the National Electrical Code, as approved by the American Standards Association and in the National Electrical Safety Code, as approved by the American Standards Association and all supplements thereto that have been adopted in the past and shall be adopted in the future, and in the rules and regulations established by the city as hereinafter provided, shall be prima facie evidence of such approved methods.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 5-5-98)

§ 150.049 APPROVED MATERIALS.

(A) It shall be unlawful to install or use any electrical device, apparatus, or equipment designed for attachment to or installation on any electrical circuit or system for heat, light, or power that is not of good design and construction and safe and adequate for its intended use. The Inspection Authority shall have the power to disapprove the use of installation of devices not fulfilling said requirements. Devices, apparatus and equipment approved by such generally recognized authorities as United States Bureau of Standards, Electrical Testing Laboratories of New York or Underwriters Laboratories shall be held to have the approval of the Inspection Authority unless expressly disapproved by said authority for reasons of faulty design or poor construction involving danger to persons and/or property.

(B) It shall be the duty of the Inspection Authority from time to time to inspect devices, apparatus and equipment offered to the public for use and/or for installation in buildings to see that such items conform to the above requirements and to determine that said devices do not constitute a hazard to the public welfare and are not dangerous to persons and/or property.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 5-5-98) Penalty, see § 10.99

§ 150.050 RECORDS AND REVIEW.

(A) The Inspection Authority shall keep complete records of all permits issued and inspections made and other official work performed under the provisions of this subchapter.

(B) If any electrical equipment, alteration or addition does not pass inspection, the person responsible for installing such equipment shall be notified in writing of the reasons for failure to pass such inspection. Such violation shall be corrected within a reasonable length of time not to exceed 15 days. Any person failing to make correction of a violation within the time specified herein shall be denied the right to file any further permits to do electrical work within the municipality issuing the violation until such corrections are made. The Inspection Authority shall be permitted to grant a time extension for compliance if extenuating circumstances exist.

(C) When the Inspection Authority condemns all or any part of any electrical installation, the owner may, within five days after receiving written notice from the Inspection Authority, file a petition in writing for review of said action of the Inspection Authority with the Board of Examiners, upon receipt of which the said Board of Examiners shall at once proceed to determine whether said electrical installation complies with this subchapter and within five days shall make a decision in accordance with its findings. (Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 5-5-98)

§ 150.051 CONTRACTORS AND ELECTRICIANS; LICENSE REQUIRED.

(A) It shall be unlawful for any person to engage as an independent contractor in the installation, alteration, maintenance or repair of electrical wiring, equipment apparatus, or fixtures for light, heat or power purposes where the electromotive force exceeds 30 volts in or about buildings or structures located within the city without first having procured a license.

(B) Any person who desires to procure a license shall make application to the inspection authority on forms provided for the class of license desired.

(C) Persons making application must be 21 years of age or over and must have a license as a journeyman electrician and pass a suitable examination. Persons, firms or corporations applying for a contractors' license must have at least one member of the firm with the above qualifications and experience or may have one or more men employed with the above qualifications and experience.

(D) It shall be unlawful for a contractor to install electrical equipment without first obtaining a master electrician. No master electrician shall service more than one contractor.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 5-5-98) Penalty, see § 10.99

§ 150.052 BOARD OF EXAMINERS.

(A) A Board of Examiners is hereby constituted consisting of a member of the Inspection Department, a representative of the electrical utility company furnishing the electric supply in the city, a licensed electrical contractor and a licensed journeyman electrician. The Board shall be appointed by the Mayor with confirmation of the City Council. Said Board shall examine all applicants failing to pass the examination will not be eligible for re-examination in any reciprocating municipality for a period of 30 days.

(B) The Board shall prepare the application blanks, prescribe the examination, and meet on call of the Inspection Authority to hold examinations or for other matters under the Board's jurisdiction. Due notice shall be given applicants of the date of examination.

(C) It shall be unlawful for any person to engage in the occupation or trade of journeyman electrician in the installation, alteration, maintenance or repair of electrical wiring, equipment, apparatus, or fixtures for light, heat, power or medical purposes in or about buildings or structures within the city without first having taken the examination and obtained a license as herein provided. This provision shall not apply to helpers and apprentices providing such work as they may do is performed under the direction and supervision of licensed journeymen electricians who shall be on the premises at all times when such helpers or apprentices are performing such work on the premises.

(D) All applications for said examination shall be in writing. The examination shall consist of an oral or written as the Examining Board shall determine and such other practical tests in the examination as the Examination Board in its discretion, shall determine. Stenographer's notes shall be taken of all oral examinations.

(E) Minimum qualifications for examination for journeymen electrician shall be four years of practical experience. Time spent in trade school attendance shall be credited as apprentice experience; four years in technical school and one year of practical experience shall also qualify for examination.

(F) Powers and duties.

(1) For the purpose of this subchapter the Examining Board for each municipality electing to maintain such board, shall consist of a chief electrical inspector or a person in charge of enforcing electrical rules, regulations and ordinances in the municipality, a representative of the electric utility company, a licensed electrical contractor and a journeyman electrician.

(2) Any electrical contractor's or journeyman electrician's license may, after a hearing, be suspended or revoked by the Examining Board having issued such license upon evidence presented that false statements have been made upon application for license or upon evidence presented that the person, firm or corporation holding such license willfully or by reason of incompetence repeatedly violates any rules and relating to the inspection, maintenance, alteration or repair of electrical wiring devices, apparatus or equipment.

(3) The Board of Examiners is hereby empowered and it shall be their duty to make such rules and regulations concerning the electrical work in the city as may be required to properly provide for public safety or welfare for persons or property in the city. The rules and regulations so made shall be approved by the Mayor and City Council and shall take precedence over plans, specifications and National Electrical Code Rules.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-16-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 6-6-98)

§ 150.063 FEES FOR ELECTRICAL WORK AND PERMITS.

(A) All fees chargeable for electrical work and permits under this subchapter shall be determined by City Council Resolution.

(B) The fee for electrical contractor's license shall be established from time to time by resolution of the City Council. The fee for journeyman electrician's license shall be established from time to time by resolution of the City Council. Licenses shall be renewed upon application by the licensee together with payment of the required fee. After March 1, licenses not renewed shall be considered cancelled and may not be renewed except upon approval of the Examining Board. Electrical contractor's licenses

and journeyman electrician licenses shall be issued by the Inspection Authority upon recommendation of the Examining Board. Licenses issued under this subchapter shall be nontransferable and shall be displayed when required.

(C) Under the provisions of this subchapter, no license shall be recognized by the city unless such licenses are issued by a cooperating municipality having an Examining Board.

(D) The city shall permit electrical contractors lawfully licensed by other municipalities of the state to install, alter or repair electrical wiring, equipment apparatus or other fixtures for light, heat or power purposes within the corporate limits of the city upon payment of a nominal registration fee. No registration fee be collected in any case where one half of the license fee is received from another municipality, otherwise the registration fee shall be an amount established from time to time by resolution of the City Council, and shall expire concurrently with the license issued; provided that such municipalities reciprocate in recognizing electrical contractors who are duly licensed under the provisions of this subchapter by granting them the same privilege and charging the same uniform license and registration fees. Provided further that the licensing ordinance is substantially equal to the requirements of this subchapter. Journeymen electricians duly licensed by any municipality cooperating in the reciprocal arrangements shall be permitted to work in the city upon payment of a registration fee established by Council Resolution. No electrical contractor's license shall be recognized for the purpose of registration by the city who maintain their principal place of business in a municipality which fails to approve, by affirmative action of its legislative body, the reciprocal and mutually interchangeable licensing arrangements covered by this subchapter. All license fees collected from such persons, firms or corporations shall be retained by the municipality issuing the licenses.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 6-6-98)
Cross-reference:
Community development fees for electrical work, see § 151.061

§ 150.054 FOREIGN CORPORATION; LICENSING.

Corporations applying for electrical contractor's licenses whose principal place of business is not in the state may obtain such license from the city upon approval by the Examining Board and the payment of the prescribed fee provided. Provided that said applicant shall file duly executed bond in the penal sum of $1,000,000 running to the city conditioned upon the faithful performance and observance of the provisions of this subchapter and the rules and regulations made and approved as hereinafter provided controlling the installation of electrical wiring and equipment. Such bond shall be a personal bond with two good and sufficient securities to be approved by the City Clerk or one surety when said surety is a recognized and approved surety company authorized to transact business in the state.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 6-6-98)

§ 150.055 RESPONSIBILITY OR LIABILITY.

This subchapter shall not be construed to relieve from or lessen the responsibility or liability of any one person, firm or corporation owning, operating, controlling or installing any electric wiring, electric devices and/or electric material for damages to persons or property caused by defect therein, nor shall

the city be held, assuming certificate of inspection issued as herein provided.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 5-5-98)

§ 150.056 EXEMPTIONS.

This subchapter and its provisions shall not apply to apparatus and equipment installed by or for any public utility operating under the jurisdiction of the Michigan Public Service Commission.
(Ord. 680, passed 8-7-89; Am. Ord. 715, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 771, passed 5-5-98)

§ 150.057 ENFORCING AGENCY.

(A) Agency designated. Pursuant to the provisions of the Michigan Electrical Code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the Electrical Official of the city is hereby designated as the enforcing agency to discharge the responsibility of the city under Act 230, as amended. The city assumes responsibility for the administration and enforcement of the Act throughout its corporate limits.

(B) Electrical licensing. Pursuant to the State Construction Code Act, Act No. 230 of the Public Acts of 1972 (MCLA §§ 125.1501 et seq.), as amended, authority for electrical licensing is hereby transferred to the Electrical Administrative Board
(Ord. 791, passed 10-1-01)

PLUMBING CODE

§ 150.080 TITLE.

This subchapter shall be known and may be cited as the BOCA National Plumbing Code, 1997 Edition. ('68 Code, § 6-1301) (Ord. 669, passed 2-6-89; Am. Ord. 716, passed 3-15-93; Am. Ord. 731, passed 1-4-94; Am. Ord. 777, passed 4-19-99)

§ 150.081 PURPOSE.

This subchapter is for the regulation of all matters concerning or pertaining to the design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies, storm water and sewage disposal in buildings, fixing penalties for violations and repealing existing ordinances of the city in conflict herewith.
('68 Code, § 6-1302) (Ord. 669, passed 2-6-89; Am. Ord. 716, passed 3-15-93)

[Text continues on page 21]

§ 150.082 ADOPTION OF CODE BY REFERENCE.

A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as The BOCA Plumbing Code, 1997 Edition, as published by the Building Officials and Code Administrators (BOCA) International, Inc., is hereby adopted as the Basic Plumbing Code of the city for the control of buildings and structures as herein provided; and each and all of the regulations of the BOCA National Plumbing Code are hereby referred to, adopted and made a part hereof, as if fully set out in this subchapter with the additions, insertions, deletions and changes, if any, prescribed in this chapter. ('68 Code, § 6-1303) (Ord. 669, passed 2-6-89; Am. Ord. 716, passed 3-15-93; Am. Ord. 730, passed 1-4-94; Am. Ord. 777, passed 4-19-99)

Cross-reference:

Community development fees, see § 151.075 through 151.079

§ 150.083 ADDITIONS, INSERTIONS AND CHANGES.

The following sections are hereby added, deleted or revised as follows:

(A) Section 101.1 - Title:

"These regulations shall be known as the Plumbing Code of the City of Inkster, hereinafter referred to as 'This Code'."

(B) Section 101.5 - Appendices shall be included.

Appendix B Rates of Rainfall for Various Cities
Appendix C Gray Water Recycling Systems
Appendix D Degree Day and Design Temperatures for Cities in the United States
Appendix E Sizing of Water Piping System
Appendix F Structural Safety
Appendix G Fuel Gas Piping

(C) Section 103.2 - Appointment: This section is hereby deleted and shall be replaced with the following:

"The Code Official for the City of Inkster shall be the City Manager or any duly authorized designee.

(D) Section 113.2 - Fee Schedule:

"The permit fees for all plumbing work shall be as indicated in the fee schedule as may be adopted from time to time by resolution of the City Council."

(E) Section 106.5.3 - Fee Refunds: The Code Official shall authorize the refunding of fees as follows:

106.5.3.1 The full amount of any fee paid hereunder that was erroneously paid or collected.

106.5.3.2 Not more than 75 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

108.5.3.3 Not more than 75 percent of the plan review fee paid when application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended. The Code Official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 90 days after the date of the fee payment.

(E) Section 108.4 - Penalties:

"Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred ($500.00) dollars, or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

(F) Section 108.5 - Stop Work Orders:

"Upon notice from the code official that plumbing work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than one hundred fifty ($150.00) dollars or more than five hundred ($500.00) dollars.

(G) Section 109 - Means of Appeal: This section is hereby deleted in its entirety and shall be replaced with the following:

"The Board of Zoning Appeals or such other duly authorized board as may be approved by the Inkster City Council shall serve as the Board of Appeals pursuant to the provisions of this chapter.

(H) Section 904.1 - Roof Extension:

"All open vent pipes that extend through a roof shall be terminated at least 24 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least seven feet above the roof.
('68 Code, § 6-1305) (Ord. 669, passed 2-6-89; Am. Ord. 716, passed 3-15-93; Am. Ord. 731, passed 1-4-94; Am. Ord. 777, passed 4-19-99)

RECIPROCAL HEATING CODE

§ 150.095 ADOPTION OF CODE BY REFERENCE.

The Reciprocal Heating Code promulgated and published by the Reciprocal Heating Council, Inc. in the edition of May 28, 1966 and all amendments and supplements heretofore promulgated and hereafter published on file in the office of the City Clerk and are available for inspection and distribution

to the public. The Reciprocal Heating Code and all amendments and supplements thereto, both heretofore and hereafter, are hereby adopted with the same force and effect as if fully set forth herein, and all persons affected by this code shall conform to such provisions and regulations; provided, that the provisions and regulations of such code are not in conflict with any of the provisions of state law or any subsequent ordinance or resolution of the city.
('68 Code, § 6-101) (Ord. 323, passed 10-21-68)

§ 150.006 FEES.

The fees covering the installation or alteration of heating equipment or any portion thereof shall be set by City Council resolution.
('68 Code, § 6-102) (Ord. 323, passed 10-21-68)

§ 150.007 DELETIONS, ADDITIONS AND AMENDMENTS.

(A) Section 3.3 of the above code is hereby deleted. Alternate Section 3.3 as set forth in the Reciprocal Heating Code is hereby is adopted and amended to read as follows:

"The City of Inkster designates the Board of Examiners of the City of Detroit to serve as its Board of Examiners and the applicant shall pay to the City of Detroit any fees or charges imposed by the City of Detroit for such service."

(B) Section 16.0 of the Reciprocal Heating Code (Penalty) is amended to read as follows:

"Any or anyone acting in behalf of said person, violating any of the provisions of the Reciprocal Heating Code or any rules, regulations or codes lawfully promulgated or adopted hereunder, shall upon conviction thereof be subject to a fine of not more than Five Hundred ($500.00) Dollars or to imprisonment for a period of not more than ninety (90) days, or to both such fine and imprisonment in the discretion of the Court. Each day that a violation of this code is continued or permitted to exist without compliance shall constitute a separate offense punishable upon conviction in the manner prescribed in this section." ('68 Code, § 6-103) (Ord. 323, passed 10-21-68)

REFRIGERATING SYSTEMS CODE

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§ 150.110 ADOPTION OF CODE BY REFERENCE.

The Refrigerating Systems Code, published by the Reciprocal Refrigeration Council on March 18, 1959, is hereby enacted and adopted by reference. Copies of such code are on file in the office of the City Clerk and are available for inspection by and distribution to the public. The said code is hereby adopted with the same force and effect as if fully set forth herein, and all persons installing and repairing refrigerating systems shall conform to all such code provisions and regulations.
('68 Code, § 6-2001) (Ord. 243, passed - - ; Am. Ord. 247, passed - -)

§ 150.111 FEES.

The fee for permits, licenses, examinations and inspections shall be set by resolution by the City Council, except as set forth in the Refrigerating Systems Code.
('68 Code, § 6-2002) (Ord. 243, passed - -)
Cross-reference:
Community development fees, see § 151.105 through 151.108

§ 150.112 DELETIONS, CHANGES AND AMENDMENTS.

(A) Section 3.1 of Article 3 in the above code is hereby deleted, and alternate Section 3.1 of Article 3 shall read as follows:

"The City of Inkster designates the Board of Examiners of the City of Detroit to serve as its Board of Examiners."

(B) In Sections 1.0, 1.1, 2.0, 8.0 and 9.4, ASA B9.1 - 1958 is hereby changed to ASA B9.1 - 1964. ('68 Code, § 6-2003) (Ord. 247, passed - -)

PROPERTY MAINTENANCE CODE

§ 150.125 ADOPTION OF CODE BY REFERENCE.

A certain document, copy of which is on file in the office of the City Clerk being marked and designated as the "BOCA National Property Maintenance Code, Fifth Edition, 1996, as published by Building Officials and Code Administrators (BOCA) International, Inc., is hereby adopted as the Property Maintenance Code of the city for the control of buildings and structures as herein provided. Each and all of the regulations of the BOCA National Property Maintenance Code, Fifth Edition, 1996, are hereby referred to and made a part hereof as if fully set out in this subchapter with the additions, deletions, and changes, if any, prescribed in this subchapter.
('68 Code, § 6-1901) (Ord. 670, passed 2-6-89; Am. Ord. 714, passed 3-15-93; Am. Ord. 734, passed 1-4-94; Am. Ord. 767, passed 10-20-97)
Cross-reference:
Community development fees, see §§ 151.090 through 151.095
Emergency property maintenance fees, see § 151.275

§ 150.126 ADDITIONS, INSERTIONS AND CHANGES.

The following sections are hereby deleted, added or revised as

follows: (a) PM-110. - 110.4 (DELETE)

PM-110.0 DEMOLITION and subsections PM-110.1 through PM-110.4 inclusive shall be omitted from this subchapter.

(B) PM Section 105.3(A) Inspections: (ADDED)

"In order to safeguard health and welfare of the public, the Code Official is authorized to conduct inspections at structures or premises undergoing repairs or alterations, changing occupancy and/or ownership, at reasonable times for the purpose of performing duties under this code. The Code Official may also inspect, on an annual basis, each multi family unit of four or more units."

(C) PM Section 105.3(B) Inspection is necessary: (ADDED)

"In order to safeguard the safety, health, and welfare of the public, the Code Official may be authorized to enter any structure or premises at any reasonable time for the purpose of making inspections and performing duties under this code, by seeking the administrative authority in a court of competent jurisdiction, and order that such owner, occupant, or other person in charge cease and desist with such interference."

(D) PM Section 105.7(A) Rule making authority: (ADDED)

"The Code Official shall develop administrative procedures to implement provisions of this code in a uniform manner."

(E) 105.7(B) Certificate of occupancy: (ADDED)

"It shall be unlawful for any person, firm, or corporation to hereafter occupy or re-occupy any building or addition thereto, or part thereof, for any purpose until a certificate of occupancy has been issued by the Structural/Safety Section. Said certificate of occupancy so issued shall state that the occupancy complies with all of the provisions of the within [sic] ordinance, as amended.

"Nor shall the owner of any rental premises, or his agent, permit the occupation or re-occupation of such premises until a certificate of occupancy has been issued by the Structural/Safety Section. It shall be the duty of every owner of premises sold within the City of Inkster, or his agent, to make application for a certificate of occupancy of the said premises and obtain inspection thereof, prior to the consummation of any proposed sale. Furthermore, any person, firm, or corporation intending to occupy or re-occupy any building, addition thereto, or part thereof shall, as a condition for applying for a certificate of occupancy, sign an 'Affidavit of Non-Occupancy' and 'Waiver of Claims.'

"Upon the receipt of an application for a certificate of occupancy of any existing building, together with an inspection fee for such inspection for each dwelling unit occupied, which fee shall be set by resolution of the Inkster City Council, it shall be the duty of the Structural/Safety Section to make an inspection of the premises for which a certificate of occupancy is applied, and to ascertain that the same is structurally sound, that there are no electrical, heating, or plumbing conditions existing which in any way will or can affect the general health, safety, and welfare of the parties to occupy the said premises or the general public of the City of Inkster. Upon receipt of application and fee, the Structural/Safety Section shall inspect the premises within ten days from the date of said application and, if approved, issue a certificate of occupancy therefor.

"In the event that the Structural/Safety Section shall find conditions existing which will affect the general health, safety, or welfare of the parties occupying the said premises, or of the public of the City of Inkster, then, in that event the party making application for the said certificate of occupancy shall be advised of such conditions, in writing, as shall constitute necessary improvements to be made upon the said premises as shall comply with the provisions of this subchapter."

(F) 108.1.5 General: (ADDED)

"An emergency may be defined as any premises which are manifestly capable of being a fire hazard or are manifestly unsafe or unsecured as to endanger life, limb, or property or any structure or building that is in a state of dilapidation, deterioration, or decay; damaged by fire to the extent as not to provide shelter, in danger of collapse, or failure; or dangerous to anyone on or near the premises."

(G) PM 111.2(A) Appeals Board: (ADDED)

"The Board of Zoning Appeals will serve as the Existing Structures Code Appeals Board.

"The fees for appeals to the Board of Zoning Appeals for the purpose of Existing Structures Code shall be Twenty Five ($25.00) Dollars per residential unit and One Hundred Fifty ($150.00) Dollars per non-residential or commercial unit. These fees may be amended from time to time by resolution of the Inkster City Council."

(H) PM 201.0 Applied meaning of words and terms: (ADDED)

"(a) Fire hazard: Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation which, in the opinion of the Chief of the Fire Department or his duly authorized representative, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause."

(I) PM 303.8 Motor vehicles inclusive: (DELETE) shall be omitted from the ordinance.

(J) PENALTY:

"Any person, firm, or corporation who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, punished by a fine not to exceed Five Hundred ($500.00) Dollars, and the costs of prosecution, or in default of the payment thereof by imprisonment for not to exceed Ninety (90) days, or both such fine and imprisonment in the discretion of the court. Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this ordinance." ('68 Code, § 6-1903) (Ord. 670, passed 2-6-89; Am. Ord. 714, passed 3-15-93; Am. Ord. 734, passed 1-4-94; Am. Ord. 767, passed 10-20-97)

UNSAFE OR DANGEROUS BUILDINGS

§ 150.140 DEFINITIONS.

DANGEROUS BUILDING. A building or structure that has one or more of the following defects or is in one or more of the following conditions:

(1) A door, aisle, passageway, stairway or other means of exit does not conform to the fire code of the city.

(2) A portion of the building or structure is damaged by fire, wind, flood or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the occurrence of the causal event and does not meet the minimum requirements of the building code of the city for a new building or structure, purpose, or location.

(3) A part of the building or structure is likely to fall, become detached or dislodged, or collapse and injure persons or damage property.

(4) A portion of the building or structure has settled to such an extent that walls or other structural parts of the building or structure have materially less resistance to wind than is required in the case of new construction by the building code of the city.

(5) The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, or the removal or movement of some portion of the ground necessary for the support, or for other reasons, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.

(6) The building, structure, or a part of the building or structure is manifestly unsafe for the purpose for which it is used.

(7) The building or structure is damaged by fire, wind or flood or is dilapidated or deteriorated and becomes an attractive nuisance to children, or becomes a harbor for persons, enabling them to resort thereto to commit an unlawful act.

(8) A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement or otherwise, is unsanitary or unfit for human habitation, or is in a condition that is likely to cause sickness or disease, or is likely to injure the health, safety, or general welfare of people living in the dwelling.

(9) A building or structure is vacant, dilapidated, and open at door or window, leaving the interior of the building or structure exposed to the elements or accessible to entrance by trespassers.

(10) A building or structure remains unoccupied for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease, or rent with a real estate broker licensed by the state of Michigan. For the purposes of this subchapter, ***BUILDING or STRUCTURE*** includes, but is not limited to, a commercial building or structure. This subchapter shall not apply to either of the following:

(a) A building or structure as to which the owner or agent does both of the following:

1. Notifies the city Building Department in writing that the building or structure will remain unoccupied for a period of 180 consecutive days. The notice shall be given not more than 30 days after the building or a structure becomes unoccupied.

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2. Maintains the exterior of the building or structure and adjoining grounds in accordance with the Building Code and Property Maintenance Code of the city.

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(b) A secondary dwelling of the owner that is regularly unoccupied for a period of 180 days or longer each year, if the owner notifies the city Building Department in writing that the dwelling will remain unoccupied for a period of 180 consecutive days or more each year. An owner who has given the notice prescribed by this subchapter shall notify the city Building Department not more than 30 days after the dwelling no longer qualifies for this exception. As used in this subchapter, ***SECONDARY DWELLING*** means a dwelling such as a vacation home, hunting cabin or summer home, that is occupied by the owner or a member of the owner's family during part of a year.

(11) A building or structure which is partially completed unless such building or structure is in the course of construction in accordance with a valid and subsisting building permit issued by the city and unless such construction is completed within one year. The City Council may, upon a showing of good cause, extend the time for completions of such building or structure.
('68 Code, § 6-901) (Ord. 624, passed 8-1-85; Am. Ord. 783, passed 12-6-99)

§ 150.141 NOTICE OF DANGEROUS BUILDING; CONTENTS; BOARD OF APPEALS; SERVICE.

(A) Notwithstanding any other provision of this act, if a building or structure is found to be a dangerous building, the city shall issue a notice that the building or structure is a dangerous building.

(B) The notice shall be served on the owner, agent, or lessee that is registered with the city under the provisions of this section, as is hereinafter stated. If an owner, agent, or lessee is not registered pursuant to the provisions of this section, the notice shall be served on each owner of or party in interest in the building or structure in whose name the property appears on the last local tax assessment records.

(C) A registry of owners anand premises shall be maintained by the city.

(D) The owners of dwelling houses, rooming houses or other units which will be offered to let, or to hire for more than 60 days of a calendar year, shall register their names and places of residence or usual places of business and the location of the premises regulated by this subchapter with the city. The owners shall register within 60 days following the day on which any part of the premises is offered for occupancy at the time this subchapter becomes effective shall register within 90 days after the effective date of this subchapter.

(E) (1) The notice shall be in writing and shall be served upon the person to whom the notice is directed either personally or by certified mail, return receipt requested, addressed to the owner or party in interest at the address shown on the tax records. If a notice is served on a person by certified mail a copy of the notice shall also be posted upon a conspicuous part of the building or structure. The notice shall be served upon the owner or party in interest at least ten days before the date of the hearing included in the notice.

(2) If the premises are managed or operated by an agent, the agent's name and place of business shall be placed with the name of the owner in the registry.

(F) The notice shall specify the time and place of a hearing on whether the building or structure is a dangerous building. The person to whom the notice is directed shall have the opportunity to show cause at the hearing why the BuildingConstruction Board of Appeals, as established pursuant to and in compliance with the State Building Code, MCL 125.1501, et. seq., as amended, should not order the building or structure to be demolished, otherwise made safe, or properly maintained.

(G) (1) The Construction Board of Appeals shall be appointed by the city council, and shall serve at its pleasure. The BuildingConstruction Board of Appeals shall consist of the following members:

(a) A building contractor;

(b) A registered architect or engineer;

(c) Two members of the general public; and

(d) An individual registered as a building official, plan reviewer, or inspector under the Building Officials and Inspectors Registration Act, Act No. 54 of the Public Acts of 1986, being MCL 338.2301 to 338.2313. The individual may be an employee of the city.

(2) Construction Board of appeals members shall be appointed for three years, except that of the members first appointed, two members shall serve for one year, two members shall serve for two years, and one member shall serve for three years. A vacancy created other than by expiration of a term shall be filled for the balance of the unexpired term in the same manner as the original appointment. A member may be reappointed for additional terms.

(3) The Construction Board of Appeals annually shall elect a chairperson, vice-chairperson, and other officers that the Board considers necessary.

(4) A majority of the Construction Board of Appeals members appointed and serving constitutes a quorum. Final action of the Board of Appeals shall be only by affirmative vote of a majority of the board members appointed and serving.

(5) The City Council may fix the amount of any per diem compensation provided to the members of the Construction Board of Appeals. Expenses of the Construction Board of Appeals incurred in the performance of official duties may be reimbursed as provided by law for employees of the City of Inkster.

(6) A meeting of the Construction Board of Appeals shall be held pursuant to the Open Meetings Act, Act No. 267 of the Public Acts of 1976, being MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

(7) A writing prepared, owned, used, in the possession of, or retained by the Construction Board of Appeals in the performance of an official function shall be made available to the public pursuant to the Freedom of Information Act, Act No. 442 of the Public Acts of 1976, being MCL 15.231 to 15.246.
('68 Code, § 6-902) (Ord. 624, passed 8-1-85; Am. Ord. 783, passed 12-6-99; Am. Ord. 833, passed 8-7-06)

§ 150.142 HEARING; TESTIMONY; DETERMINATION TO CLOSE PROCEEDINGS OR ORDER BUILDING OR STRUCTURE DEMOLISHED, MADE SAFE, OR PROPERLY MAINTAINED; FAILURE TO APPEAR OR NONCOMPLIANCE WITH ORDER; HEARING; ENFORCEMENT; REIMBURSEMENT AND NOTICE OF COST; LIEN; REMEDIES.

(A) At a hearingAll hearings prescribed by § 150.141, shall comply with the State Building CodeMCL 126.1501, et. seq., as amended, and the Construction Board of Appeals shall take testimony of the city, the owner of the property, and any interested party. Upon completion of the hearing, the Construction Board of Appeals shall render a decision either closing the proceedings or ordering the building or structure demolished, otherwise made safe, or properly maintained.

(B) If the Construction Board of Appeals determines that the building or structure should be demolished, otherwise made safe, or properly maintained, the Construction Board of Appeals shall so order, fixing a time in the order for the owner, agent, or lessee to comply with the order. If the building is a dangerous building

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(B) under § 150.140, the order may require the owner or agent to maintain the exterior of the building and adjoining grounds owned by the owner of the building including, but not limited to, maintenance of lawns, trees, and shrubs.

(C) The cost of demolition includes, but is not limited to, fees paid to hearing officers, costs of title searches or commitments used to determine the parties in interest, recording fees for notices and liens filed with the county register of deeds, demolition and dumping charges, court reporter attendance fees, and costs of the collection of the charges authorized under this act. The cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure incurred by the city, village, or township to bring the property into conformance with, this act shall be reimbursed to the city, village, or township by the owner or party in interest in whose name the property appears.

(D) The owner or party in interest in whose name the property appears upon the last local tax assessment records shall be notified by the assessor of the amount of the cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure by first class mail at the address shown on the records. If the owner or party in interest fails to pay the cost within 30 days after mailing by the assessor of the notice of the amount of the cost, the city, village, or township shall have a lien for the cost incurred by the city, village, or township to bring the property into conformance with this act. The lien shall not take effect until notice of the lien has been filed or recorded as provided by law. A lien provided for in this division does not have priority over previously filed or recorded liens and encumbrances. The lien for the cost shall be collected and treated in the same manner as provided for property tax liens under the General Property Tax Act, 1893 PA 206, MCL 211.1 to 211.157.

(E) In addition to other remedies under this section, the City of Inkster may bring an action against the owner of the building or structure for the full cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure. A city, village, or township shall have a lien on the property for the amount of a judgment obtained under this division. The lien provided for in this division shall not take effect until notice of the lien is filed or recorded as provided by law. The lien does not have priority over prior filed or recorded liens and encumbrances.
('68 Code, § 6-903) (Ord. 624, passed 8-1-85; Am. Ord. 773, passed 5-18-98; Am. Ord. 783, passed 12-6-99; Am. Ord. 833, passed 8-7-06)

§ 150.143 ENFORCEMENT OF ~~JUDGEMENT~~JUDGMENT; LIEN FOR ~~JUDGEMENT~~JUDGMENT AMOUNT; PRIORITY.

(A) A judgment in an action brought pursuant to § 150.142(E) may be enforced against assets of the owner other than the building or structure.

(B) The city shall have a lien for the amount of a judgment obtained pursuant to § 150.142(E) against the owner's interest in all real property located in this state that is owned in whole or in part by the owner of the building or structure against whom the judgment is obtained. A lien provided for in this section does not take effect until notice of the lien is filed or recorded as provided by law, and the lien does not have priority over prior filed or recorded liens and encumbrances.
('68 Code, § 6-904) (Ord. 624, passed 8-1-85; Am. Ord. 783, passed 12-6-99; Am. Ord. 833, passed 8-7-06)

§ 150.144 FAILURE OR REFUSAL TO COMPLY WITH ORDER; MISDEMEANOR.

A person who fails or refuses to comply with an order approved by the Construction Board of Appeals under § 150.142 within the time prescribed by that section is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than $500 or both.
('68 Code, § 6-905) (Ord. 624, passed 8-1-85; Am. Ord. 783, passed 12-6-99; Am. Ord. 833, passed 8-7-06)

§ 150.145 APPEALS.

An owner aggrieved by a final decision or order of the Construction Board of Appeals may appeal the decision or order to the circuit court by filing a petition for an order of superintending control within 20 days from the date of the decision.
('68 Code, § 6-906) (Ord. 624, passed 8-1-85; Am. Ord. 783, passed 12-6-99; Am. Ord. 833, passed 8-7-06)

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FENCES

§ 150.160 DEFINITION.

FENCE. Any fence, partition, structure, hedge or gate erected as a diving marker, barrier or enclosure.
('68 Code, § 7-301) (Ord. 267, passed - -)

§ 150.161 COMPLIANCE WITH REQUIREMENTS AND RESTRICTIONS.

It shall be unlawful for any person to construct or cause to have constructed any fence, as defined in § 150.160, upon any property within the corporate limits of the city, except in accordance with the requirements and restrictions provided in this subchapter.
('68 Code, § 7-301) (Ord. 267, passed - -)
Cross-reference:
Fences required for swimming pools, see § 150.180

§ 150.162 PERMIT REQUIRED; APPLICATION; FEE.

Any person desiring to build or cause to be built a fence upon property within the corporate limits of the city shall first apply to the department of building for a permit to so do. Application for such permit

shall contain any and all information required and necessary for the determination of whether the erection of such fence would be contrary to this subchapter or the laws of the state. A fee of $5 shall be paid for such permit.
('68 Code, § 7-303) (Ord. 267, passed - -) Penalty, see § 10.99
Cross-reference:
Community development fees, see § 151.120 and 151.121

§ 150.163 SPECIFICATIONS AND RESTRICTIONS.

The following requirements shall be observed:

(A) Fences located in residential districts:

(1) Shall not exceed 30 inches in height in the required front yard or set-back;

(2) Shall not exceed six feet in height from the front of the house or the set-back to the rear line; and

(3) Shall not be of complete closed construction.

(B) Fences located in other than residential districts or on the boundary line between such districts shall not exceed eight feet in height.

(C) Fences located within 25 feet of an intersection shall not be more than 30 inches in height.

(D) No fences shall have attached, affixed or placed any spike, nail, barb. including barbed wire, or other pointed instrument, and all cleaved salvages and sharp points on wire fences shall be removed or bent to eliminate any sharp extrusions. In the case where the security of industrial and commercial property is concerned, an eight foot fence with barbed wire may be erected, provided that said fence, barbed wire or any portion thereof shall not encroach upon any public right-of-way or upon any public or private property.

(E) No fence shall be constructed or maintained which is charged or connected with an electrical current.
('68 Code, § 7-304) (Ord. 267, passed - - ; Am. Ord. 596, passed 1-18-83) Penalty, see § 10.99

§ 150.164 MAINTENANCE OF NUISANCE; NOTIFICATION.

Fences shall be maintained so as not to endanger life or property. Any fence, through lack of repair, type of construction or one that otherwise endangers life or property, is hereby deemed a nuisance. If an unsafe condition exists with regard to a fence, the Building Inspector or his duly authorized representative shall serve on the owner, agent or person in control of the property upon which such fence is located, a written notice describing the unsafe condition and specifying the required repairs or modifications to be made to render the fence safe or requiring the unsafe fence or any portion thereof to be removed, and shall provide a time limit for such repair, modification or removal.
('68 Code, § 7-305) (Ord. 267, passed - -) Penalty, see § 10.99

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§ 150.165 APPEALS AND HEARINGS; AUTHORITY.

Upon appeal in writing by any person directly or indirectly affected hereby, the ZoningConstruction Board of Appeals of the city may, after a hearing in accordance with the established procedure of the Board, in its sound discretion and in the interests of the public health, safety or welfare of the inhabitants of the community, reduce or remit the requirements of the section in individual cases. The ZoningConstruction Board of Appeals may make such rules and regulations to effectuate the purposes of this subchapter.
('68 Code, § 7-306) (Ord. 267, passed - -)

SWIMMING POOLS

§ 150.175 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PERSON. Includes a corporation as well as an individual.

SWIMMING POOL. Any artificially constructed nonportable pool, capable of being used for swimming or bathing, having a depth of at least two feet or more. ('68 Code, § 7-1801) (Ord. 157, passed - -)

§ 150.176 PERMIT REQUIRED FOR CONSTRUCTION; FEE.

(A) No swimming pool shall be hereinafter erected unless and until a permit shall be issued from the Building Department before the commencement of any construction. All applications for permits shall be accompanied by a complete and detailed set of plans and specifications of the swimming pool, including recirculation, filtration and chlorination system, details, and before any permit shall be issued, the plans and specifications must be approved by the Building Department of the city, and before any swimming pool shall be put to use, a final inspection and approval must be had from the Building Department of the city.

(B) All applications for a permit for the construction of a swimming pool shall be accompanied by a permit fee of $15 to cover the cost of processing and inspection. ('68 Code, § 6-1802) (Ord. 157, passed - -) Penalty, see § 10.99

§ 150.177 CONSTRUCTION STANDARDS.

(A) All swimming pools shall be erected in the rear yard or in the rear portion of the lot behind the principal building. No swimming pool shall be nearer than six feet from the side or rear lot line, nor shall any swimming pool be erected any nearer than eight feet from any house, building or residence.

(B) This provision shall not prevent the installation of electrical under water lighting provided that said installation shall comply with the minimum requirements of the National Electrical and Safety Code and be inspected and approved by the Building Department.

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(C) No electric wires shall be nearer than five feet from the water's edge, except as provided in division (B) of this section, nor shall any electric wires be installed less than ten feet above the grade level of the lot unless otherwise approved by the Building Inspector. No electrical wire of any type shall cross over the surface of the water.

(D) There shall be no direct connection of the drain line of the pool with the city sewer system. The residue from the filtered discharge must drain through an indirect connection to a sanitary sewer and be approved by the building department.

(E) There shall be no cross-connection of the city water supply with any other source of water supply for the pool. There shall be provided an air gap delivery connection at least six inches above the flood rim of the pool or make-up tank.

(F) No swimming pool shall be filled, or water added from the city water system when the temperature as officially predicted by the U.S. Weather Bureau is 80° F, or more, nor shall any swimming pool be filled, or water added, at any time, between the hours of 6:00 a.m. and 10:00 p.m.

(G) All pools shall be constructed in a manner to prevent scum, splash, deck water and any other matter from returning to the pool except through the filter system.

(H) All pools shall be kept free from floating material, sediment and debris by the use of an automatic surface skimmer, scum gutter or any other means approved by the Building Department of the city. The bottom of the pool shall be kept free of debris and other foreign material and shall be maintained in a clean condition.

(I) Every private swimming pool shall be equipped with an approved filtration system and the entire circulating system shall be capable of filtering and recirculating the entire volume content of the pool during a 12-hour period. The rate of application of pool water on the filters shall not be greater than three gallons per minute per square foot of filter area unless the building department of the city shall approve other rates of recirculation or rates of application of water on the filters.

(J) All pools shall be controlled for germicidal or bacterial content by the use of chlorine, bromine or such other disinfectants as shall be approved by the Building Department of the city.

(1) Such disinfecting agents shall be applied to the pool water at a uniform rate.

(2) Provision shall be made for adjusting the application thereof so as to keep the germicidal or bacterial protection of the water in the pool equal to a standard of 0.6 parts per million to 1.0 parts per million.

(3) Testing devices capable of accurately measuring such residual shall be provided. ('68 Code, § 6-1802) (Ord. 157, passed - -)

§ 150.178 WATER PRESSURE; FLOOR AND WALL REQUIREMENTS.

Swimming pools shall be designed and constructed to withstand the water pressure from within when full and to resist the pressure of the earth when the pool is empty if built below grade. The floor of the pool shall have a nonslip surface and the floor and walls shall have an impervious finish.
('68 Code, § 6-1803) (Ord. 157, passed - -) Penalty, see § 10.99

1993 S-1

§ 150.179 WALKWAYS REQUIRED; SPECIFICATIONS.

All swimming pools shall have walkways not less than three feet in width extending entirely around the pool. The walkways shall be of impervious material, of nonslip construction for a width of at least one foot at the edge of the pool, and shall slope away from the pool.
('68 Code, § 6-1804) (Ord. 157, passed - -) Penalty, see § 10.99

§ 150.180 FENCES REQUIRED; EXCEPTION.

All swimming pools shall be enclosed by a fence which shall be at least four feet in height and which fence shall have a gate of a self-closing and latching type with a latch on the inside for the purpose of locking. However, if the entire premises of the residence is enclosed with a gate of the self-closing and latching type which latches on the inside, then this requirement shall be waived. All swimming pools constructed prior to the passage of this subchapter shall be brought into conformance with the fencing, health and safety requirements of this subchapter.
('68 Code, § 6-1806) (Ord. 157, passed - -) Penalty, see § 10.99
Cross-reference:
Fences, see §§ 150.160 through 150.165

§ 150.181 FILTRATION SYSTEM REQUIRED.

All swimming pools shall be required to have a filtration system which shall be inspected and approved by the Building Department of the city.
('68 Code, § 6-1808) (Ord. 157, passed - -) Penalty, see § 10.99

§ 150.182 AUTHORITY TO INSPECT.

The inspectors of the Building Department shall have the right, at any reasonable hour, to inspect any swimming pools for the purpose of determination whether or not conformance has been had with the provisions of this subchapter.
('68 Code, § 6-1807) (Ord. 157, passed - -)

NEIGHBORHOOD ENTERPRISE ZONE INSPECTION

§ 150.200 TITLE.

This subchapter shall be known as the City Neighborhood Enterprise Zone Inspection regulations. (Ord. 720, passed 5-3-93)

§ 150.201 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CERTIFICATE OF APPROVAL. A certificate issued by the city pursuant to § 150.203(A) and for a rehabilitated facility or a certificate issued by the Department pursuant to § 150.203(C) for a new facility.

COMMISSION. The State Tax Commission created by Act 360 of the Public Acts of 1927, being MCL 209.101 through 209.107.

DWELLING. A new or rehabilitated facility or a unit in a new or rehabilitated facility for which a Neighbor hood Enterprise Zone certificate is in effect.

NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE. A certificate issued by the Commission pursuant to Sections 4, 5, and 6 of the Neighborhood Enterprise Zone Act.

NEW FACILITY. A structure that has as its primary purpose, residential housing consisting of one or two units, one of which is or will be occupied by an owner as his or her principal residence. ***NEW FACILITY*** includes a new individual condominium unit, in a structure with one or more condominium units, that has as its primary purpose residential housing and that is or will be occupied by an owner as his or her principal residence. ***NEW FACILITY*** does not include apartments.

OWNER. The record title holder of, or the vendee of the original land contract pertaining to, a new facility or a rehabilitated facility for which a Neighborhood Enterprise Zone certificate is applied for or issued.

REHABILITATED FACILITY. An existing structure with a current true cash value of $60,000 or less per unit that has or will have as its primary purpose residential housing consisting of one to eight units, the owner of which proposes improvements that if done by a licensed contractor would cost in excess of $5,000 per owner-occupied or 50% of the true cash value, which ever is less, or $7,500 per non-owner occupied unit or 50% of the true cash value, whichever is less, and will bring the structure into conformance with minimum local building code standards for occupancy or improve the livability of the units while meeting minimum local building code standards. ***REHABILITATED FACILITY*** also includes and individual condominium units which proposes the above described improvements. ***REHABILITATED FACILITY*** does not include a facility rehabilitated with the proceeds of an insurance policy for property or casualty loss.

SALE or TRANSFER. To convey any interest in a dwelling except by lease, mortgage, gift, device, bequest or lien foreclosure. The ***SALE or TRANSFER*** shall be deemed to occur upon the transfer of title, the execution of a land contract, or the exercise of an option to purchase a dwelling.
(Ord. 720, passed 5-3-93)

§ 150.202 CONDITIONS REQUIRED.

It shall be unlawful to sell or transfer, or act as a broker for a sale or transfer, of a dwelling for which a Neighborhood Enterprise Zone certificate is in effect unless a valid certificate of approval is tendered to the purchaser or transferee at the time of the sale.
(Ord. 720, passed 5-3-93) Penalty, see § 10.99

§ 150.203 ISSUANCE OF CERTIFICATE OF APPROVAL AND INSPECTION REPORTS; INSPECTION FEES.

(A) The City Building Section shall issue a certificate of approval on a rehabilitated facility only after it has inspected the dwelling and found it conforms with the city's building construction, safety, and/or other codes and ordinances; provided, that in the absence of any hazardous conditions a certificate may be issued when an amount of money equal to twice the estimated cost of required repairs is placed in escrow pursuant to city guidelines, the approval to be annotated to indicate this basis for issuance. A certificate of occupancy shall be issued only after the city has inspected the dwelling and found that it conforms with the city's building construction, safety, and/or other codes and ordinances.

(B) Applications for certificates of approval or certificates of occupancy shall be available at the Building Section or other designated department and shall be filed with the Building Section. The City Resolution Council shall, from time to time, set reasonable fees for inspections made pursuant to this subchapter.

(C) The City Building Section shall issue a certificate of approval on a new facility only after it has inspected the dwelling and determined that it conforms with all applicable building construction, safety, and/or other codes and ordinances.
(Ord. 720, passed 5-3-93)

§ 150.204 VALIDITY OF CERTIFICATE OF APPROVAL; RESPONSIBILITY OF CITY FOR DEFECTS.

A certificate of approval shall be valid for six months from the date of issuance, except for any dwelling for which a certificate is issued that was occupied at the time of issuance. In which case, the certificate shall be valid during the period of continuous occupancy, but not to exceed 24 months. A certificate of approval is not a warranty or guarantee that there are no defects in the dwelling, nor shall the city be held responsible for defects not noted.
(Ord. 720, passed 5-3-93)

HOUSE MOVING

§ 150.210 DEFINITIONS.

The following words, terms and phrases, when used in this subchapter, shall have the meanings ascribed to them in the section, except when the context clearly indicates a different meaning.

BUILDING or STRUCTURE. Includes, but is not limited to, site-build units but shall not include preassembled units having a manufacturing facility as a site of origin.

CLEANUP.

(1) With respect to the site of origin, the removal of all structures on the site in accordance with the approved site of origin, the removal of all structures on the site in accordance with the approved site of origin plan, including the breaking up of the foundation or basement foundations three feet below grade including backfilling to existing grade and the removal of all materials used in the move, all equipment used and any debris and/or garbage on the site.

(2) With respect to the site of destination, the removal of all equipment and materials related to the actual moving of the house and shall not include material and/or equipment related to the construction of the dwelling for which a building permit has been issued.

COMPLETION OF THE MOVE.

(1) With respect to a move to a site within the city, the permanent placement of the building structure on its foundation and the detachment from the building or structure of all equipment and materials used in the move.

(2) With respect to a move from or through the city, the final departure of the building or structure and all equipment attached thereto from within the city limits.

IMITATION OF THE MOVE. With respect to all buildings or structures to be moved to, from or through the city, the entry of the building or structure, or equipment attached thereto, into a public right-of-way withing the city limits.

SITE OF DESTINATION. The zoning lot, as defined in the city zoning ordinance, to which the building or structure is to be moved.

SITE OF ORIGIN. The zoning lot, as defined in the city zoning ordinance, from which the building or structure is to be moved.
(Ord. 782, passed 12-6-99)

§ 150.211 NOTICE OF MOVE; CANCELLATION.

Notice of the move of a building or structure shall be given to the city prior to initiation of the move as follows:

(A) Written notice of the date and time of the initiation of the move shall have been received by the City Manager or the City Manager's designee no later than 72 hours prior to initiation of the move and shall be accompanied by:

(1) Written approval or permit from all utility companies;

(2) Permits as required by all other interested governmental agencies (e.g., county road commission; state department of transportation); and

(3) An approved building permit that the foundation has been constructed and is suitable to receive the structure.

(B) Verbal commitment of the date and time as set forth in division (A) above shall have been received by the City Manager or the City Manager's designee no later than 48 hours prior to such date and time.

(C) Notice of the cancellation of any move for which written notice of the date and time has been given pursuant to division (A) above shall have been received by the Director of Public Services or the director's designee no later than 24 hours prior to such date and time.
(Ord. 782, passed 12-6-99; Am. Ord. 810, passed 3-6-07) Penalty, see § 10.99

§ 150.212 CLEANUP; REPAIRS.

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Cleanup and repairs of any damage or debris caused within the city by the move of a building or structure at the site of origin, at the site of destination of along the route of travel shall be completed by the permittee to the satisfaction of the city in a timely fashion as follows:

(A) With respect to a route of travel, cleanup shall be completed immediately.

(B) With respect to the site of origin, cleanup shall be completed within seven days of the initiation of the move.

(C) With respect to the site of destination, cleanup shall be completed within seven days of completion of the move and shall include removal of all equipment and materials used in moving the building or structure.
(Ord. 782, passed 12-6-99; Am. Ord. 810, passed 3-5-07) Penalty, see § 10.99

§ 150.213 VIOLATIONS.

Any person who shall violate any of the provisions of this subchapter shall be subject to the following:

(A) For knowingly giving false information in the application for permit, the penalty as provided in § 150.999 and immediate revocation of any permit issued in response to the fraudulent application.

(B) For initiation or participation in the moving of any building or structure from, to or through the city without a valid permit issued pursuant to the provisions of this subchapter, the penalty as provided in § 150.999.

(C) For initiating or participating in the moving of any building or structure from, to or through the city without having given the written notice required pursuant to § 150.211(A), the payment to the city of costs and expenses incurred by the city as a result of such failure, hereby determined to be $2,000.

(D) For failure to give verbal confirmation required pursuant to § 150.211(A), the payment to the city of costs and expenses incurred by the city as a result of this failure, hereby determined to be $500.

(E) For failure to give notice of cancellation required pursuant to § 150.212(C), the payment to the city of costs and expenses incurred by the city as a result of this failure, hereby determined to be $500.

(F) For failure to provide satisfactory cleanup pursuant to § 150.212, the payment to the city of costs and expenses incurred by the city to accomplish the cleanup.

(G) For failure to accomplish timely completion of the move, reimbursement to the city of the costs and expenses incurred by the city to complete the work. Reimbursement shall be made from the deposit made pursuant to § 150.217(C). If these costs and expenses could reasonably be expected to exceed $6,000, then the city shall have the option to demolish the structure. Should the city elect this option, the city shall send a notice to the owner of the structure as designated in the application outlining the violations and the intent of the city to demolish the structure. If theses violations are not cured within 30 days of the notice, the city shall immediately cause the demolition to be accomplished. In this event, the costs and expenses incurred by the city to accomplish the demolition shall be reimbursed to the city from the deposit made pursuant to § 150.217(C).

(H) Any sums due to the city pursuant to the enforcement provisions of this subchapter may first be charged against the applicable cash deposits or irrevocable letter of credit deposited with the city pursuant to the provisions of this subchapter.

(I) A previous violation of any provision of this subchapter shall, in the discretion of the City Manager or the City Manager's designee, be a basis for the denial of subsequent applications for permits under this subchapter.
(Ord. 782, passed 12-6-99; Am. Ord. 810, passed 3-5-07) Penalty, see § 10.99

§ 150.214 PERMIT REQUIRED.

No building or structure of any kind shall be moved from or to a parcel of property within the city or through the city by way of streets within the city limits, unless a permit for such move shall have been issued by the city and a notice of such move is given to the city pursuant to the provisions of this subchapter. The city shall require the permittee to obtain liability insurance in an amount, not less than $100,000, or in an amount equal to the value of the structure moved, whichever amount is greater. The afore stated amount may be changed, from time to time, by resolution of the City Council. The liability insurance policy obtained by the permittee shall name the city as an additional named insured.
(Ord. 782, passed 12-6-99; Am. Ord. 810, passed 3-5-07) Penalty, see § 10.99

§ 150.215 APPLICATION.

A fully and accurately completed application for a permit under this section, in form approved by the Department of Building and Structural Safety, shall be made to the Department of Public Services and shall be accompanied by an inspection fee as established by resolution of the City Council. The application shall be signed by the contractor proposed to do the moving, by the owner of the structure and by the applicant (if other than the contractor proposed to do the moving or the owner of the structure) and shall contain at least the following information:

(A) The name and address of the owner of the building or structure to be moved.

(B) The name and address of the contractor proposed to do the moving.

(C) A site of origin plan which shall designate the present location and description of the building site or structure to be moved and all other buildings or structures as on the site of origin, including, but not limited to, swimming pools, sheds, outbuildings, under-ground storage tanks, including the name and address of the owner of the property on which the building is located if it is within the city.

(D) A description of the lot or parcel to which the building or structure will be moved, including the name and address of the owner of the lot or parcel if it is within the city.

(E) A certified copy of any building or use restrictions applicable to the site of destination.

(F) A statement as to whether or not the contractor proposed to do the moving has ever previously acknowledged, admitted or been judicially determined to have violated one or more provisions of this subchapter or similar provisions of another governmental unit.
(Ord. 782, passed 12-6-99; Am. Ord. 810, passed 3-5-07) Penalty, see § 10.99

§ 150.216 INSPECTION.

Within ten days after a fully and accurately completed application is filed under this subchapter, the site of origin and the building or structure to be moved shall be inspected by representatives of the Department of Public Services. A report of the inspection shall be filed with the Director of Public Services or the director's designee within five days after the inspection.
(Ord. 782, passed 12-6-99)

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§ 150.217 CONDITIONS FOR GRANTING PERMIT.

If it appears from the fully and accurately completed permit application and the inspection report that the building or structure and the site of origin plan meet all of the building and zoning requirements, a permit shall be issued. The applicable requirements include the building, electrical, plumbing, heating and refrigeration codes and the requirements of the zoning ordinance applicable to the site of origin and the site of destination. In addition, if the building or structure does not meet the requirements of the various codes and ordinances referred to above but in the opinion of the City Manager, can be improved so as to meet these requirements, a permit shall be issued. In any event, however, a permit to move the building or structure shall be issued by the Department of Structural Safety only if the applicant establishes the following to the satisfaction of the Department of Structural Safety:

(A) Application has been made for applicable permits required under the building, electrical, plumbing, heating and refrigeration codes and all fees required are paid. The site of origin will, after the move, comply with the zoning ordinance.

(B) A valid building permit has been issued for the proposed location of the building or structure, if the location is within the city and the foundation plan approved along with an approved building permit and certified written evidence that the foundation will be constructed prior to the actual physical moving of the structure proceeding to its destination.

(C) A cash deposit or irrevocable letter of credit, the form and content of which shall have been approved by the City Attorney, has been deposited with the city guaranteeing the completion of the move of the building or structure to, from or through the city within ten days of the initiation of the move of the building or sturcture and further guaranteeing timely cleanup as is elsewhere in this subchapter specifically provided, the deposit to be in an amount as established by resolution of the City Council.

(D) A cash deposit for inspection of the physical move in an amount established by resolution of the City Council has been deposited with the city.

(E) If the moving of the structure or building requires transportation on city streets, an oversize and/or overweight permit shall be required in accordance with law and/or ordinances.
(Ord. 782, passed 12-6-99)

§ 150.218 TIMELY COMPLETION OF MOVE.

The completion of the house move will be accomplished within the specified 60 day time period. The completion of the house move will include the necessary cleanup of both; the site of origin and the site of destination as outlined in this subchapter.
(Ord. 782, passed 12-6-99; Am. Ord. 810, passed 3-5-07) Penalty, see § 10.99

§ 150.219 DURATION.

The moving permit shall be issued for a 60 day period, and shall expire at the end of such period; provided, however, if initiation of the move shall not occur within 60 days of issuance of the permit, the permit shall expire at the end of the 60 day period.
(Ord. 782, passed 12-6-99)

§ 150.220 REFUND OF DEPOSITS.

Upon satisfactory completion of all work required pursuant to this subchapter and after all costs, fees and expenses authorized in this subchapter have been deducted, the balance of the cash deposits set forth in § 150.217 shall be refunded to the applicant.
(Ord. 782, passed 12-6-99)

RENTAL DWELLING AND RENTAL UNITS

§ 150.230 PURPOSE.

The purpose of this subchapter is to maintain quality structures for the public health, safety, and welfare. This subchapter will set safeguard controls for the rental of one and two family dwellings, multiple dwellings, apartment units, boarding houses, rooming houses, group homes, hotels, motels and flats. (Ord. 788, passed 11-29-00)

§ 150.231 DEFINITIONS.

As used in this subchapter, the following terms shall have the following meanings respectively ascribed to them in this section:

CERTIFICATE OF COMPLIANCE. A certificate issued by the Building Department which certifies compliance with the provisions of this code.

LEASE. Any written or oral agreement that sets forth any and all conditions concerning the use and occupancy of rental dwellings or rental units.

NEW RENTAL DWELLING. Any structure, building or other facility promised and/or leased to a residential tenant or tenants for use as a home, residence, or sleeping unit which has never been occupied and excluding any addition or modification of an existing structure. This definition includes but without limitation one and two family dwellings, multiple dwellings, apartment units, boarding houses, rooming houses, group homes, hotels, motels and flats.

NOTICE OF VIOLATION. A notice issued to the owner or responsible local agent stating that there has been a violation of a provision of this subchapter or any other applicable codes, ordinances, rules or regulations concerning the premises.

OCCUPANCY. Includes all tenants, lessees and persons residing within a rental dwelling or rental unit.

OWNER. Any person, agent, firm or corporation having a legal or equitable interest in the premises.

OWNER OCCUPIED. Any part of a structure used as a living quarters by the owner of the structure where other parts or part of structure are used as rental unit(s). Examples: two-family dwelling, owner occupies one flat; rooming house, owner occupies one unit, etc.

PREMISES. Any lot or piece of land inclusive of the rental dwelling or rental unit.

RENTAL DWELLING. Any structure, building or other facility promised and/or leased to a residential tenant or tenants for use as a home, residence or sleeping unit. This definition includes but without limitation one and two family dwellings, multiple dwellings, apartment units, boarding houses, rooming houses, group homes, hotels, motels and flats.

RENTAL UNIT. Any one area, room, structure, flat, apartment or facility of a rental dwelling that is being leased or rented to only one tenant, group of tenants, or family under one lease. (Ord. 788, passed 11-29-00)

§ 150.232 REGISTRATION REQUIRED.

The owner of any rental dwelling or rental unit shall register each rental dwelling and all rental units contained within the rental dwelling with the city and shall designate a person, as defined in § 150.235, as the responsible local agent who shall be legally responsible for operating the registered rental dwelling or rental unit and shall also be responsible for providing access to such premises for making the inspections necessary to insure compliance with the terms of this subchapter and all applicable codes and ordinances adopted by the city. Each responsible local agent shall maintain a current list of the number of occupants of each rental unit for which he or she is responsible. A certificate of compliance shall not be issued if the registration provisions of this subchapter are not complied with.
(Ord. 788, passed 11-29-00; Am. Ord. 810, passed 3-5-07) Penalty, see § 10.99

§ 150.233 REGISTRATION FORMS.

(A) Applications for registration shall be made in such form and in accordance with such instructions as may be provided by the Building Department and shall include at least the following information:

(1) The name, address, telephone number, date of birth and driver's license number of the applicant;

(2) The names, addresses and telephone numbers of all owners of the rental dwelling;

(3) The name, address and telephone number of the responsible local agent; and

(4) The number of rental units in each rental dwelling.

(B) No post office box will be accepted as a legal address. The registration shall be kept in the Building Department with a copy provided to Code Enforcement. Applicants will also be informed of certificate of compliance requirements at the time of registration.
(Ord. 788, passed 11-29-00; Am. Ord. 796, passed 11-4-02; Am. Ord. 810, passed 3-5-07) Penalty, see § 10.99

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§ 150.234 REGISTRATION TERM AND RENEWAL.

Registration shall be made within 90 days of the enactment of this subchapter. The term of the registration shall be valid as long as the owner remains unchanged. In the event of a transfer of ownership the registration and any certificate of compliance shall expire and no longer be valid. Any new owner shall register and make application for a certificate of compliance for each rental dwelling and rental unit within ten days of the date of transfer to a new unit.
(Ord. 788, passed 11-29-00; Am. Ord. 810, passed 3-5-07) Penalty, see § 10.99

§ 150.235 RESPONSIBLE LOCAL AGENT.

The responsible local agent shall be a person or representative of a corporation, partnership, firm, joint venture, trust, association, organization or other entity, and shall be designated by the owner as responsible for operating such premises in compliance with all the provisions of the city code. All official notices of the city may be issued to the responsible local agent, and any notice so issued shall be deemed to have been issued upon the owner of record.
(Ord. 788, passed 11-29-00)

§ 150.236 TRANSFER OF OWNERSHIP.

It shall be unlawful for the owner of any rental dwelling or rental unit who has received a notice of violation to transfer, convey, lease or sell (including by land contract) his or her ownership and/or interest in any way to another, unless the owner shall have first furnished to the grantee, lessee or vendee, or transferee a true copy of any notice of violation and shall have furnished to the building official a signed and notarized statement from the grantee, vendee or lessee, or transferee acknowledging the receipt of the notice of violation.
(Ord. 788, passed 11-29-00; Am. Ord. 810, passed 3-5-07) Penalty, see § 10.99

§ 150.237 CERTIFICATE OF COMPLIANCE REQUIRED.

(A) No person shall lease, rent or cause to be occupied a rental dwelling or rental unit unless there is a valid certificate of compliance issued by the Building Department in the name of the owner/responsible local agent and issued for the specific rental dwelling and rental unit. The certificate shall be displayed in a conspicuous place in each rental dwelling and rental unit at all times or in a common area shared by all occupants of a rental dwelling and rental unit. The certificate shall be issued after making application with the Building Department and an inspection is made to dwelling and rental unit complies with the provisions of this code. An inspection report shall be completed by the inspector after completing the inspection of dwelling and rental unit.

(B) Before a certificate of compliance is issued all violations must be corrected and approved. Said violations shall be corrected within six months of inspection, except in dangerous conditions which must be remedied immediately.

(C) A certificate of compliance may be issued to an applicant after the dwelling has been inspected by the city or its designated representatives and the inspection discloses to the satisfaction of the city that:

(1) The interior of the dwelling is free from refuse, garbage, waste, and that the interior walls, ceilings and woodwork are free of major cracks or crevices or have been sealed by the application of paint or other materials which are designed to prevent the accumulation of dust, dirt or residue.

(2) The dwelling shall be equipped with a functioning hot water system capable of delivering water at a temperature of 120°F which system shall be free of leaks and which shall utilize valves which completely stop the passage of water when so operated.

(3) The dwelling shall be equipped with a functioning water closet, lavatory and bathtub or shower, all of which shall present a clean, sanitary appearance, free of permeable cracks, crevices or porous areas.

(4) The dwelling shall be equipped with a sink which shall be located in the room designated as the kitchen, and which shall be connected to a functioning cold water system and a functioning hot water system, as described above. The sink shall drain into a freely-running sewer system. The area surrounding the sink, as well as the sink itself, shall present a non-porous surface for water, and shall be free of cracks and crevices, and shall present a clean, sanitary appearance.

(5) The dwelling shall be equipped with a sanitary sewage disposal system that drains freely at all times into the municipal sewage system.

(6) The dwelling shall be equipped with a heating system that maintains all occupied rooms at a temperature of at least 70°F at a distance of three feet above the floor level under ordinary minimum winter conditions.

(7) The dwelling unit shall have an electrical service consistent with the appropriate regulating codes and ordinances of the city.

(a) Each entrance/exit shall be illuminated by exterior lights controlled by interior wall switches. Each public hallway, stairwell, laundry room, furnace room shall contain at least one supplied ceiling or wall type electric light fixture.

(b) If a kitchen outlet is within six feet of water or any other outlet, the outlet shall be a GFI (Ground Fault Interrupter). There shall also be a GFI outlet in the bathroom not more than 48 inches from the basin. The outlet shall be at least 30 inches and not more than 60 inches above the floor.

(c) Tenants shall have access to their own fuse box (example: fuse box in each unit or in basement that tenant has access to). Service (fuse box) shall be closed, having no live parts exposed.

(d) All electrical outlets and fixtures shall be kept in good and safe working order.

(e) If electrical service does not meet these minimum standards, it shall be brought up to the required standards, consistent with the appropriate regulating codes and ordinances of the city, by a licensed electrical contractor with a city permit.

(8) All floors, steps, porches, and stairways inside and outside of dwelling shall be sound, and free of loose or cracked coverings, holes, depressions or defects which may tend to present a danger to persons.

(9) The outer roof surface of the dwelling shall present an impervious surface to rain water, and shall present no deformations or voids.

(10) The gutters/rain pipes and down spouts shall be properly secured to the house and be free from deterioration (example: rotting or missing pieces).

(11) All interior and exterior windows of the dwelling shall be equipped with panes of glass or approved materials sealed from water and wind. All windows shall be equipped with a storm window and screen, as may be required by the appropriate regulating codes and ordinances of the city. All windows shall be openable from the inside of dwelling. Any window that is designed to be openable shall have storm windows and screens. Window shall not be held up with a prop. Each window shall be capable of being locked or secured from inside the dwelling.

(12) All exterior doors of the dwelling shall be capable of being secured from the inside by a locking device, and shall be openable by actuating a latch or similar device. All doors shall be maintained such that they present a barrier to persons and animals. All entrance and exit doors immediately connected to unit shall have a screen/storm door that is in good working order.

(13) The exterior of the dwelling shall be coated with a material that seals out moisture, and which presents a continuous uninterrupted surface except where there are doors or windows.

(14) The dwelling shall be free of insects and rodents.

(15) The exterior lot shall be free of debris, rubbish, trash, garbage or wastes, abandoned/unused vehicles, and shall bear no evidence of rodent infestation.

(16) Any garage shed or storage structure shall be in good condition, free of deterioration and free of debris and shall have a rat wall measuring at least two feet in depth.

(17) Smoke alarms shall be required in locations and in numbers in the unit as prescribed by the Fire Inspector and any applicable ordinance.

(18) If the inspection discloses any evidence of structural, electrical, mechanical or sanitation conditions that may prove detrimental to the safety and health of the occupants, the city reserves the right to conduct the necessary trade inspections to determine the extent of any violations and the corrective actions required.

(19) The dwelling meets any other requirements as may be provided for in the appropriate regulating codes and ordinances of the city.

(D) A certificate of compliance is valid for a period of two years from its date of issuance or change of occupancy, provided that the rental dwelling and rental units remain in compliance with all applicable codes and ordinances and are not sold or transferred. For a new rental dwelling, a certificate of compliance shall be issued simultaneously with the certificate of occupancy and shall remain valid for two years provided that the rental dwelling and rental units remain in compliance with all the applicable codes and ordinances and are not transferred. When the rental dwelling or rental units are going to be sold or transferred, a new inspection and a new certificate of compliance shall be required. Any new owner shall make application for a certificate of compliance for each new rental dwelling and rental unit within ten days of the date of any change of ownership. The inspection fees will follow the same guidelines as stated in this subchapter. The Building Director may revoke a certificate of compliance for a violation of any code, ordinance or rule regulation of the city and said certificate must be renewed every two years. The initial certificate of compliance shall be applied for in accordance with this subchapter within 90 days of the enactment of this subchapter.
(Ord. 788, passed 11-29-00; Am. Ord. 796, passed 11-4-02; Am. Ord. 810, passed 3-5-07) Penalty, see § 10.99

§ 150.238 CERTIFICATE OF COMPLIANCE APPLICATION FORM AND FEE.

(A) An application for certificate of compliance shall be made in such form and in accordance with such instructions as may be provided by the Building Director and shall include at least the following information:

(1) Name, address, telephone number and date of birth of the owner(s);

(2) Name, address and telephone number of responsible local agent; and

(3) Address and number of units applied for under the certificate of compliance.

(B) The inspection fee for a certificate of compliance shall be established by resolution of the City Council. These fees may be changed from time to time by resolution of the City Council.

(C) All owner occupied rentals shall follow the same inspection fee. The owner's own unit shall not be inspected unless there is an indication that there is a safety or health problem located in the unit. The owner's unit will not be inspected without permission of the owner. All command areas should be inspected, including furnace, water heaters, etc. If an inspection of the owner's unit is necessary, no fee will be charged for owner's unit.

(D) If the date of the certificate of compliance falls within 90 days of the owner having received a certificate of occupancy, then the fee may be waived.
(Ord. 788, passed 11-29-00; Am. Ord. 796, passed 11-4-02; Am. Ord. 810, passed 3-5-07) Penalty, see § 10.99

§ 150.239 POSTING OF CERTIFICATE OF COMPLIANCE.

The following information shall be posted in a conspicuous place either within each rental dwelling and rental unit or in a common area shared by all occupants of a rental dwelling and rental unit:

(A) A copy of the current certificate of compliance; and

(B) The name, address, and telephone number of the responsible local agent.
(Ord. 788, passed 11-29-00; Am. Ord. 810, passed 3-5-07) Penalty, see § 10.99

§ 150.240 DISCLAIMER OF LIABILITY.

(A) A certificate of compliance is not a warranty or guarantee that there are no defects in the rental dwelling or unit and the city shall not be held responsible for defects not noted in the inspection report.

(B) This inspection of the land use, exterior posture and interior accessories of the structure is limited to visual inspection only. The city does not guarantee or approve by inference any latent, structural or mechanical defects thereto, or such other items that are not apparent by such visual inspection.

(C) The city shall not assume any liability to any person by reason of the inspections required by the subchapter or the code adopted herein or the issuance of a certificate of compliance or a certificate of occupancy.
(Ord. 788, passed 11-29-00)

REQUEST FOR COUNCIL ACTION

To: Richard Marsh, City Manager **Date: January 12, 2015**

From: M. Jeannie Fields, **Date for Council Consideration: January 20, 2015**
Community Development Manager

ACTION REQUESTED: Consider adopting 2015 meeting calendars of the Brownfield Development Authority, Downtown Development Authority, Planning Commission, Economic Development Corporation, Tax Increment Finance Authority and Zoning Board of Appeals.

Current Action ___X___ Emergency _____ Future _____

Funds Budgeted: If Yes _____ Account #_____ No _____ N/A _X_

Treasurer's Approval _____

BACKGROUND INFORMATION

In accordance with local ordinances and by-laws, it is necessary to adopt meeting calendars for the Brownfield Redevelopment Authority, Downtown Development Authority, Planning Commission, Economic Development Corporation, Tax Increment Finance Authority and Zoning Board of Appeals annually.

SCOPE OF SERVICES

Adopt 2015 meeting calendars

JUSTIFICATION

Compliance with local ordinances and by-laws.

PROJECT OR IMPROVEMENT TASKS

1. Revitalize the Michigan Avenue Corridor and the area covered by the DDA
2. Develop a plan to Diversify the tax base to ensure a sustainable budget for Inkster
3. Improve and promote the image of Inkster

PROJECT OR IMPROVEMENT TASK

N/A

COST

N/A

PROJECT TIME TABLE

N/A

RESOLUTION

The Inkster City Council hereby adopts the 2015 meeting calendars for the Brownfield Redevelopment Authority, Downtown Development Authority, Planning Commission, Economic Development Corporation, Tax Increment Finance Authority, and Zoning Board of Appeals as follows:

Brownfield Redevelopment Authority (BRA) – The second Tuesday of each month at 5:30 p.m. in the City Hall Tax Increment Finance Authority Community Room unless otherwise notified:

January 13, 2015	July 14, 2015
February 10, 2015	August 11, 2015
March 10, 2015	September 8, 2015
April 14, 2015	October 13, 2015
May 12, 2015	November 10, 2015
June 9, 2015	December 8, 2015

Downtown Development Authority – The third Tuesday of each month at 6:00 p.m. in the City Hall Council Chamber unless otherwise notified:

*January 21, 2015	July 21, 2015
February 17, 2015	August 18, 2015
March 17, 2015	September 15, 2015
April 21, 2015	October 20, 2015
May 19, 2015	November 17, 2015
June 16, 2015	December 15, 2015

* Calendar Change

Planning Commission – The second and fourth Monday of each month at 6:00 p.m. in the City Hall Council Chamber unless otherwise notified:

January 12, 2015	July 13, 2015
January 26, 2015	July 27, 2015
February 9, 2015	August 10, 2015
February 23, 2015	August 24, 2015
March 9, 2015	September 14, 2015
March 23, 2015	September 28, 2015
April 13, 2015	October 12, 2015
April 27, 2015	October 26, 2015
May 11, 2015	November 9, 2015
*May 26, 2015	November 23, 2015
June 8, 2015	December 14, 2015
June 22, 2015	December 28, 2015

*Calendar Change

Tax Increment Finance Authority/Economic Development Corporation – The second Thursday of each month at 6:30 p.m. in the City Hall Council Chamber unless otherwise notified:

January 8, 2015	June 11, 2015
February 12, 2015	September 10, 2015
*March 19, 2015	October 8, 2015
April 9, 2015	November 12, 2015
May 14, 2015	December 10, 2015

*Calendar Change

Zoning Board of Appeals – The first Thursday of each month at 7:30 p.m. in the City Hall Council Chamber unless otherwise notified:

*January 6, 2015	July 2, 2015
February 5, 2015	August 6, 2015
March 5, 2015	September 3, 2015
April 2, 2015	October 1, 2015
May 7, 2015	November 5, 2015
June 4, 2015	December 3, 2015

*Calendar Change

Resolved by _____ Seconded by _____

Yes:
No:
Absent:

REQUEST FOR COUNCIL ACTION

To: Richard Marsh, City Manager **Date: January 7, 2015**

From: Jerome Bivins, DPS Deputy Director JB **Date for Council's Consideration: January 20, 2015**

ACTION REQUESTED: Consider authorizing Deputy Director of the DPS to make application to the Wayne County Department of Public Service for the necessary annual permit to occupy Right-Of-Way of Wayne County Roads on behalf of the City of Inkster. Consider adopting the attached resolution to be submitted to Wayne County as part of requirements to submit the permit application.

Current Action ___X___ Emergency _____ Future _____

Funds Budgeted: If Yes ____ Account #_____ No ____ N/A _X___

Treasurer's Approval MDS

BACKGROUND:

The Annual Permit to occupy the Right-Of-Way of County Roads is required from Wayne County to replace and repair pavement cuts due to utility repairs within the Right-Of-Way of various Roads in Wayne County.

SCOPE OF SERVICES:

To conduct replacement and repairs to pavement work on County Roads as need in accordance with the Wayne County rules, specifications and procedures within the boundaries of our Community as needed for this permit.

JUSTIFICATION:

Wayne County requirement to occupy the Right-Of-Way with regard to pavement restoration work.

PROJECT IMPROVEMENTS:

Improve and promote the City of Inkster image

COSTS:

N/A

PROJECTED TIME TABLE:

Resolution will be submitted as part of application upon adoption by the Mayor and Council resolution.

RESOLUTION:

Authorization is hereby given to Deputy Director of the DPS to make application to the Wayne County Department of Public Service for the necessary annual permit to occupy Right-Of-Way of Wayne County Roads on behalf of the City of Inkster. Consider adopting the attached resolution to be submitted to Wayne County as part of requirements to submit the permit application.

Resolved by _____ Seconded by _____

Yes:
No:
Absent:

Robert A. Ficano
County Executive

November 14, 2014

City Of Inkster
26900 Princeton St
Inkster, MI 48141-2314

RE: Annual Pavement Restoration Permit - A-15114

Attention: Jerome Bivins

Enclosed is your Wayne County Annual Pavement Restoration Permit package. The Annual Permit authorizes your company to occupy Wayne County road rights-of-way for the purpose of pavement repair and restoration.

In addition to the Annual Permit, the package also includes the following attachments, which are incorporated by reference into the permit:

1. *General Conditions and Limitations of Permits*
2. *Indemnity and Insurance Attachment*
3. *Model Community Resolution*

Please review the insurance attachment carefully, since the insurance requirements have been recently updated.

The WCDPS Permit Office has published its manual, *Rules, Specifications and Procedures for Permit Construction.* This manual replaces the Permit Specifications document which was attached to annual permits in previous years. The manual is also incorporated by reference into this annual permit and is available online at:

http://waynecounty.com/dps_engineering_cpoffice.htm

In particular, refer to Section 6, "Restoration" and Section 7, "Maintaining Traffic and Traffic Control Devices" for specific rules and specifications regarding pavement restoration work. Additionally, refer to Wayne County Standards of Permit Construction, numbered: PR-1, PR-2, PR-3, PR-4 and PR-5 for detailed specifications on pavement repair and patching. These standards are also available online at the above web address.

As an additional condition of this annual permit, the Permit Holder agrees to provide at least 72 hours prior notice before starting any construction. Each notice shall be sent to the Permit Office at the address shown below and shall include the location and date of the proposed work along with a detailed set of construction plans.

For each restoration project, plan review and inspection costs, including overtime, supervision, materials testing and emergency work (if required) will be billed to the Permit Holder on a monthly basis.

Please return the original permit, signed and dated by an authorized signatory, confirming that the signer's name is typed below the signature line and submit these documents to:

Wayne County Department of Public Services
Permit Office
Attn: Ms. Louann Adcock
33809 Michigan Avenue
Wayne MI 48184

Once received, I will validate your permit and return an executed copy to you for your files.

If you have any questions regarding this Annual Permit, please contact me at 734.595.6504, extension 2000.

Sincerely,

Louann Adcock

Louann Adcock
Clerical Specialist

C: file

Attachments: Annual Permit
General Conditions and Limitations of Permits
Indemnity and Insurance Attachment
Model Community Resolution

PERMIT OFFICE
33809 MICHIGAN AVE
WAYNE, Mi 48184,
PHONE (734) 595-6504
FAX (734) 595-6356

72 HOURS BEFORE ANY CONSTRUCTION, CALL
Eileen Gardenhire
(734) 595-6504, Ext: 2030
FOR INSPECTION

WAYNE COUNTY
DEPARTMENT OF PUBLIC SERVICES
PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN

PERMIT No.	
A-15114	
ISSUE DATE	EXPIRES
1/1/2015	12/31/2015
REVIEW No.	WORK ORDER
	79354

PROJECT NAME
INKSTER - PAVEMENT RESTORATION

LOCATION
VARIOUS

CITY/TWP
INKSTER

PERMIT HOLDER
CITY OF INKSTER
26900 PRINCETON ST
INKSTER, MI 48141-2314

CONTRACTOR

MI

CONTACT
JEROME BIVINS (313) 563-9773

CONTACT
<BLANK>

DESCRIPTION OF PERMITTED ACTIVITY *(72 HOURS BEFORE YOU DIG, CALL MISS DIG 1-800-482-7161, www.missdig.org)*

TO REPLACE AND REPAIR PAVEMENT CUTS DUE TO UTILITY REPAIRS WITHIN THE RIGHT-OF-WAY OF VARIOUS ROADS IN WAYNE COUNTY IN ACCORDANCE WITH THE WAYNE COUNTY RULES, SPECIFICATIONS AND PROCEDURES MANUAL & WAYNE COUNTY STANDARD PLANS FOR PERMIT CONSTRUCTION.

AT LEAST 72 HOURS PRIOR TO CONSTRUCTION, THE PERMIT HOLDER SHALL SUBMIT WRITTEN NOTICE OF CONSTRUCTION, INCLUDING THE LOCATION AND DATE OF THE WORK ALONG WITH CONSTRUCTION PLANS TO THE PERMIT OFFICE FOR APPROVAL.

THE FINAL AREA OF ANY PAVEMENT TO BE REPLACED AND/OR OVERLAID SHALL BE DETERMINED AND MARKED OUT BY THE COUNTY.

FOR EACH PROJECT, ALL ACTUAL PLAN REVIEW AND INSPECTION COSTS, INCLUDING OVERTIME, SUPERVISION, TESTING OF MATERIALS AND EMERGENCY WORK, IF REQUIRED, SHALL BE BILLED TO THE PERMIT HOLDER ON A MONTHLY BASIS.

ANY ROAD CLOSURE SHALL BE IN COMPLIANCE WITH THE MICHIGAN MANUAL OF TRAFFIC CONTROL DEVICES. HTTP://MUTCD.FHWA.DOT.GOV

THE ATTACHMENTS LISTED BELOW ARE INCORPORATED BY REFERENCE AS PART OF THE CONDITIONS OF THIS PERMIT.

FINANCIAL SUMMARY	
PERMIT FEE	$0.00
PLAN REVIEW FEE	$0.00
PARK FEE	$0.00
OTHER FEE	$0.00
BOND	$0.00
INSPECTION DEPOSIT	$0.00
OTHER BOND	$0.00
TOTAL COSTS	$0.00

TOTAL CHECK AMOUNT $0.00

CASHIER DATE 1/1/2015

DEPOSITOR

LETTER OF CREDIT DEPOSITOR

APPROVED PLANS PREPARED BY

PLANS APPROVED BY DATE PLANS APPROVED 1/1/2015

REQUIRED ATTACHMENTS
GENERAL CONDITIONS

INDEMNITY AND INSURANCE ATTACHMENT

RULES, SPECIFICATIONS AND PROCEDURES FOR PERMIT CONSTRUCTION - AVAILABLE ONLINE AT

www.waynecounty.com/dps_engineering_cpoffice.htm

(PERMIT VALID ONLY IF ACCOMPANIED BY ABOVE ATTACHMENTS)

In consideration of the Permit Holder and Contractor agreeing to abide and conform with all the terms and conditions herein, a Permit is hereby issued to the above named to Construct, Operate, Use and/or Maintain within the Road Right of Way, County Easement, and/or County Property. The permitted work described above shall be accomplished in accordance with the Approved Plans, Maps, Specifications and Statements filed with the Permit Office which are integral to and made part of this Permit. The General Conditions as well as any Required Attachments are incorporated as part of this Permit.

JEROME BIVINS
PERMIT HOLDER / AUTHORIZED AGENT

DATE

WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES

PREPARED BY

<BLANK>
CONTRACTOR / AUTHORIZED AGENT

DATE

VALIDATED BY Mr. Ali Aljawad

DATE

Wayne County Department of Public Services
Engineering Division – Permit Office

Conditions & Limitations of Permits

Plan Approval and Specifications: All work performed under the permit shall be done in accordance with the approved plans, specifications, maps, statements and special conditions filed with the County and shall comply with Wayne County Specifications, as defined in the current *Wayne County Rules, Specifications and Procedures for Permit Construction*, included as an attachment to this permit, the *Wayne County Standard Plans for Permit Construction*, and the *MDOT Standard Specifications For Construction*, as modified by WCDPS Special Provisions, and other WCDPS specifications. Any situation or problem which occurs as a result of the construction, operation, use and/or maintenance of the facility in the right-of-way and is not covered by the approved plans nor by the County's current Standards and Specifications shall be resolved by the Permit Holder as directed and approved by the Permit Office. Any significant change to the plans must be approved by the Permit Office and is authorized only when an approved addendum is obtained from the Permit Office.

Fees: The Permit Holder shall be responsible for all fees and costs incurred by the County in connection with the permit and shall deposit payment for fees and costs as determined by the County at the time the permit is issued.

Bond: The Permit Holder shall furnish a bond in cash or Certified check in an amount acceptable to the County to guarantee performance under the conditions of the permit. The County may use all or any portion of the bond which shall be necessary to cover any expense, including inspection costs or damage incurred by the County through the granting of the permit. Should the bond be insufficient to cover the expenses and damages incurred by the County, the Permit Holder shall pay such deficiency upon billing by the County. If the bond amount exceeds the expenses and damages incurred by the County, the excess portion will be returned to the Depositor. The excess performance bond provided for herein, when it cannot be returned, shall be deposited into the County Road Fund and become a part thereof, unless claimed by the Depositor within one year of the date of satisfactory completion of the construction authorized by the permit.

Insurance: The Permit Holder shall furnish proof of liability and property damage insurance in the form and amounts acceptable to the County with Wayne County named as an insured party. The Permit Holder shall maintain this insurance until the permit is released, revoked or cancelled by the County.

Indemnification: Where the permittee is a government, to the extent allowed by law, the Permit Holder shall indemnify, hold harmless and defend Wayne County, the Wayne County Department of Public Services, its officials and employees against any and all claims, suits and judgments to which the County, the Department, its officials and employees may be subject and for all costs and actual attorney fees which may be incurred on account of injury to persons or damage to property, including property of the County, whether due to negligence of the Permit Holder or to the joint negligence of the Permit Holder and the County, arising out of any and all work performed under the permit, or in connection with work not authorized by the permit, or resulting from failure to comply with the terms of the permit or arising out of the continued existence of the work product that is the subject of the permit.

Permit on Site: The Permit Holder shall keep available a copy of the permit and any associated approved plans on site during permitted activities.

Notification for Start and Completion of Work: The permit shall not become operative until it has been fully executed by the County. The Permit Holder shall notify the County before starting construction and shall notify the County when work is completed. The Permit Holder or their representative shall have copies of the executed permit and approved plans in their possession on the job site at all times.

1. The Permit Holder shall provide at least three (3) days advanced notice, excluding Saturdays, Sundays and holidays, to the Permit Office prior to the commencement of any permitted activities by submitting a START OF WORK NOTIFICATION form by mail, fax or e-mail. In certain instances, additional notice may be required by the Permit Office. In the event that construction work ceases for a period of time, then the Permit Holder shall notify the Wayne County Inspector at least 24 hours prior to resuming work.
2. The Permit Holder shall comply with all requirements of the Miss Dig Statute, MCL §460.701 et seq., as amended. The Permit Holder shall call "MISS DIG", at (800) 482-7161, at least 72 hours, excluding Saturdays, Sundays and holidays, but not more than twenty-one (21) calendar days, before starting any underground work. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
3. The Permit Holder shall call Wayne County Department of Public Services' Traffic Operations Office at (734) 955-2154, at least 72 hours prior, excluding Saturdays, Sundays and holidays, but not more than twenty-one (21) calendar days, before starting any underground work in the vicinity of any traffic signal equipment owned, operated or maintained by Wayne County.

Safety: The Permit Holder agrees that all work under the permit shall be performed in a safe manner and to keep the area affected by the permit in a safe condition until the work is completed and accepted by the County. The Permit Holder shall furnish, install and maintain all necessary traffic controls and protection which are in accordance with the current Manual on Uniform Traffic Control Devices (MUTCD). The Permit Holder shall conduct all activities and maintain all facilities as set forth in the permit in a manner so as not to damage, impair, interfere with, or obstruct a public road or create a foreseeable risk of harm to the traveling public. The Permit Holder shall comply with all applicable OSHA and MIOSHA requirements.

Underground Utilities: The Permit Holder shall contact all utility owners regarding their facilities prior to starting work and shall comply with all applicable provisions of Act 53, Public Acts of 1974, as amended. Wayne County makes no warranty either expressed or implied as to the condition or suitability of subsurface conditions or any existing facility which may be encountered during an excavation. The presence or absence of utilities is based on the best information available and the County is not responsible for the accuracy of this information. The Permit Holder assumes all responsibility for the interruption and damage to underground utilities. The Permit Holder is responsible for proper disposal, in accordance with current regulations, of any material excavated from within the right-of-way. Such materials include, without limitation, soils or groundwater contaminated by petroleum products or other pollutants associated with sites identified by the MDEQ or reported on appropriate release forms for underground storage tanks.

Assignability: The permit is neither transferable nor assignable without the written consent of the County.

Limitation of Permit: The Applicant and the Permit Holder shall be responsible for obtaining and shall secure any permits or permission necessary or required by law from State, federal or other local governmental agencies and jurisdictions, corporations or individuals. These include, without limitation, those pertaining to drains, inland lakes and streams, wetlands, woodlands, flood plains, filling, noise regulation and hours of operation. Issuance of a Wayne County permit does not authorize activities otherwise regulated by State, federal or local agencies.

Access of Other Vehicles: The Permit Holder shall, at all times possible, maintain a minimum of one acceptable access to all abutting occupied properties, driveways and side streets unless otherwise specified on the approved plans. The Permit Holder shall notify all owners or occupants of properties whose access may be temporarily disrupted during the permitted work. The local police, fire or emergency service agencies shall define acceptable access. The Permit Holder shall provide signing and other improvements necessary to ensure adequate access until the roadway, driveway or side street is restored. The Permit Holder shall conduct all operations so as to minimize inconvenience to abutting property owners. Wayne County reserves the right to reasonably restrict the progress of work by the Permit Holder based on the rate of roadway and right-of-way restoration, including permanent or temporary pavement. Wayne County may require that work be suspended until satisfactory backfilling of open trenches or excavations has been completed and driveways, side streets and drainage restored.

Restoration: The Permit Holder agrees to restore the County road and road right-of-way, County drain easement or County park property to a condition equal to or better than its condition before work under the permit began. If the Permit Holder fails to satisfactorily restore the permitted work area, Wayne County may take all practical actions necessary to provide reasonably safe and convenient public travel, preservation of the roadway and drainage, prevention of soil erosion and sedimentation, and elimination of nuisance to abutting property owners caused by the permitted activity. Security in the form of cash, a certified check or surety bond shall be required to secure the cost of restoring the disturbed portion of the right-of-way to an acceptable safe condition. The amount of the security shall be determined by the Permit Office. In the event that a suspension of work will be protracted or that the work will not be completed by the Permit Holder, the Permit Holder shall restore the right-of-way to a condition similar to the condition that existed prior to issuance of the permit.

Acceptance: Acceptance by the County of work performed does not relieve the Permit Holder of full responsibility for work performed or the presence of the permitted facility. The Permit Holder acknowledges that the County has no liability for the presence of the Permit Holder's facility located within the County road right-of-way, County drain easement or County park property.

Permit Expiration and Extension of Time: All work authorized by the permit shall be completed to the satisfaction of the Permit Office on or before the expiration date specified in the permit. Any request for an extension of time for completion shall be on a completed County form and shall demonstrate good cause for granting the request. Additional requirements may be imposed as a condition of an extension of time due to seasonal limitations or other considerations. These additional requirements may include, without limitation, changes to materials or construction methods, reestablishment of fees, bonds, deposits and insurance requirements.

Responsibility: The design, construction, operation and maintenance of all work covered by the permit shall be at the Permit Holder's expense with the exception that the Permit Holder will not be responsible for maintaining road widenings or similar facilities which become part of the County roadway.

Revocation: The permit may be suspended or revoked at the will of the County. Upon order of the County, the Permit Holder shall surrender the permit, cease operations and remove, alter or relocate, at their expense, the facilities for which the permit was granted. The Permit Holder expressly waives any right to claim damages for compensation resulting from the revocation of the permit.

Violation: The County may declare the permit null and void if the Permit Holder violates the terms of the permit. The County may require immediate removal of the Permit Holder's facilities and restoration of the County property, or the County may remove the facilities and restore the County property at the Permit Holder's expense. The Permit Holder agrees that in the event of a violation of the terms of the permit or in the event the work authorized by the permit is not satisfactorily completed by the permit expiration date, the County may use all or any portion of the performance bond to restore the County road right-of-way, drain easement, wastewater facility or park property as necessary for reasonably safe and efficient operations and maintenance, or to establish extraordinary maintenance procedures as required to assure reasonably safe and efficient operation of the County facility.

Inspection and Testing of Materials: Wayne County reserves the right of inspection and the testing of materials by its authorized representatives of all permitted activities and/or activities within the road right-of-way, County owned property or within a County drain easement. All items identified by the final inspection shall be resolved prior to release of the permit. All materials and methods utilized during the course of the authorized permit work shall meet the requirements of the current MDOT Standard Specifications For Construction as modified by Wayne County Special Provisions, Standard Plans for Permit Construction and this manual. The Permit Holder shall reimburse Wayne County for all required inspections and testing of materials.

Design: The Permit Holder is fully responsible for the design of the permitted facility, such that the design shall be consistent with all applicable County standards, specifications, guidelines, requirements and with good engineering practice. Any errors in the plans that become evident after the issuance of a permit, and which change the scope of permitted work, are subject to review and may be grounds for revocation of the permit. The Permit Office will not relieve the Permit Holder of the responsibility of correcting errors, deficiencies, or omissions due to oversight or unforeseen contingencies such as faulty drainage, poor subsoil conditions or the failure of the Permit Holder's engineer to show all the related or pertinent conditions inside or outside the plan area.

Drainage: Drainage shall not be altered to flow into the road right-of-way or road drainage system unless approved by Wayne County.

Permit Holder Compliance: The Permit Holder shall abide by the conditions and limitations contained on the permit and all other conditions listed within the WCDPS Rules, Specifications and Procedures for Construction Permits. The application of any work undertaken under the permit shall constitute the Permit Holder's agreement to the Provision.

Wayne County Department of Public Services
Engineering Division – Permit Office

Indemnity and Insurance Attachment

To the extent allowed by law, the Permit Holder shall defend and hold harmless Wayne County, the Department of Public Services, its officials and employees against any and all claims, suits and judgments to which Wayne County, the Departments, its officials and employees may be subject and for all costs and actual attorney fees which may be incurred on account of injury to persons or damage to property, including County property. The Permit Holder shall provide this indemnity for any incident arising out of any and all activities performed under the permit or in connection with work not authorized by the permit, or resulting from the failure to comply with the terms of the permit, or arising out of the continued existence of the work product that is subject to the permit.

Certificates of insurance shall be required for all construction permits, excluding residential driveway permits. Each certificate of insurance and any associated correspondence shall reference the plan review number of the project. General liability and automotive liability insurance coverage shall be in amounts detailed below:

> *The general liability insurance coverage shall be in amounts not less than $1,000,000 each occurrence and $2,000,000 general aggregate. Proof of automobile liability shall be in amounts not less than $1,000,000 combined single limit for each accident, bodily injury per accident, and property damage per accident, and in an amount not less than $1,000,000 for bodily injury each person, each occurrence and property damage liability $1,000,000 each occurrence.*

The certificate of insurance must be provided by a person, the corporation, or by authorized representatives who signed personally either the application or permit. Insurance shall remain in force until the permit is released by Wayne County.

The Wayne County Department of Public Services shall be a Certificate Holder on the policy of insurance. Wayne County, drainage district, and its officers, agents and employees shall be named as additional insured parties. It is also required that the annual permit numbers are included on each certificate of insurance.

The insurance shall cover a period not less than the term of the permit and shall provide that it cannot be cancelled or reduced without thirty (30) days advance written notice to Wayne County, by certified mail, first-class, return receipt requested. The thirty (30) days shall begin on the date when the County received the notice, as evidenced by the return receipt.

Such insurance shall provide by endorsement therein for the thirty (30) day notice by the insurer to the Permit Office prior to termination, cancellation or material alteration of the policy.

Licensee agrees to make application for renewal thereof at least sixty (60) days before the expiration date of the policy then in force and to file a certified copy of such renewed policy with the Permit Office.

The policy shall also provide by endorsement for the removal of the contractual exclusion.

Should insurance coverage be cancelled or reduced below acceptable limits, or allowed to expire, the authorization to continue work under the permit shall be suspended or revoked and shall not resume until new insurance is in force and accepted by Wayne County. Wayne County may, in such cases, take appropriate action to restore or protect the road and appurtenances. All costs incurred by this action shall be deducted from any remaining inspection deposit, bond and/or Letter of Credit and, if necessary, the Permit Holder may be billed to defray actual expenses.

MODEL COMMUNITY RESOLUTION
AUTHORIZING EXECUTION OF
ANNUAL PAVEMENT RESTORATION PERMIT

Resolution No. _____

At a Regular Meeting of the _____ (*Name of Community Governing Board*) on _____ *(date)*, the following resolution was offered:

WHEREAS, the _____(hereinafter the "Community") periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the "County") for permits to conduct permanent pavement repairs due to emergency repairs on local and County roads located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel;

WHEREAS, pursuant to Act 51 of 1951, being MCL 247.651 *et seq*, the County permits and regulates such activities and related temporary road closures;

NOW THEREFORE, in consideration of the County granting such Permit, the Community agrees and resolves that:

To the extent allowed by law, it will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its officers, agents and employees:

from any and all claims and losses occurring or resulting to any and all persons, firms, or corporations furnishing or supplying work, services, materials, or supplies to the Community as the result of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road; and

from any and all claims of every kind for injuries to, or death of, any and all persons, and for loss of or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road, except claims resulting from the direct negligence or willful acts or omissions of said County performing permit activities.

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors or any other person not a party to the Permit without its specific prior written consent and notwithstanding the issuance of the Permit.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor's behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents and employees thereof.

The incorporation by the County of this resolution as part of a Permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

The resolution shall stipulate that the requesting city, incorporated village or township shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

The resolution shall stipulate that the requesting city, incorporated village or township shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This resolution shall continue in force from this date until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the County of Wayne Department of Public Services Engineering Division Permit Office for the necessary permit to work within County road right-of-way or local roads on behalf of the Community.

Name	and/or	Title

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the [Board of Trustees/City Council] of the _____(name of Community), County of Wayne, Michigan, on _____.

To: Richard Marsh, City Manager **Date: January 7,2015**

From: Jerome Bivins, DPS Deputy Director **Date for Council's Consideration: January 20, 2015**

ACTION REQUESTED: Consider authorizing the Deputy Director of DPS to make application to the Wayne County Department of Public Service for necessary annual permit to occupy the Right-Of-Way of County Roads on behalf of the City of Inkster. Consider adopting the attached resolution to be submitted to Wayne County as part of requirements to submit the permit application.

Current Action ___X___ Emergency _____ Future _____

Funds Budgeted: If Yes ____ Account #_____ No ____ N/A __X__

Treasurer's Approval _____

BACKGROUND:

The Annual Permit to occupy the Right-Of-Way of County Roads is required from Wayne County for sanitary sewer and water-main inspections, repair and routine maintenance, dust palliative, calcium and salt applications, sidewalk repair and replacement. Any infrastructure within the right of way requires a permit from Wayne County.

SCOPE OF SERVICES:

To conduct emergency repairs and annual maintenance work on local and County roads located entirely within the boundaries of the Community, as needed from time to time maintain the roads in a condition reasonable safe and convenient for public travel.

JUSTIFICATION:

Wayne County requirement to occupy the Right-OF-Way of County Roads.

PROJECT IMPROVEMENTS:

N/A

COSTS:

N/A

PROJECTED TIME TABLE:

Resolution will be submitted as part of application upon adoption by the Mayor and Council resolution.

RESOLUTION:

Authorization is hereby given to Deputy Director of DPS to make application to Wayne County Department of Public Service for necessary annual permit to occupy the Right-Of-Way of County Roads on behalf of the City of Inkster. Consider adopting the attached resolution to be submitted to Wayne County as part of requirements to submit the permit application.

Resolved by _____ Seconded by _____

Yes:
No:
Absent:

Robert A. Ficano
County Executive

October 30, 2014

City Of Inkster
26900 Princeton St
Inkster, MI 48141-2314

RE: Annual Maintenance Permit - A-15059

Attention: Jerome Bivins

Enclosed is your Wayne County Annual Maintenance Permit package. The Annual Permit authorizes a municipality to occupy Wayne County road rights-of-way for the purpose of inspection, repair and routine maintenance of the following facilities which are under its jurisdiction:

1. Sanitary sewer inspection, repair and routine maintenance.
2. Water main inspection, repair, routine maintenance and installation of residential and commercial water service connections (two-inch maximum diameter).
3. Application of dust palliatives.
4. Repair and replacement of existing sidewalks.

Note: A separate permit will be required for final pavement repairs when pavement is broken while making either emergency or non-emergency repairs.

In addition to the Annual Permit, the package also includes the following attachments, which are incorporated by reference into the permit:

1. *Scope of Work and Conditions for Municipal Maintenance Permits*
2. *General Conditions and Limitations of Permits*
3. *Indemnity and Insurance Attachment*
4. *Model Community Resolution*

Please review the insurance attachment carefully, since the insurance requirements have been recently updated.

The WCDPS Permit Office has published its manual, *Rules, Specifications and Procedures for Permit Construction.* This manual replaces the Permit Specifications Document which was attached to annual permits in previous years. The manual is also incorporated by reference into this annual permit and is available online at:

http://waynecounty.com/dps_engineering_cpoffice.htm

As a condition of the annual permit, the County requires that your governing body pass a blanket resolution of approval which

a) agrees to fulfill all permit obligations and conditions

b) to the extent allowed by law, indemnifies, hold harmless and defends Wayne County and its officials and employees against any and all damage claims, suits or judgments of any kind or nature arising as a result of the permitted activity

c) designates and authorizes an appropriate official of the requesting municipality to sign the permit on its behalf.

Please return the original permit, signed and dated by the person authorized and designated by the resolution, along with a certified copy of the resolution and a copy of your certificate of insurance, consistent with the requirements transmitted in this package. Type the name of the designated signer below the signature line and submit these documents to:

Wayne County Department of Public Services
Permit Office
Attn: Ms. Louann Adcock
33809 Michigan Avenue
Wayne MI 48184

Once received, the Permit Coordinator will validate your permit and return an executed copy to you for your files.

The *Scope of Work and Conditions for Municipal Maintenance Permits* requires that the Permit Holder submit monthly reports of all work performed under this permit. These reports should be faxed to 734.595.6356.

If you have any questions regarding this Annual Permit, please contact me at 734.595.6504, extension 2000.

Sincerely,

Louann Adcock

Louann Adcock
Clerical Specialist

C: file

Attachments: Annual Permit
Scope of Work and Conditions for Municipal Maintenance Permits
General Conditions and Limitations of Permits
Indemnity and Insurance Attachment
Model Community Resolution

PERMIT OFFICE
33809 MICHIGAN AVE
WAYNE, Mi 48184,
PHONE (734) 595-6504
FAX (734) 595-6356

72 HOURS BEFORE ANY CONSTRUCTION, CALL
Eileen Gardenhire
(734) 595-6504, Ext: 2030
FOR INSPECTION

WAYNE COUNTY
DEPARTMENT OF PUBLIC SERVICES
PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN

PERMIT No.	
A-15059	
ISSUE DATE	EXPIRES
1/1/2015	12/31/2015
REVIEW No.	WORK ORDER
	79641

PROJECT NAME
INKSTER - MAINTENANCE

LOCATION
VARIOUS ROADS ( )

CITY/TWP
INKSTER

PERMIT HOLDER
CITY OF INKSTER
26900 PRINCETON ST
INKSTER, MI 48141-2314

CONTRACTOR

MI

CONTACT
JEROME BIVINS (313) 563-9773

CONTACT
<BLANK>

DESCRIPTION OF PERMITTED ACTIVITY *(72 HOURS BEFORE YOU DIG, CALL MISS DIG 1-800-482-7161, www.missdig.org)*

TO OCCUPY THE RIGHT-OF-WAY OF COUNTY ROADS FOR THE BELOW ACTIVITIES:

1. SANITARY SEWER INSPECTION, REPAIR AND ROUTINE MAINTENANCE.
2. WATERMAIN INSPECTION, REPAIR AND ROUTINE MAINTENANCE.
3. DUST PALLATIVE, CALCIUM & SALT APPLICATIONS.
4. SIDEWALK REPAIR AND REPLACEMENT.
5. TO PERFORM STREET SWEEPING OPERATIONS DURING DAYLIGHT HOURS ONLY.

REFER TO ATTACHMENTS REFERENCED BELOW FOR ANNUAL PERMIT REQUIREMENTS AND CONDITIONS.
ALL ATTACHMENTS ARE INCORPORATED BY REFERENCE AS PART OF THIS PERMIT.

PAVEMENT REPAIRS REQUIRE A SEPARATE PERMIT AND ARE NOT TO BE COMPLETED UNDER THE TERMS OF THIS ANNUAL PERMIT.

PERMIT HOLDER AGREES TO SUBMIT MONTHLY REPORTS OF WORK PERFORMED UNDER THIS PERMIT.

ALL ACTUAL INSPECTION COSTS, INCLUDING OVERTIME, SUPERVISION, TESTING OF MATERIAL AND EMERGENCY WORK, IF REQUIRED, SHALL BE BILLED.

FINANCIAL SUMMARY

PERMIT FEE	$0.00
PLAN REVIEW FEE	$0.00
PARK FEE	$0.00
OTHER FEE	$0.00
BOND	$0.00
INSPECTION DEPOSIT	$0.00
OTHER BOND	$0.00
TOTAL COSTS	$0.00

TOTAL CHECK AMOUNT
$0.00

CASHIER

DATE
1/1/2015

DEPOSITOR

LETTER OF CREDIT DEPOSITOR

APPROVED PLANS PREPARED BY

PLANS APPROVED BY

DATE PLANS APPROVED
1/1/2015

REQUIRED ATTACHMENTS
GENERAL CONDITIONS
SCOPE OF WORK AND CONDITIONS FOR MUNICIPAL MAINTENANCE PERMITS
INDEMNITY AND INSURANCE ATTACHMENT
SAMPLE COMMUNITY RESOLUTION
RULES, SPECIFICATIONS AND PROCEDURES FOR PERMIT CONSTRUCTION - AVAILABLE ONLINE AT
www.waynecounty.com/dps_engineering_cpoffice.htm

(PERMIT VALID ONLY IF ACCOMPANIED BY ABOVE ATTACHMENTS)

In consideration of the Permit Holder and Contractor agreeing to abide and conform with all the terms and conditions herein, a Permit is hereby issued to the above named to Construct, Operate, Use and/or Maintain within the Road Right of Way, County Easement, and/or County Property. The permitted work described above shall be accomplished in accordance with the Approved Plans, Maps, Specifications and Statements filed with the Permit Office which are integral to and made part of this Permit. The General Conditions as well as any Required Attachments are incorporated as part of this Permit.

WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES

JEROME BIVINS
PERMIT HOLDER / AUTHORIZED AGENT

DATE

PREPARED BY

<BLANK>
CONTRACTOR / AUTHORIZED AGENT

DATE

VALIDATED BY Mr. Ali Aljawad

DATE

Wayne County Department of Public Services
Engineering Division – Permit Office

Scope of Work and Conditions Attachment For Annual Municipal Maintenance Permits

The Annual Permit authorizes the municipality to occupy Wayne County road rights-of-way for the purpose of inspection, repair and routine maintenance of the facilities listed below that are under its jurisdiction.

Scope of Work - The following work is authorized under the Annual Maintenance Permit:

Sanitary Sewers

1. Inspection, repair and routine maintenance of the facilities under its jurisdiction

Water Main and installation of 2" pipe

1. Inspection, repair and routine maintenance of the facilities under its jurisdiction
2. Water service connection with 2" diameter pipe or less, serving single customer
1. A separate permit will be required for any operations performed under the following conditions for Water and/or Sanitary related work:
   a. For all water service connections larger than a two inch (2") diameter
   b. For any water service connection that serves more than one customer
   c. Whenever work is to be performed in a new subdivision
   d. For any sanitary sewer service connection

Dust Palliative Applications

1. Dust palliative treatment shall be with calcium magnesium chloride in accordance with Wayne County specifications.
2. The municipality shall designate each road to be treated with dust palliative and pay the Contractor for all materials and service.
3. Prior to the application of Dust Palliative Materials, the Permit Holder shall provide at least seven (7) days notice to the Wayne County Roads Division (313-955-9920) to allow for preparation and inspection of the roads to be treated.

Sidewalk

1. Existing sidewalks may be repaired or replaced at existing alignment on existing grade.
2. A separate permit will be required for the construction of a new sidewalk, for the replacement of an existing sidewalk on a new alignment or grade or for the construction of new sidewalk ramps to the County road.

Permit Conditions

1. **A separate permit will be required for final pavement repairs when pavement is broken while making either emergency or non-emergency repairs.**
2. Reports indicating all work performed or that no work was performed under the permit shall be provided to the Permit Office at the end of each month.
3. Any work not covered under the annual scope of work and conditions above shall require a separate permit. Refer to the *Wayne County Rules, Specifications and Procedures Construction Permits.*
4. All inspection costs, including overtime, supervision, testing of materials and emergency work, if required, shall be billed to the Permit Holder.

Wayne County Department of Public Services
Engineering Division – Permit Office

Indemnity and Insurance Attachment

To the extent allowed by law, the Permit Holder shall defend and hold harmless Wayne County, the Department of Public Services, its officials and employees against any and all claims, suits and judgments to which Wayne County, the Departments, its officials and employees may be subject and for all costs and actual attorney fees which may be incurred on account of injury to persons or damage to property, including County property. The Permit Holder shall provide this indemnity for any incident arising out of any and all activities performed under the permit or in connection with work not authorized by the permit, or resulting from the failure to comply with the terms of the permit, or arising out of the continued existence of the work product that is subject to the permit.

Certificates of insurance shall be required for all construction permits, excluding residential driveway permits. Each certificate of insurance and any associated correspondence shall reference the plan review number of the project. General liability and automotive liability insurance coverage shall be in amounts detailed below:

> *The general liability insurance coverage shall be in amounts not less than $1,000,000 each occurrence and $2,000,000 general aggregate. Proof of automobile liability shall be in amounts not less than $1,000,000 combined single limit for each accident, bodily injury per accident, and property damage per accident, and in an amount not less than $1,000,000 for bodily injury each person, each occurrence and property damage liability $1,000,000 each occurrence.*

The certificate of insurance must be provided by a person, the corporation, or by authorized representatives who signed personally either the application or permit. Insurance shall remain in force until the permit is released by Wayne County.

The Wayne County Department of Public Services shall be a Certificate Holder on the policy of insurance. Wayne County, drainage district, and its officers, agents and employees shall be named as additional insured parties. It is also required that the annual permit numbers are included on each certificate of insurance.

The insurance shall cover a period not less than the term of the permit and shall provide that it cannot be cancelled or reduced without thirty (30) days advance written notice to Wayne County, by certified mail, first-class, return receipt requested. The thirty (30) days shall begin on the date when the County received the notice, as evidenced by the return receipt.

Such insurance shall provide by endorsement therein for the thirty (30) day notice by the insurer to the Permit Office prior to termination, cancellation or material alteration of the policy.

Licensee agrees to make application for renewal thereof at least sixty (60) days before the expiration date of the policy then in force and to file a certified copy of such renewed policy with the Permit Office.

The policy shall also provide by endorsement for the removal of the contractual exclusion.

Should insurance coverage be cancelled or reduced below acceptable limits, or allowed to expire, the authorization to continue work under the permit shall be suspended or revoked and shall not resume until new insurance is in force and accepted by Wayne County. Wayne County may, in such cases, take appropriate action to restore or protect the road and appurtenances. All costs incurred by this action shall be deducted from any remaining inspection deposit, bond and/or Letter of Credit and, if necessary, the Permit Holder may be billed to defray actual expenses.

Wayne County Department of Public Services
Engineering Division – Permit Office

Conditions & Limitations of Permits

Plan Approval and Specifications: All work performed under the permit shall be done in accordance with the approved plans, specifications, maps, statements and special conditions filed with the County and shall comply with Wayne County Specifications, as defined in the current *Wayne County Rules, Specifications and Procedures for Permit Construction*, included as an attachment to this permit, the *Wayne County Standard Plans for Permit Construction*, and the *MDOT Standard Specifications For Construction*, as modified by WCDPS Special Provisions, and other WCDPS specifications. Any situation or problem which occurs as a result of the construction, operation, use and/or maintenance of the facility in the right-of-way and is not covered by the approved plans nor by the County's current Standards and Specifications shall be resolved by the Permit Holder as directed and approved by the Permit Office. Any significant change to the plans must be approved by the Permit Office and is authorized only when an approved addendum is obtained from the Permit Office.

Fees: The Permit Holder shall be responsible for all fees and costs incurred by the County in connection with the permit and shall deposit payment for fees and costs as determined by the County at the time the permit is issued.

Bond: The Permit Holder shall furnish a bond in cash or Certified check in an amount acceptable to the County to guarantee performance under the conditions of the permit. The County may use all or any portion of the bond which shall be necessary to cover any expense, including inspection costs or damage incurred by the County through the granting of the permit. Should the bond be insufficient to cover the expenses and damages incurred by the County, the Permit Holder shall pay such deficiency upon billing by the County. If the bond amount exceeds the expenses and damages incurred by the County, the excess portion will be returned to the Depositor. The excess performance bond provided for herein, when it cannot be returned, shall be deposited into the County Road Fund and become a part thereof, unless claimed by the Depositor within one year of the date of satisfactory completion of the construction authorized by the permit.

Insurance: The Permit Holder shall furnish proof of liability and property damage insurance in the form and amounts acceptable to the County with Wayne County named as an insured party. The Permit Holder shall maintain this insurance until the permit is released, revoked or cancelled by the County.

Indemnification: Where the permittee is a government, to the extent allowed by law, the Permit Holder shall indemnify, hold harmless and defend Wayne County, the Wayne County Department of Public Services, its officials and employees against any and all claims, suits and judgments to which the County, the Department, its officials and employees may be subject and for all costs and actual attorney fees which may be incurred on account of injury to persons or damage to property, including property of the County, whether due to negligence of the Permit Holder or to the joint negligence of the Permit Holder and the County, arising out of any and all work performed under the permit, or in connection with work not authorized by the permit, or resulting from failure to comply with the terms of the permit or arising out of the continued existence of the work product that is the subject of the permit.

Permit on Site: The Permit Holder shall keep available a copy of the permit and any associated approved plans on site during permitted activities.

Notification for Start and Completion of Work: The permit shall not become operative until it has been fully executed by the County. The Permit Holder shall notify the County before starting construction and shall notify the County when work is completed. The Permit Holder or their representative shall have copies of the executed permit and approved plans in their possession on the job site at all times.

1. The Permit Holder shall provide at least three (3) days advanced notice, excluding Saturdays, Sundays and holidays, to the Permit Office prior to the commencement of any permitted activities by submitting a START OF WORK NOTIFICATION form by mail, fax or e-mail. In certain instances, additional notice may be required by the Permit Office. In the event that construction work ceases for a period of time, then the Permit Holder shall notify the Wayne County Inspector at least 24 hours prior to resuming work.
2. The Permit Holder shall comply with all requirements of the Miss Dig Statute, MCL §460.701 et seq., as amended. The Permit Holder shall call "MISS DIG", at (800) 482-7161, at least 72 hours, excluding Saturdays, Sundays and holidays, but not more than twenty-one (21) calendar days, before starting any underground work. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
3. The Permit Holder shall call Wayne County Department of Public Services' Traffic Operations Office at (734) 955-2154, at least 72 hours prior, excluding Saturdays, Sundays and holidays, but not more than twenty-one (21) calendar days, before starting any underground work in the vicinity of any traffic signal equipment owned, operated or maintained by Wayne County.

Safety: The Permit Holder agrees that all work under the permit shall be performed in a safe manner and to keep the area affected by the permit in a safe condition until the work is completed and accepted by the County. The Permit Holder shall furnish, install and maintain all necessary traffic controls and protection which are in accordance with the current Manual on Uniform Traffic Control Devices (MUTCD). The Permit Holder shall conduct all activities and maintain all facilities as set forth in the permit in a manner so as not to damage, impair, interfere with, or obstruct a public road or create a foreseeable risk of harm to the traveling public. The Permit Holder shall comply with all applicable OSHA and MIOSHA requirements.

Underground Utilities: The Permit Holder shall contact all utility owners regarding their facilities prior to starting work and shall comply with all applicable provisions of Act 53, Public Acts of 1974, as amended. Wayne County makes no warranty either expressed or implied as to the condition or suitability of subsurface conditions or any existing facility which may be encountered during an excavation. The presence or absence of utilities is based on the best information available and the County is not responsible for the accuracy of this information. The Permit Holder assumes all responsibility for the interruption and damage to underground utilities. The Permit Holder is responsible for proper disposal, in accordance with current regulations, of any material excavated from within the right-of-way. Such materials include, without limitation, soils or groundwater contaminated by petroleum products or other pollutants associated with sites identified by the MDEQ or reported on appropriate release forms for underground storage tanks.

Assignability: The permit is neither transferable nor assignable without the written consent of the County.

Limitation of Permit: The Applicant and the Permit Holder shall be responsible for obtaining and shall secure any permits or permission necessary or required by law from State, federal or other local governmental agencies and jurisdictions, corporations or individuals. These include, without limitation, those pertaining to drains, inland lakes and streams, wetlands, woodlands, flood plains, filling, noise regulation and hours of operation. Issuance of a Wayne County permit does not authorize activities otherwise regulated by State, federal or local agencies.

Access of Other Vehicles: The Permit Holder shall, at all times possible, maintain a minimum of one acceptable access to all abutting occupied properties, driveways and side streets unless otherwise specified on the approved plans. The Permit Holder shall notify all owners or occupants of properties whose access may be temporarily disrupted during the permitted work. The local police, fire or emergency service agencies shall define acceptable access. The Permit Holder shall provide signing and other improvements necessary to ensure adequate access until the roadway, driveway or side street is restored. The Permit Holder shall conduct all operations so as to minimize inconvenience to abutting property owners. Wayne County reserves the right to reasonably restrict the progress of work by the Permit Holder based on the rate of roadway and right-of-way restoration, including permanent or temporary pavement. Wayne County may require that work be suspended until satisfactory backfilling of open trenches or excavations has been completed and driveways, side streets and drainage restored.

Restoration: The Permit Holder agrees to restore the County road and road right-of-way, County drain easement or County park property to a condition equal to or better than its condition before work under the permit began. If the Permit Holder fails to satisfactorily restore the permitted work area, Wayne County may take all practical actions necessary to provide reasonably safe and convenient public travel, preservation of the roadway and drainage, prevention of soil erosion and sedimentation, and elimination of nuisance to abutting property owners caused by the permitted activity. Security in the form of cash, a certified check or surety bond shall be required to secure the cost of restoring the disturbed portion of the right-of-way to an acceptable safe condition. The amount of the security shall be determined by the Permit Office. In the event that a suspension of work will be protracted or that the work will not be completed by the Permit Holder, the Permit Holder shall restore the right-of-way to a condition similar to the condition that existed prior to issuance of the permit.

Acceptance: Acceptance by the County of work performed does not relieve the Permit Holder of full responsibility for work performed or the presence of the permitted facility. The Permit Holder acknowledges that the County has no liability for the presence of the Permit Holder's facility located within the County road right-of-way, County drain easement or County park property.

Permit Expiration and Extension of Time: All work authorized by the permit shall be completed to the satisfaction of the Permit Office on or before the expiration date specified in the permit. Any request for an extension of time for completion shall be on a completed County form and shall demonstrate good cause for granting the request. Additional requirements may be imposed as a condition of an extension of time due to seasonal limitations or other considerations. These additional requirements may include, without limitation, changes to materials or construction methods, reestablishment of fees, bonds, deposits and insurance requirements.

Responsibility: The design, construction, operation and maintenance of all work covered by the permit shall be at the Permit Holder's expense with the exception that the Permit Holder will not be responsible for maintaining road widenings or similar facilities which become part of the County roadway.

Revocation: The permit may be suspended or revoked at the will of the County. Upon order of the County, the Permit Holder shall surrender the permit, cease operations and remove, alter or relocate, at their expense, the facilities for which the permit was granted. The Permit Holder expressly waives any right to claim damages for compensation resulting from the revocation of the permit.

Violation: The County may declare the permit null and void if the Permit Holder violates the terms of the permit. The County may require immediate removal of the Permit Holder's facilities and restoration of the County property, or the County may remove the facilities and restore the County property at the Permit Holder's expense. The Permit Holder agrees that in the event of a violation of the terms of the permit or in the event the work authorized by the permit is not satisfactorily completed by the permit expiration date, the County may use all or any portion of the performance bond to restore the County road right-of-way, drain easement, wastewater facility or park property as necessary for reasonably safe and efficient operations and maintenance, or to establish extraordinary maintenance procedures as required to assure reasonably safe and efficient operation of the County facility.

Inspection and Testing of Materials: Wayne County reserves the right of inspection and the testing of materials by its authorized representatives of all permitted activities and/or activities within the road right-of-way, County owned property or within a County drain easement. All items identified by the final inspection shall be resolved prior to release of the permit. All materials and methods utilized during the course of the authorized permit work shall meet the requirements of the current MDOT Standard Specifications For Construction as modified by Wayne County Special Provisions, Standard Plans for Permit Construction and this manual. The Permit Holder shall reimburse Wayne County for all required inspections and testing of materials.

Design: The Permit Holder is fully responsible for the design of the permitted facility, such that the design shall be consistent with all applicable County standards, specifications, guidelines, requirements and with good engineering practice. Any errors in the plans that become evident after the issuance of a permit, and which change the scope of permitted work, are subject to review and may be grounds for revocation of the permit. The Permit Office will not relieve the Permit Holder of the responsibility of correcting errors, deficiencies, or omissions due to oversight or unforeseen contingencies such as faulty drainage, poor subsoil conditions or the failure of the Permit Holder's engineer to show all the related or pertinent conditions inside or outside the plan area.

Drainage: Drainage shall not be altered to flow into the road right-of-way or road drainage system unless approved by Wayne County.

Permit Holder Compliance: The Permit Holder shall abide by the conditions and limitations contained on the permit and all other conditions listed within the WCDPS Rules, Specifications and Procedures for Construction Permits. The application of any work undertaken under the permit shall constitute the Permit Holder's agreement to the Provision.

MODEL COMMUNITY RESOLUTION
AUTHORIZING EXECUTION OF
ANNUAL MAINTENANCE PERMITS

Resolution No. _____

At a Regular Meeting of the _____ (*Name of Community Governing Board*) on _____ *(date)*, the following resolution was offered:

WHEREAS, the _____(hereinafter the "Community") periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the "County") for permits to conduct emergency repairs and annual maintenance work on local and County roads located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel;

WHEREAS, pursuant to Act 51 of 1951, being MCL 247.651 *et seq*, the County permits and regulates such activities and related temporary road closures;

NOW THEREFORE, in consideration of the County granting such Permit, the Community agrees and resolves that:

To the extent allowed by law, it will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its officers, agents and employees:

from any and all claims and losses occurring or resulting to any and all persons, firms, or corporations furnishing or supplying work, services, materials, or supplies to the Community as the result of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road; and

from any and all claims of every kind for injuries to, or death of, any and all persons, and for loss of or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road, except claims resulting from the direct negligence or willful acts or omissions of said County performing permit activities.

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors or any other person not a party to the Permit without its specific prior written consent and notwithstanding the issuance of the Permit.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor's behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents and employees thereof.

The incorporation by the County of this resolution as part of a Permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

The resolution shall stipulate that the requesting city, incorporated village or township shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

The resolution shall stipulate that the requesting city, incorporated village or township shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This resolution shall continue in force from this date until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the County of Wayne Department of Public Services Engineering Division Permit Office for the necessary permit to work within County road right-of-way or local roads on behalf of the Community.

Name and/or Title

_____

_____

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the [Board of Trustees/City Council] of the _____(name of Community), County of Wayne, Michigan, on _____.

REQUEST FOR COUNCIL ACTION

To: Richard Marsh, City Manager **Date: January 7, 2015**

From: Jerome Bivins, DPS Deputy Director **Date for Council's Consideration: January 20, 2015**

ACTION REQUESTED: Consider authorizing Deputy Director of DPS to make application to the Wayne County Department of Public Service for the necessary annual permit to allow temporary closure of certain Local and County Roads for specified period in accordance with all general and special conditions of this permit on behalf of the City of Inkster. Consider adopting the attached resolution to be submitted to Wayne County as part of requirements to submit the permit application.

Current Action ___X___ Emergency _____ Future _____

Funds Budgeted: If Yes ____ Account #_____ No ____ N/A ____

Treasurer's Approval _____

BACKGROUND:

The Annual Permit to allow temporary closure of Local and County Roads is required from Wayne County to conduct parades, block parties, marathons, celebrations, festivals, and install banners within the county road Right-Of-Way.

SCOPE OF SERVICES:

To allow the City of Inkster to close Local and County Roads for special event entirely within the boundaries of our Community and to install banners where permitted on the County Road Right-Of-Way.

JUSTIFICATION:

Wayne County requirement to allow temporary closure of certain Local and County Roads with a three (3) working days notices prior to any closure.

PROJECT IMPROVEMENTS:

N/A

COSTS:

N/A

PROJECTED TIME TABLE:

Resolution will be submitted as part of application upon adoption by Mayor and Council resolution.

RESOLUTION:

Authorization is hereby given to Deputy Director of DPS to make application to the Wayne County Department of Public Service for the necessary annual permit to allow temporary closure of certain Local and County Roads for specified period in accordance with all general and special conditions of this permit on behalf of the City of Inkster. Consider adopting the attached resolution to be submitted to Wayne County as part of requirements to submit the permit application.

Resolved by _____ Seconded by _____

Yes:
No:
Absent:

Robert A. Ficano
County Executive

November 15, 2014

City Of Inkster
26900 Princeton St
Inkster, MI 48141-2314

RE: **Annual Permit for Special Events - A-15147**

Attention: Jerome Bivins

Enclosed is your Wayne County Annual Permit for Special Events package. This annual permit grants preliminary authorization to a municipality to

a) temporarily close a county road for a reasonable length of time for a parade, marathon, festival or similar activity;
b) to use a county road as a detour for traffic around such activity taking place on a non-county road.
c) place a temporary banner within the County right-of-way;

In addition to the annual permit, the package also includes the following attachments, which are incorporated by reference into the permit:

1. *Annual Special Events Attachment for Municipalities*
2. *Banner Attachment for Municipalities*
3. *General Conditions and Limitations of Permits*
4. *Model Community Resolution*

As a condition of the annual permit, the County requires that a governing body pass a blanket resolution, effective for all permitted road closures for special events and installation of banners planned throughout the year which

a) agrees to fulfill all permit obligations and conditions for the current year
b) to the extent allowed by law, indemnifies, hold harmless and defends Wayne County and its officials and employees against any and all damage claims, suits or judgments of any kind or nature arising as a result of the permitted activity.
c) designates and authorizes an appropriate official of the requesting municipality to sign the permit on its behalf

Additionally, the Permit Office requires that each municipality provide a written request on municipal letterhead at least (10) ten business days prior to the commencement of a road closure and/or banner placement. The written request should include all required information as specified in the appropriate attachments, "Annual Special Events for Municipalities" or "Annual Attachment for Banners". Upon approval, the permit office shall issue an addendum to this permit authorizing the special event activities.

For additional information on the Annual Permit for Special Events (Road Closure/Detour and Banner Placement), please refer to Rule 11.4 published in the Wayne County, Rules, Specifications & Procedures for Construction Permits.

This publication may be downloaded at

http://waynecounty.com/dps_engineering_cpoffice.htm

Please return the original permit, signed and dated by the person authorized and designated by the resolution, along with a certified copy of the resolution consistent with the requirements transmitted in this package. Type the name of the designated signer below the signature line and submit these documents to:

Wayne County Department of Public Services
Permit Office
Attn: Ms. Louann Adcock
33809 Michigan Avenue
Wayne MI 48184

Once received, an executed copy will be returned to you for your files.

If you have any questions regarding this Annual Permit, please contact me at 734.595.6504, extension 2000.

Sincerely,

Louann Adcock

Louann Adcock
Clerical Specialist

C: file

Attachments:

Annual Permit
Annual Special Events Attachment for Municipalities
Banner Attachment for Municipalities
General Conditions and Limitations of Permits
Model Community Resolution

PERMIT OFFICE
33809 MICHIGAN AVE
WAYNE, Mi 48184,
PHONE (734) 595-6504
FAX (734) 595-6356

72 HOURS BEFORE ANY CONSTRUCTION, CALL
Eileen Gardenhire
(734) 595-6504, Ext: 2030
FOR INSPECTION

WAYNE COUNTY
DEPARTMENT OF PUBLIC SERVICES
PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN

PERMIT No.	
A-15147	
ISSUE DATE	EXPIRES
1/1/2015	12/31/2015
REVIEW No.	WORK ORDER

PROJECT NAME
INKSTER - SPECIAL EVENTS

LOCATION
VARIOUS

CITY/TWP
INKSTER

PERMIT HOLDER
CITY OF INKSTER
26900 PRINCETON ST
INKSTER, MI 48141-2314

CONTRACTOR

MI

CONTACT
JEROME BIVINS (313) 563-9773

CONTACT
<BLANK>

DESCRIPTION OF PERMITTED ACTIVITY *(72 HOURS BEFORE YOU DIG, CALL MISS DIG 1-800-482-7161, www.missdig.org)*

TO ALLOW TEMPORARY CLOSURE OF CERTAIN LOCAL AND COUNTY ROADS FOR A SPECIFIED PERIOD OF TIME IN ACCORDANCE WITH ALL GENERAL AND SPECIAL CONDITIONS OF THIS PERMIT.

REFER TO ATTACHEMENT: ANNUAL SPECIAL EVENTS PERMIT FOR MUNICIPALITIES TO CONDUCT PARADES, BLOCK PARTIES, MARATHONS, CELEBRATIONS AND FESTIVALS.

PERMIT TO INSTALL BANNERS WITHIN THE COUNTY ROAD RIGHT-OF-WAY. EACH REQUEST FOR A BANNER SHOULD BE SUBMITTED ONE MONTH PRIOR TO INSTALLMENT FOR APPROVAL.
PLEASE REFER TO ATTACHMENT: ANNUAL PERMIT FOR MUNICIPAL BANNERS

PERMIT HOLDER SHOULD CONTACT/INFORM THE LOCAL POLICE, HOSPITAL, FIRE MARSHAL, SCHOOL AND ANY OTHER LOCAL AGENCIES ARE/MAY BE AFFECTED BY THIS ROAD CLOSURE THREE (3) BUSINESS DAYS PRIOR TO SCHEDULED CLOSURE.

THE PERMIT HOLDER SHOULD CONTACT THE WAYNE COUNTY TRAFFIC OFFICE AT (734) 955-2154 THREE (3) WORKING DAYS PRIOR TO ANY CLOSURE.

THE CONTRACTOR/PERMIT HOLDER WILL SET UP AND MAINTAIN ALL BARRICADING AND SIGNS IN ACCORDANCE WITH THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (HTTP://MUTCD.FHWA.DOT.GOV) AND WILL BE THE RESPONSIBILITY OF THE PERMIT HOLDER.

ALL ATTACHMENTS ARE INCORPORATED BY REFERENCE AS PART OF THIS PERMIT.

FINANCIAL SUMMARY	
PERMIT FEE	$0.00
PLAN REVIEW FEE	$0.00
PARK FEE	$0.00
OTHER FEE	$0.00
BOND	$0.00
INSPECTION DEPOSIT	$0.00
OTHER BOND	$0.00
TOTAL COSTS	$0.00

TOTAL CHECK AMOUNT
$0.00

CASHIER

DATE
1/1/2015

DEPOSITOR

LETTER OF CREDIT DEPOSITOR

APPROVED PLANS PREPARED BY

PLANS APPROVED BY

DATE PLANS APPROVED
1/1/2015

REQUIRED ATTACHMENTS
GENERAL CONDITIONS
ANNUAL ROAD SPECIAL EVENTS FOR MUNICIPALITIES
ANNUAL BANNER PERMIT ATTACHMENT FOR MUNICIPALITIES
SAMPLE COMMUNITY RESOLUTION
RULES, SPECIFICATIONS AND PROCEDURES FOR PERMIT CONSTRUCTION - AVAILABLE ONLINE AT
www.waynecounty.com/dps_engineering_cpoffice.htm

(PERMIT VALID ONLY IF ACCOMPANIED BY ABOVE ATTACHMENTS)

In consideration of the Permit Holder and Contractor agreeing to abide and conform with all the terms and conditions herein, a Permit is hereby issued to the above named to Construct, Operate, Use and/or Maintain within the Road Right of Way, County Easement, and/or County Property. The permitted work described above shall be accomplished in accordance with the Approved Plans, Maps, Specifications and Statements filed with the Permit Office which are integral to and made part of this Permit. The General Conditions as well as any Required Attachments are incorporated as part of this Permit.

JEROME BIVINS
PERMIT HOLDER / AUTHORIZED AGENT

DATE

WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES

PREPARED BY

<BLANK>
CONTRACTOR / AUTHORIZED AGENT

DATE

VALIDATED BY Mr. Ali Aljawad

DATE

Wayne County Department of Public Services
Engineering Division – Permit Office

Annual Special Events for Municipalities
Road Closure/Detour Addendum Guidelines

An Annual Permit granting permission to temporarily close a County road for a reasonable length of time for a parade, marathon, celebration, festival or similar activity, or to use a County road as a detour for traffic around such activity taking place on a non-County road may be issued by the Permit Office to a governing body of a city, incorporated village or township.

An addendum, granting authorization to close County roads and to set detours over County roads may be issued if an annual Special Events Permit was previously executed with an associated blanket resolution. For each event, the Permit Holder shall submit a written request at least ten (10) business days prior to the commencement of a road closure. Each request shall be submitted on municipal letterhead and include the following information:

a) The nature of the activity for which the permit is requested;
b) The dates and times it is proposed to close and reopen the County road to traffic;
c) The roads and/or portions of roads to be closed;
d) The proposed detour route or routes, including a map if necessary to clearly describe the proposed detour.

The written request shall be sent to the following offices:

Wayne County Permit Office
33809 Michigan Ave
Wayne MI 48184

Wayne County Division of Roads
Traffic Operations Office
29900 Goddard Road
Romulus MI 48242

Upon approval of the request, an addendum will be issue authorizing the special event activities.

Permit Conditions:

1. All roads temporarily closed under the permit shall be County local roads, as certified under Act 51, P.A. 1951, with residential frontage exclusive of section line (mile roads), quarter section line (collector roads) and border line roads.
2. Road closures authorized under the permit shall not be for the purpose of allowing private commercial activities such as advertising or the sale of goods, wares or produce.
3. The Permit Holder, at no expense to the County, shall provide any necessary police supervision.
4. Road closures authorized under the permit shall not have the effect of depriving property which is not adjacent to the section of road being closed from continuous uninterrupted access to the main public road system.
5. The closure or partial closure of the road and any detour route selected shall allow alternative routes for the reasonably safe and convenient movement of traffic.
6. Road closures authorized by the permit shall not exceed the approved duration, generally between 24 and 72 hours.
7. The Permit Holder shall, at no expense to the County, install, maintain and remove all traffic control devices required for the temporary road closure and detour routes.
8. All traffic control devices installed in conjunction with the road closure or partial closure and any detour route shall conform to the provisions of the current MUTCD. (http://mutcd.fhwa.dot.gov)
9. The Permit Holder shall, at its sole expense, immediately following conclusion of the permitted activity clean up and remove any litter, debris, refuse, etc., placed or left in the right-of-way as a result of the permitted activity. In the event that the Permit Holder fails to clean up as required, causing Wayne County to do the cleanup work, the Permit Holder shall reimburse Wayne County any costs incurred to restore the right-of-way.
10. The Permit Holder acknowledges that the County may, at its sole discretion, deny any road closure proposed under the permit.

Wayne County Department of Public Services
Engineering Division – Permit Office

Banner Attachment for Municipalities Addendum Guidelines

Pursuant to MCL §247.323, a permit for installation of any banner to be placed within or over County road right-of-way may be issued to a governing body of a city, incorporated village or township. Commercial signs shall not be permitted within the right-of-way of any road under the jurisdiction of the Wayne County.

An addendum, authorizing the placement of banners within the County right-of-way may be issued if an annual Special Events Permit was previously executed with an associated blanket resolution. For each event, the Permit Holder shall submit a written request at least ten (10) business days prior to the placement of banner(s). Each request shall be submitted on municipal letterhead and include the following information:

a) The activity in connection with which the banner is to be placed;

b) The location of the proposed installation, including distance to overhead traffic control devices;

c) A description of the banner, including any legend or symbol thereon;

d) The height of any overhead banner from the road surface to its lowest point;

e) The dates the banner will be erected and removed. This period shall not exceed a time specified by the Permit Office. An acceptable period of time for banners to be in place is a total of three (3) weeks, except for Holiday decorations which may be in place for eight (8) weeks;

f) Such other information as the Permit Office may deem necessary.

Upon approval of the request, an addendum will be issue authorizing the special event activities.

Design & Placement Requirements

a) Any banner shall be designed, installed and located so as to avoid danger to those using the road or undue interference with the free movement of traffic or maintenance operations.

b) Any banner shall be securely fastened so as to have a minimum bottom height of 18 feet above the surface of the traveled way, shall be placed no closer than 100 feet in advance of flashing beacons or traffic control signals and shall be placed so as to not obstruct a clear view of traffic lights, signals or other traffic control devices.

c) Banners shall not be attached to trees.

d) No banner shall have displayed thereon any legend or symbol which may in any way be construed to advertise or otherwise promote the sale of or publicize any merchandise or commodity, or which may be construed to be political in nature.

e) No banner shall have displayed thereon any device that is or purports to be an imitation of, resembles or may be mistaken for a traffic control device or which attempts to direct the movement of traffic.

f) No banner shall be above ground figures, signs or other structures, objects or devices whether lit or unlit.

g) Decorations shall not include flashing lights, reflective materials or other devices that may distract motorists.

Permit Conditions

a) Any authorization may be revoked by the Permit Office if the banner placement becomes dangerous to those using the road or unduly interferes with the free movement of traffic or maintenance operations.

b) The city, village or township making application shall faithfully fulfill all permit requirements.

An addendum authorization may be revoked by the Permit Office upon failure to comply with any permit conditions.

Revised: October 14, 2009

Wayne County Department of Public Services
Engineering Division – Permit Office

Conditions & Limitations of Permits

Plan Approval and Specifications: All work performed under the permit shall be done in accordance with the approved plans, specifications, maps, statements and special conditions filed with the County and shall comply with Wayne County Specifications, as defined in the current *Wayne County Rules, Specifications and Procedures for Permit Construction*, included as an attachment to this permit, the *Wayne County Standard Plans for Permit Construction*, and the *MDOT Standard Specifications For Construction*, as modified by WCDPS Special Provisions, and other WCDPS specifications. Any situation or problem which occurs as a result of the construction, operation, use and/or maintenance of the facility in the right-of-way and is not covered by the approved plans nor by the County's current Standards and Specifications shall be resolved by the Permit Holder as directed and approved by the Permit Office. Any significant change to the plans must be approved by the Permit Office and is authorized only when an approved addendum is obtained from the Permit Office.

Fees: The Permit Holder shall be responsible for all fees and costs incurred by the County in connection with the permit and shall deposit payment for fees and costs as determined by the County at the time the permit is issued.

Bond: The Permit Holder shall furnish a bond in cash or Certified check in an amount acceptable to the County to guarantee performance under the conditions of the permit. The County may use all or any portion of the bond which shall be necessary to cover any expense, including inspection costs or damage incurred by the County through the granting of the permit. Should the bond be insufficient to cover the expenses and damages incurred by the County, the Permit Holder shall pay such deficiency upon billing by the County. If the bond amount exceeds the expenses and damages incurred by the County, the excess portion will be returned to the Depositor. The excess performance bond provided for herein, when it cannot be returned, shall be deposited into the County Road Fund and become a part thereof, unless claimed by the Depositor within one year of the date of satisfactory completion of the construction authorized by the permit.

Insurance: The Permit Holder shall furnish proof of liability and property damage insurance in the form and amounts acceptable to the County with Wayne County named as an insured party. The Permit Holder shall maintain this insurance until the permit is released, revoked or cancelled by the County.

Indemnification: Where the permittee is a government, to the extent allowed by law, the Permit Holder shall indemnify, hold harmless and defend Wayne County, the Wayne County Department of Public Services, its officials and employees against any and all claims, suits and judgments to which the County, the Department, its officials and employees may be subject and for all costs and actual attorney fees which may be incurred on account of injury to persons or damage to property, including property of the County, whether due to negligence of the Permit Holder or to the joint negligence of the Permit Holder and the County, arising out of any and all work performed under the permit, or in connection with work not authorized by the permit, or resulting from failure to comply with the terms of the permit or arising out of the continued existence of the work product that is the subject of the permit.

Permit on Site: The Permit Holder shall keep available a copy of the permit and any associated approved plans on site during permitted activities.

Notification for Start and Completion of Work: The permit shall not become operative until it has been fully executed by the County. The Permit Holder shall notify the County before starting construction and shall notify the County when work is completed. The Permit Holder or their representative shall have copies of the executed permit and approved plans in their possession on the job site at all times.

1. The Permit Holder shall provide at least three (3) days advanced notice, excluding Saturdays, Sundays and holidays, to the Permit Office prior to the commencement of any permitted activities by submitting a START OF WORK NOTIFICATION form by mail, fax or e-mail. In certain instances, additional notice may be required by the Permit Office. In the event that construction work ceases for a period of time, then the Permit Holder shall notify the Wayne County Inspector at least 24 hours prior to resuming work.
2. The Permit Holder shall comply with all requirements of the Miss Dig Statute, MCL §460.701 et seq., as amended. The Permit Holder shall call "MISS DIG", at (800) 482-7161, at least 72 hours, excluding Saturdays, Sundays and holidays, but not more than twenty-one (21) calendar days, before starting any underground work. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
3. The Permit Holder shall call Wayne County Department of Public Services' Traffic Operations Office at (734) 955-2154, at least 72 hours prior, excluding Saturdays, Sundays and holidays, but not more than twenty-one (21) calendar days, before starting any underground work in the vicinity of any traffic signal equipment owned, operated or maintained by Wayne County.

Safety: The Permit Holder agrees that all work under the permit shall be performed in a safe manner and to keep the area affected by the permit in a safe condition until the work is completed and accepted by the County. The Permit Holder shall furnish, install and maintain all necessary traffic controls and protection which are in accordance with the current Manual on Uniform Traffic Control Devices (MUTCD). The Permit Holder shall conduct all activities and maintain all facilities as set forth in the permit in a manner so as not to damage, impair, interfere with, or obstruct a public road or create a foreseeable risk of harm to the traveling public. The Permit Holder shall comply with all applicable OSHA and MIOSHA requirements.

Underground Utilities: The Permit Holder shall contact all utility owners regarding their facilities prior to starting work and shall comply with all applicable provisions of Act 53, Public Acts of 1974, as amended. Wayne County makes no warranty either expressed or implied as to the condition or suitability of subsurface conditions or any existing facility which may be encountered during an excavation. The presence or absence of utilities is based on the best information available and the County is not responsible for the accuracy of this information. The Permit Holder assumes all responsibility for the interruption and damage to underground utilities. The Permit Holder is responsible for proper disposal, in accordance with current regulations, of any material excavated from within the right-of-way. Such materials include, without limitation, soils or groundwater contaminated by petroleum products or other pollutants associated with sites identified by the MDEQ or reported on appropriate release forms for underground storage tanks.

Assignability: The permit is neither transferable nor assignable without the written consent of the County.

Limitation of Permit: The Applicant and the Permit Holder shall be responsible for obtaining and shall secure any permits or permission necessary or required by law from State, federal or other local governmental agencies and jurisdictions, corporations or individuals. These include, without limitation, those pertaining to drains, inland lakes and streams, wetlands, woodlands, flood plains, filling, noise regulation and hours of operation. Issuance of a Wayne County permit does not authorize activities otherwise regulated by State, federal or local agencies.

Access of Other Vehicles: The Permit Holder shall, at all times possible, maintain a minimum of one acceptable access to all abutting occupied properties, driveways and side streets unless otherwise specified on the approved plans. The Permit Holder shall notify all owners or occupants of properties whose access may be temporarily disrupted during the permitted work. The local police, fire or emergency service agencies shall define acceptable access. The Permit Holder shall provide signing and other improvements necessary to ensure adequate access until the roadway, driveway or side street is restored. The Permit Holder shall conduct all operations so as to minimize inconvenience to abutting property owners. Wayne County reserves the right to reasonably restrict the progress of work by the Permit Holder based on the rate of roadway and right-of-way restoration, including permanent or temporary pavement. Wayne County may require that work be suspended until satisfactory backfilling of open trenches or excavations has been completed and driveways, side streets and drainage restored.

Restoration: The Permit Holder agrees to restore the County road and road right-of-way, County drain easement or County park property to a condition equal to or better than its condition before work under the permit began. If the Permit Holder fails to satisfactorily restore the permitted work area, Wayne County may take all practical actions necessary to provide reasonably safe and convenient public travel, preservation of the roadway and drainage, prevention of soil erosion and sedimentation, and elimination of nuisance to abutting property owners caused by the permitted activity. Security in the form of cash, a certified check or surety bond shall be required to secure the cost of restoring the disturbed portion of the right-of-way to an acceptable safe condition. The amount of the security shall be determined by the Permit Office. In the event that a suspension of work will be protracted or that the work will not be completed by the Permit Holder, the Permit Holder shall restore the right-of-way to a condition similar to the condition that existed prior to issuance of the permit.

Acceptance: Acceptance by the County of work performed does not relieve the Permit Holder of full responsibility for work performed or the presence of the permitted facility. The Permit Holder acknowledges that the County has no liability for the presence of the Permit Holder's facility located within the County road right-of-way, County drain easement or County park property.

Permit Expiration and Extension of Time: All work authorized by the permit shall be completed to the satisfaction of the Permit Office on or before the expiration date specified in the permit. Any request for an extension of time for completion shall be on a completed County form and shall demonstrate good cause for granting the request. Additional requirements may be imposed as a condition of an extension of time due to seasonal limitations or other considerations. These additional requirements may include, without limitation, changes to materials or construction methods, reestablishment of fees, bonds, deposits and insurance requirements.

Responsibility: The design, construction, operation and maintenance of all work covered by the permit shall be at the Permit Holder's expense with the exception that the Permit Holder will not be responsible for maintaining road widenings or similar facilities which become part of the County roadway.

Revocation: The permit may be suspended or revoked at the will of the County. Upon order of the County, the Permit Holder shall surrender the permit, cease operations and remove, alter or relocate, at their expense, the facilities for which the permit was granted. The Permit Holder expressly waives any right to claim damages for compensation resulting from the revocation of the permit.

Violation: The County may declare the permit null and void if the Permit Holder violates the terms of the permit. The County may require immediate removal of the Permit Holder's facilities and restoration of the County property, or the County may remove the facilities and restore the County property at the Permit Holder's expense. The Permit Holder agrees that in the event of a violation of the terms of the permit or in the event the work authorized by the permit is not satisfactorily completed by the permit expiration date, the County may use all or any portion of the performance bond to restore the County road right-of-way, drain easement, wastewater facility or park property as necessary for reasonably safe and efficient operations and maintenance, or to establish extraordinary maintenance procedures as required to assure reasonably safe and efficient operation of the County facility.

Inspection and Testing of Materials: Wayne County reserves the right of inspection and the testing of materials by its authorized representatives of all permitted activities and/or activities within the road right-of-way, County owned property or within a County drain easement. All items identified by the final inspection shall be resolved prior to release of the permit. All materials and methods utilized during the course of the authorized permit work shall meet the requirements of the current MDOT Standard Specifications For Construction as modified by Wayne County Special Provisions, Standard Plans for Permit Construction and this manual. The Permit Holder shall reimburse Wayne County for all required inspections and testing of materials.

Design: The Permit Holder is fully responsible for the design of the permitted facility, such that the design shall be consistent with all applicable County standards, specifications, guidelines, requirements and with good engineering practice. Any errors in the plans that become evident after the issuance of a permit, and which change the scope of permitted work, are subject to review and may be grounds for revocation of the permit. The Permit Office will not relieve the Permit Holder of the responsibility of correcting errors, deficiencies, or omissions due to oversight or unforeseen contingencies such as faulty drainage, poor subsoil conditions or the failure of the Permit Holder's engineer to show all the related or pertinent conditions inside or outside the plan area.

Drainage: Drainage shall not be altered to flow into the road right-of-way or road drainage system unless approved by Wayne County.

Permit Holder Compliance: The Permit Holder shall abide by the conditions and limitations contained on the permit and all other conditions listed within the WCDPS Rules, Specifications and Procedures for Construction Permits. The application of any work undertaken under the permit shall constitute the Permit Holder's agreement to the Provision.

MODEL COMMUNITY RESOLUTION
AUTHORIZING EXECUTION OF
ANNUAL SPECIAL EVENTS PERMITS

Resolution No. _____

At a Regular Meeting of the _____ (*Name of Community Governing Board*) on _____ *(date)*, the following resolution was offered:

WHEREAS, the _____(hereinafter the *"Community"*) requests an annual permit from the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the "County") to temporarily close a County road for a parade, event, celebration, block party or similar activity or, to erect a banner within the County road right-of-way, and the County road or road-right-of-way is located entirely within the boundaries of the Community;

WHEREAS, pursuant to Act 200 of 1969, being MCL 247.323 *et seq*, the County permits and regulates such activities, banners and related temporary road closures;

NOW THEREFORE, in consideration of the County granting such an Annual Permit, the Community agrees and resolves that:

To the extent allowed by law, it will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its officers, agents and employees:

from any and all claims and losses occurring or resulting to any and all persons, firms, or corporations furnishing or supplying work, services, materials, or supplies to the Community as the result of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road; and

from any and all claims of every kind for injuries to, or death of, any and all persons, and for loss of or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road, except claims resulting from the direct negligence or willful acts or omissions of said County performing permit activities.

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors or any other person not a party to the Permit without its specific prior written consent and notwithstanding the issuance of the Permit.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

The resolution shall stipulate that the requesting city, incorporated village or township shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

The resolution shall stipulate that the requesting city, incorporated village or township shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This resolution shall continue in force from this date until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any permit which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the County of Wayne Department of Public Services Engineering Division Permit Office for the necessary permit to work within County road right-of-way or local roads on behalf of the Community.

Name and/or Title

_____

_____

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the [Board of Trustees/City Council] of the _____(name of Community), County of Wayne, Michigan, on _____.

REQUEST FOR COUNCIL ACTION

To: Richard Marsh, City Manager **Date: January 12, 2015**

From: Jerome Bivins, DPS Deputy Director **Date for Council's Consideration: January 20, 2015**

ACTION REQUESTED: Consider authorizing issuance of a Request for Proposal (RFP) to solicit proposals for City –wide grass cutting services.

Current Action ___X___ Emergency _____ Future _____

Funds Budgeted: If Yes ____ Account #_____ No ____ N/A ____

Treasurer's Approval MDS

BACKGROUND

The Department of Public Service is requesting to solicit proposals for the following grass cutting services around the city: 1) Municipal Buildings, 2) City Parks, 3) Vacant Lots, 4) Vacant Houses and 5) the State Trunkline (Michigan Avenue). Due to the reduction in DPS staff, the department is still not in a position to handle all the grass cutting needs of the City identified above. DPS employees will focus on other projects this spring and summer to include street repairs and mandated water department programs.

Current grass cutting contracts end April 2015. Grass cutting contractors included Highland Landscaping and Snow Removal, Safe Step and Kevin's All Season Lawn and Landscaping, LLC.

SCOPE OF SERVICES

Solicit proposals for grass cutting at municipal buildings, city parks, vacant lots, vacant houses, and the State Trunkline (Michigan Avenue).

JUSTIFICATION

Due to the recent layoffs and the inability of existing staff to perform grass cutting services, a RFP is necessary to determine the most qualified and lowest bidder so that we may obtain the maximum amount of services with our limited resources.

PROJECT IMPROVEMENTS

Improve and promote the image of Inkster.

COSTS

No costs at this time.

PROJECTED TIME TABLE

Upon approval by City Council.

RESOLUTION

Authorization is hereby given to issue a Request for Proposal (RFP) to solicit proposals for city-wide grass cutting services.

Resolved by _____ Seconded by _____

Yes:
No:
Absent:

REQUESTED BIDS BY THE CITY OF INKSTER

FOR MUNICIPAL BUILDINGS, CITY PARKS, VACANT LOTS,

VACANT HOUSES AND STATE TRUNKLINE GRASS CUTTING

Bids must conform to the attached specifications. All bids must be in the hands of the Inkster City Clerk's office by 10:00 A.M. Eastern Savings Time on Monday, February 6, 2015. At that time, bids will be publicly opened and read.

All bids must be mailed or hand delivered to the following address:

City of Inkster City Hall

26215 Trowbridge

Inkster, MI 48141

Attention: City Clerk

The envelope must be sealed and labeled **"Municipal Buildings, City Parks, Vacant Lots, Vacant Houses, and State TRUNKLINE Grass cutting".**

The City of Inkster Council reserves the right to accept or reject, completely or in part, any or all bids and to waive any irregularity in the best interest of the City of Inkster.

If you have any questions regarding specifications, call Jerome Bivins, Inkster Department of

Public Service (DPS) at (313) 563-9774.

CITY OF INKSTER

MUNICIPAL BUILDINGS, CITY PARKS,

VACANT LOTS, VACANT HOUSES

AND STATE TRUNKLINE GRASS CUTTING

INSTRUCTIONS TO BIDS

Proposals shall be for items as specified on the attached Specifications and Proposal Form. A manufacturer Specification Sheet for each model or style of items to be supplied shall accompany the bid.

BRAND NAME: If and wherever, in the Specifications a brand name; make; name of any manufacturer; trade name, or vendor catalog number is mentioned it is for establishing a grade or quality of material only. However, if a product other than that specified is bid, it is the vendor's responsibility to name such a product within his bid and to prove to the City that said product is equal to that specified. Evidenced in the form of samples may be requested if brand is other than specified. Such samples are to be famished after the date of bid opening only upon request of the City. If samples should be requested, such samples must be received by the City no later than (7) days after formal request is made.

Proposal shall be address to Felicia Rutledge, Clerk, City of Inkster, 26215 Trowbridge, Inkster, Michigan, 48141, in a sealed envelope for each proposal, marked "Bid for (name of item being bid)". Such proposals shall be submitted in strict accordance with the City of Inkster. Specifications are to be stated in the bids.

Each proposal must be submitted in duplicate on forms furnished on-line at the MITN site,

on: www.govbids.com.

The City of Inkster reserves the right to reject or accept any or all proposals, in whole or in part, and waive any irregularities or formalities therein.

PLEASE TAKE SPECIAL NOTE OF THE FOLLOWING PARAGRAPH

AT THE OPENING OF ANY BID THAT DOES NOT MEET THE REQUIREMENT OF THE ABOVE PARAGRAPH, IT WILL NOT BE READ BY CITY CLERK, OR TABULATED BY THE TREASURER DIVISION. THE CLERK WILL MARK "DOES NOT MEET BID SPECIFICATIONS" AND RETURN THE BIDS TO THE BIDDER.

The contractor must have a minimum of four working mowers/choppers with a minimum cutting width of 60 inches.

All machinery, equipment, and related attachments to meet OSHA safety standard.

The Contractor shall guarantee the reimbursement, repair or replacement and restoration of any cultivated area damaged by careless or accidental use of equipment or machinery. Also, repair or replace with new at owner's discretion any park equipment, fences, signs, buildings, poles and/or appurtenances damaged or destroyed by careless or accidental use of equipment or machinery in the performance of the contract.

EOUAL EMPLOYMENT OPPORTUNITY

During the performance of this Contract, the Contractor agrees as follows:

a. The Contractor will not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly related to employment. The contractor will take action to ensure that applicants are employed and that employees are treated during employment, without regard to their race, color, religion, sex, national origin, age, height, weight or marital status.

INSURANCE and BOND REQUIREMENTS

The Contractor shall carry Workmen's Compensation Insurance, General Liability Insurance, and Property Damage Insurance, including Automobile Insurance with the following limits:

Workmen's Compensation	$100,000.00
General Liability	$500,000.00
Property Damage	$500,000.00
Performance/Surety Bond	$100,000.00

The City shall be named as an addition to the Contractor's policy. City will have the right to change, amend, increase, decrease, modify, add or delete any requirements at its sole discretion during the life of the contract.

BID SPECIFICATIONS

The City of Inkster wishes to bid the following areas and parks for grass cutting in 2015. The following areas are to be mowed according to the following chart:

Name	Location
1. City Hall	26215 Trowbridge
2. Dozier Recreation Complex	2025 Middlebelt
3. Fire Station	27717 Michigan Ave
4. Wheatley Park	
5. Westwood Park	
6. Lernoyne Park	
7. Kennedy Park	
8. King Park	
9. Moore Park	
10. Manor Park	
11. Belair Park	
12. Dartmouth Park	
13. Wellington Park	
14. Demby Park	
16. Michigan TRUNKLINE	

1. Fertilize and weed control lawns with four applications for the building.

2. All sidewalks to be edged monthly.

3. Trim with grass trimmers around all fences, trees, poles, playground equipment, walls and building, etc. Contractor will repair any damage and may be asked to replace with new equipment if necessary.

4. Applications; prune and trim selective trees, shrubs and bushes as needed; spring and fall clean up; Cultivate and weed beds as needed

5. Pick up and remove all debris before cutting including branches, glass, papers, trash, etc. CONTRACTOR MUST NOT CUT UP PAPER OR TRASH.

6. Contractor is responsible for removing grass clippings from sidewalks, curbs, etc. CLIPPINGS MAY NOT BE BLOWN INTO THE STREET.

7. No brush hogs or flail mowers may be used at any time.

8. Hours of work will be Monday to Friday, 7:00am to 6:00pm. NO Saturday mowing unless approved by Department of Public Service

9. Contractor must exercise due care and caution when mowing.

10. Contractor must follow the mowing schedule prepared and/or approved by the Department of Public Service. The department in advance must approve any variation.

11. A weekly mowing record must be turned into the department on the following Monday. Payment may be submitted monthly

12. Grass will be cut to two and one half (2-1/2) inch depth

13. If the contractor fails to keep up with the work as required, the City reserves the right to hire additional contractors to satisfactorily complete the work in a timely manner.

14. City may ask for extra cuttings or adjust schedule as needed.

15. Mowing will start on Monday, April 20, 2015 weather permitting. All areas will be cut in accordance with the schedule provided in the bid package for each area of cutting, with the last scheduled mowing to be week of October 15, 2012. The City may adjust the schedule as needed.

16. Questions will be answered for any interested bidders on Thursday February 4, 2015, between the hours of 9:00 a.m.- 10:00 a.m. at the City of Inkster DPS Office, 26900 Princeton, and Inkster, Michigan. The contact person for this bid is Jerome Bivins, Deputy Director, City of Inkster DPS, (313) 563-9774.

17. This contract will include the option to negotiate with the successful bidder for the 2015, 2016, 2017, and 2018 cutting seasons upon terms and conditions agreed upon by the City and the Contractor.

18. All bids will comply with the City of Inkster Code of Ordinances book.

City of Inkster
GRASS CUTTING
BID FORM

Area	Frequency of Cuts	Unit Price Per Cut	Total Price
1. City Hall	12	$ _____	$ _____
2. Dozier Recreation Complex	12	$ _____	$ _____
3. Justice Center	12	$ _____	$ _____
4. Fire Department	12	$ _____	$ _____
5.		$ _____	$ _____
6.		$ _____	$ _____
7.		$ _____	$ _____
8.		$ _____	$ _____
9.		$ _____	$ _____
10.		$ _____	$ _____
11.		$ _____	$ _____
12.		$ _____	$ _____
13.		$ _____	$ _____
14.		$ _____	$ _____
15.		$ _____	$ _____
16.		$ _____	$ _____
17.		$ _____	$ _____
18.		$ _____	$ _____
19.		$ _____	$ _____
TOTAL BID AS SPECIFIED:		$ _____	

**Please note: Bidder's should measure all areas. Amount of equipment varies from location to location.

GRASS CUTTING

BID FORM

Name of Firm:_____

Address:_____

City:_____ State:_____ Zip:_____

Telephone: (_____)_____

_____ _____

Authorized Signature Date

_____

Printed Signature

This contract will include the option to negotiate with the successful bidder for the 2015, 2016, 2017 and 2018 cutting seasons upon terms and conditions agreed upon by the City and the Contractor.

Park's Specifications

1. All sidewalks to be edged each cut.

2. Trim with grass trimmers around all fences, trees, poles, playground equipment, walls and building, etc. Contractor will repair any damage and may be asked to replace with new equipment if necessary.

3. Applications; prune, and trim selective trees, shrubs and bushes as needed; spring and fall clean up; Cultivate and weed beds as needed

4. Pick up and remove all debris before cutting including branches, glass, papers, trash etc. CONTRACTOR MUST NOT CUT UP PAPER OR TRASH

5. Contractor is responsible for removing grass clipping from sidewalk, curbs, etc **CLIPPINGS MAY NOT BE BLOWN INTO THE STREET.**

6. No brush hogs or flail mowers may be used at any time.

7. Hours of work will be Monday to Friday, 7:00 am to 4:30 pm. No Saturday mowing unless approved by Department of Public Service

8. Contractor must exercise due care and caution when mowing.

9. Contractor must follow the attached mowing schedule prepared and/or approved by the Department of Public Service. The department in advance must approve any variation.

10. A weekly mowing record must be turned into the department on the following Monday. Payment maybe submitted monthly.

11. Grass will be cut to two and one half (2-1/2) inch depth.

12. If the contractor fails to keep up with the work as required, the City reserves the right to hire additional contractors to satisfactorily complete the work in a timely manner.

13. City may ask for extra cuttings or adjust schedule as needed.

14. The park's must be cut within 5 days prior to the following three holidays, Memorial Day, 4th of July and Labor Day.

City of Inkster

GRASS CUTTING

BID FORM

Area	Sq Ft	Frequency of Cuts	Unit Price Per Cut	Total Price
1. Wheatley Park		3	$_____	$_____
2. Westwood Park		3	$_____	$_____
3. Lemoyne Park		3	$_____	$_____
4. Demby Park		3	$_____	$_____
5. King Park		3	$_____	$_____
6. Kennedy Park		3	$_____	$_____
7. Bel Aire Park		3	$_____	$_____
8. Dartmouth Park		3	$_____	$_____
9. Manor Park		3	$_____	$_____
10. Moore Park		3	$_____	$_____
11. Wellington Park		3	$_____	$_____
* 12. Michigan Ave (Trunk Line)		12	$_____	$_____

See attached work sheet

*DDA needs separate measurements on Michigan Avenue from Harrison to John Daly

(see attached sheet)

Notice to Bidders — Additional Services

In addition to grass cutting services requested herein, the City of Inkster and the City of Inkster Downtown Development Authority (DDA) would like to request bids for landscape and irrigation maintenance services for the DDA area. The DDA area is located along Michigan Avenue from sidewalk to sidewalk commencing at John Daly Road to the east to Harrison Avenue to the west. The Allen Lumber site is vacant and located on the northwest corner of Michigan Avenue and Huck Court. The following services are requested:

MICHIGAN AVENUE

Description	Qty	Unit Price	Amount
Mow/Trim	13		
Weed	13		
Edge	13		
Pre-emerge	1		
Fertilize	2		
Perennial Maintenance	2		
Prune	2		
Start Irrigation	1		
Winterize Irrigation	1		
Maintain Irrigation	3		
Spring Clean	1		
Leaf Removal	1		
Total			

Use only this bid sheet

Vacant Lots and Homes Requirements

THE WEED CUTTING CONTRACTOR must be available to perform services Pursuant to the Provisions of the CITY OF INKSTER SPECIFICATIONS FOR WEED and DEBRIS REMOVAL Which are attached hereto and incorporated herein as EXIIIBIT "A."

THE REFINED TURF MAINTENANCE CONTRACTOR must have a working knowledge of refined turf maintenance services Pursuant to the Provisions of the CITY OF INKSTER SPECIFICATIONS which are attached hereto and incorporated herein as EXHIBIT "B".

EXHIBIT "A"

GENERAL:

It is the intent of this contract to provide for the abatement of nuisances related to noxious weeds as provided by the Ordinance #191 and #507 of the code of ordinances of the City of Inkster (CITY). This will be accomplished through the use of experienced and properly equipped contractor (s) to provide weed cutting services to the City of Inkster at various locations in the city, in accordance with these specifications.

The City wants all the vacant lots within the City limits and the vacant houses and lots owned by the City or State cut three (3), possibly four (4) times during the mowing season.

AWARD:

Awards shall be made on the basis of qualified low bid per square yard, and the capacity of the successful bidder as stated in the specifications and determined by representatives of DPS and Treasurer Department.

DEFINITION:

Director:	Director of the Department of Public Services.
Debris:	Remains of something broken or destroyed.
Litter:	Substance placed or allowed to remain on the ground or any other manner consisting a nuisance on vacant, public or private property.
Rubbish:	Solid waste including combustible and non-combustible waste such as glass, cardboard, concrete, cans, wood, bedding, crockery, rubber, rags, leather, auto parts, tires, furniture, appliances, roofing material, shrubbery, tree branches, etc.

SCOPE OF WORK:

The scope of work for the proposed contract is to MOW or cut all vacant lots or lots with vacated houses from the rear lot line, or middle of the alley or vacated alley to the road or curb lines. REMOVE and properly dispose off-site (the transfer site at DPS yard) all debris, rubbish and litter within the cuffing area. TRIM around poles, buildings, brushes, fire hydrants and fence lines. CLEAN clippings, plant material, or other debris from sidewalks, streets, or adjacent properties. If there is bulk items present in the field or in the cutting areas, everything must be removed and brought to the DPS yard transfer site.

After cutting grass and other vegetation, the height of same shall be no more than three (3) inches. Should the bidder fail to keep up with the work, as required by the contract, the City reserves the right to hire additional contractors to satisfactorily complete the work. The work assigned to the additional contractors shall be subtracted from amount specified in the original contract. Any difference in cost to complete the job shall be charged to the original main contractor.

BIDDER QUALIFICATIONS:

Bidders shall be known to be skilled and regularly engaged in work of similar nature. They shall have experience in commercial mowing.

Bidders shall also demonstrate their possession of the necessary equipment to perform according to contract requirements through written proof of ownership, lease or under conditional purchase order or lease. Conditional purchase order or leasing agreement must have a promise delivery date or effective date, which is prior to the contract starting date.

In addition to the above, bidders shall be required to submit a certification statement setting forth such information as the City may require concerning prior experience and performance record, other work now under contract, financial condition, personnel and other information as the City deem necessary in order to determine the bidder qualifications, responsibility and ability to perform and complete the work in accordance with these contract requirements. These requirements shall be fulfilled by the contractor during the life of the contract at intervals as required by the city.

RESPONSIBILITY OF BIDDER:

The bidder is responsible for examining the sites and conditions of work. No claims for additional payment or pleas regarding the inability to perform shall be entertained, if based on alleged ignorance of existing or reasonable expected conditions.

REQUIREMENTS OF THE CONTRACTOR:

The contractor shall furnish all labor and machinery necessary to accomplish the work required under these contracts. A minimum of four (4) tractors working in the town during each cutting period and necessary labor to perform cleaning and training shall be guaranteed by the contractor. The contractor shall reimburse, repair or replace and restore any cultivated area damaged by careless or accidental use of their equipment. Contractors shall also repair or replace any fences, signs, sidewalks, buildings, poles or any other property damaged or destroyed by careless accidental use of contractor's equipment or machinery in the performance of the contracts.

The vacant lot crew shall have the necessary equipment to perform all the duties required to perform all lot assignments. Contractor shall not be allowed to mow ahead of trimming and cleaning operation by not more than one day.

EQUIPMENT:

The contractor shall accompany the bid with a complete up-to-date list of all equipment, machinery and related attachments which will be available to performing the work indicated. Written evidence of ownership, lease or bonafide purchase agreement shall be submitted for the same per specifications under bidder's qualifications.

All machinery and equipment shall be in good working condition and shall be maintained that way for the life of the contract. Equipment shall meet the requirements of the State and City laws and regulations. The City reserves the right to inspect and approve any and all equipment which the contractor intends to use in the performance of the contract. Inspections can be performed anytime during the life of the contract.

The contractor shall provide equipment equivalent to as listed below for vacant lots.

Utility Tractor

Engine HP 44 or greater

PTO HP 38 or greater

Rotary Cutter

Width 5 ft. or greater

Cutting Height 3" or less

The contractor shall also provide equipment capable of mowing grass at vacant houses which shall be of such size as to mow all areas around the houses, front and back yards. WORK SCHEDULE:

Mowing may start at 7:00 a.m., and may not continue pass 8:00 p.m., Monday through Friday. Saturday and Sunday work only with permission from the City.

TIME LIMIT FOR COMPLETION OF CUTTING:

Each cut shall be completed before two (2) weeks / 10 business days. If contractor failed, a penalty of $100.00 per calendar day will be charged. If not completed, City will have the right to hire another contractor to complete the job. Any expenditure will be charged to the contractor, along with the penalty.

SUBCONTRACTS:

Subcontracting may be permitted after a review of the proposed subcontractor and the scope of work to be sublet has been made by the Director and written approval has been received by the contractor.

The bidder shall be responsible for all work and actions of the sub-contractor and shall provide a competent individual (site supervisor) to review and monitor all work performance under the contract on a daily basis. The site supervisor shall stay in constant contact with City representative.

CONTRACTOR AUTHORITY TO START WORK:

The contractor shall have no authority to start work, no payments will be made for any work or materials purchased prior to award of contract by the City Council and the submission of a Notice to Start Work by the Director or Designee of the Department of Public Services.

The contractor must start work no later than one week upon receipt of Notice to start work.

DISPOSAL OF RUBBISH:

All debris and rubbish regardless of size, volume or weight will be removed from all vacant lots, vacant houses, private properties, etc., by the Contractor, and shall be disposed of at transfer facility at DPS yard.

SUPERVISION AND REPORTING

The Contractor must identify a person who will be available at all times to direct operations. This person shall report to the Director or his designee, any problems which occur and shall submit weekly progress reports of sites mowed. The same person shall have full authority to act for the contractor or any sub-contractors.

TERMINATION OF THE CONTRACT:

The contract may be terminated by either party hereto upon thirty (30) days written notice to the other party.

INSURANCE:

The Contractor shall carry Workmen's Compensation Insurance, General Liability Insurance, and Property Damage Insurance, including Automobile Insurance with the following limits:

ANTI-DISCRIMINATION:

The Contractor shall not discriminate against any employee or applicant for employment in the performance of this contract, with respect to their hire, tenure, terms, conditions or privileges of employment, because of their race, color, religion, national origin or ancestry. The Contractor shall require a similar covenant on the part of any sub-contract.

ATTACHMENT "A"

Weed cutting Proposal

For the

City of Inkster

The following proposal represents the average size lots with the City of Inkster's boundaries and borders on a per-cut tabulation.

The average size lots are 40x120 sq. ft., representing 4,800 sq. ft., a minimum of three (3) cuts, with the cutting cycle between six to eight weeks apart.

The city may elect to divide the community in half when awarding 2 contractors this part of the contract. Michigan Ave will be used as a dividing line to manage the work flow more efficiently

	Cost Per cut	
	North side:	South side:
500 vacant lots each side	$ _____	$ _____
500 vacant houses each side	$ _____	$ _____

Total pricing per cut $_____

Proposal Submitted By:

_____

CITY OF INKSTER

REQUEST FOR BIDS STATE TRUNKLINE MAINTENANCE

The City of Inkster Department of Public Service is seeking bids for qualified turf maintenance contractors to provide turf maintenance requirements as specified.

Qualified contractors must have a working knowledge of refined turf maintenance as well as provide all equipment, labor, materials, and services as specified.

OBJECTIVE

The objective of this bid is to provide the City of Inkster with ability to utilize contractual services for seasonal turf maintenance requirements of areas described herein. Areas adjacent to residential neighborhoods and business districts located in this high vehicular traffic within the City of Inkster.

EXHIBIT "B"

SCOPE

The scope of work for this proposal shall include, but not limited to, the following major areas:

All turf areas outlined in these specifications will require the removal of winter accumulated debris prior to the first cutting. All leaves must be removed by contractor and taken off-site during fall clean-ups. The mulching of leaves will not be acceptable.

Turf areas described in this bid are located on State of Michigan (MDOT) website (www.rnichigan.gov/mdot). It is the intention of the contract to provide the City of Inkster with the ability to authorize the maintenance services being provided by State (MDOT) and Wayne County authorities.

Turf areas are to be mowed to 3" to 3-1/2" uniform height with refined mowing equipment (NO FLAIL TYPE MOWERS) and all areas must be cleared of debris; paper, trash, etc. and removed by the contractor. Grass clippings cannot be blown in the street, onto mulched tree bases or shrub bed areas, or left on walks, curb lines, or street areas.

All median turf areas must have an established defined edge along all curb areas and walk edges and must be maintained to include seasonal growth of grass and weeds at the base of all curb areas.

All work performed shall be authorized by the City of Inkster's Director of Public Service or an authorized representative, with specific dates of service provided as a supplemental service and in addition to State and County services and schedules.

MAJOR STATE (MDOT)

AREAS DESIGNATED FOR ENHANCED SERVICES:

MICHIGAN AVENUE

Work shall include all labor, materials, equipment, and services to maintain in a superior condition the turf areas described. The edges and areas shall be maintained with a crisp, broom clean appearance, with all turf, curb, and walk areas neatly trimmed. The areas will require the removal of all paper, trash, twigs, and other undesirable materials from all turf areas and must be disposed by the contractor.

Mowing season shall be from April through November. All turf-mowing cycles as outlined in the bid must be completed within three (3) consecutive workdays. Weather and growing conditions shall determine the frequency of the work. The City shall notify the contractor of any variation in cutting schedules.

Mowing height shall be 3" to 3-1/2" for all general turf areas. This standard includes all sidewalks and curb turf edges, borders, rounds in lawn trees and all shrub bed areas. Curb lanes and walks shall be kept free from grass clippings and debris.

PERSONNEL: On-site supervision (Foreman) with the ability to respond, make decisions, and stay in communication with the Department of Public Service by use of cell phones or pagers.

Licensed pesticide applicators and technicians for all required herbicide applications.

Personnel must be readily identified as employees of the company i.e. Uniforms, shirts, hats, etc.

The contractor and employees are expected to respond to the public in a respectable and courteous manner.

EQUIPMENT: All work shall be performed in a professional manner using quality equipment and materials, all which must be maintained and operated with the highest standards as well as meeting all MIOSHA regulations.

SCHEDULE: Provide cutting schedule daily by fax or drop off to Department of Public Service of all work being performed prior to start time.

Work shall not start before 7 a.m. and shall end no later than 8: p.m. Monday through Friday. Work on Sunday and national holidays shall be prohibited.

This bid is viewed to be an extension of the City of Inkster, Department of Public Service and shall be subject to field inspection by a representative from the Department of Public Service.

NO SUBCONTRACTING WILL BE ALLOW

1) MINIMUM QUALIFICATIONS: Respondents (specifically, the business that will be contractually bound under the contract with the City of Inkster) will be deemed nonresponsive and rejected without any further evaluation if they, as a business, do not meet the following qualifications:

a) The Respondent must have Five years of experience working for municipal/governmental agencies and in the size and scope of this contract.

b) The Respondent must have proper equipment (a site visit may occur) to provide these services. Equipment may be either owned or leased. Equipment must be of professional quality and meet MIOSHA regulations and displaying company's name on vehicles.

c) The Respondent must have staff with proper licenses, etc.