



AGENDA - CITY COUNCIL MEETING

October 26 , 2021

6:30 p.m.

1. **CALL TO ORDER.**
2. **PLEDGE OF ALLEGIANCE - Invocation will be given by First Ward Councilmember Arlene Robinson**
3. **ROLL CALL.**
4. **ADOPTION OF AGENDA.**
5. **PRESENTATIONS/PROCLAMATIONS.**
 - A. **JXN Harm Reduction**
6. **PUBLIC HEARINGS.**
 - A. **Conduct a Public Hearing on the 2021-2022 Annual Action Plan**

Conduct a Public Hearing to receive citizen comments for Substantial Amendment 1 of the 2021-2022 Annual Action Plan, approve the resolution, and authorize submission to the U.S. Department of Housing and Urban Development (HUD)

 1. *Resolution to Amend the Fiscal Year 2021-2022 (Year 47) HOME Investment Budget.*
 - B. **Conduct a Public Hearing on Obsolete Property Rehabilitation Act (OPRA) District**
 1. *Resolution Creating an Obsolete Property Rehabilitation District at 906 E. Pearl Street in the City of Jackson.*
 - C. **Conduct a Public Hearing on the Obsolete Property Rehabilitation Exemption Certificate Application Submitted by Demmar, LLC**

1. *Resolution Approving an Obsolete Property Rehabilitation Exemption Certificate Application.*

D. Conduct a Public Hearing on the Obsolete Property Rehabilitation Exemption Certificate Application Submitted by Allen Lofts, LLC

1. *Resolution Approving an Obsolete Property Rehabilitation Exemption Application.*

7. CITIZEN COMMENTS. (3-Minute Limit)

8. PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES. (Accept & Place on File).

A. City of Jackson Financial Statements as of and for the 3 Months Ended September 30, 2021

9. CONSENT CALENDAR

A. Minutes of the Regular Meeting of October 12, 2021

Approve the minutes of the regular City Council Meeting of October 12, 2021.

B. Special Event Application - 2022 Hot Air Jubilee

Approve a request from Jacqueline Austin & Dean Anderson to host the 2022 Hot Air Jubilee on July 21-24, 2022 in Ella Sharp Park.

C. Special Event Application - Downtown Jackson Christmas Parade

Approve a request from the Christmas parade committee to host the Downtown Jackson Christmas Parade on November 19, 2021 in downtown Jackson.

10. OTHER BUSINESS.

A. Electric Vehicle Charging Ordinance

Move to refer to Environmental Commission for review.

B. Living Wage Ordinance

Move to adopt first reading and advance to second reading and final adoption, the proposed Living Wage Ordinance for the City of Jackson.

C. Second Reading and Final Adoption of Ordinance 2021-13

Adopt Ordinance No. 2021-13 to amend Section 16-514 of Chapter 16 of the City of Jackson Code of Ordinances to increase the number of Marihuana Facility Licenses permitted.

11. NEW BUSINESS.

A. Renewal of Training Consortium Agreement

Approve the Southern Michigan Criminal Justice Training Consortium agreement for an additional three-year period, 1/1/22 – 12/31/24.

B. Purchase of Vehicles for the Jackson Police Department

Approve the purchase of three patrol utility vehicles through the MiDeal contract and one administrative vehicle.

C. Dismiss the Balance of the City's Portion of the Emergency Hazard Rehabilitation Loan in the Amount of \$16,658.89

Dismiss the balance of the City's portion of the Emergency Rehabilitation Loan in the amount of \$16,658.89 for the residence located at 1405 Cooper Street, belonging to Ilias (deceased) and Lourdes Anastasiadis.

D. Amend FY 21/22 Budget

Amend FY 21/22 budget to reflect additional revenue and expenditures associated with the Byrne JAG grant.

E. City of Jackson Downtown Sidewalks and Parking Lots Snow Removal and Police Department Sidewalk and Parking Lot Snow Removal

Approval of a one-year contract with Executive Property Management of Michigan for downtown sidewalks and parking lot snow removal and Police Department sidewalk and parking lot snow removal at an estimated cost of \$85,166.00 for fiscal year 2021/22.

F. Changes to the Standard Lighting Contract for streetlights with Consumers Energy for the addition of streetlights in various locations

Approve the Resolution for Changes to the Standard Lighting Contract for various streetlight installations with Consumers Energy and authorize the Mayor and City Clerk to execute the appropriate documents.

G. Purchase and Installation of Generator for DPW Building

Award the purchase and installation of a Kohler 500REOZJC generator for the Department of Public Works building located at 421 Water Street. Purchase and installation will be provided by Corby Energy Services, Incorporated, in the amount of \$124,975.

H. Modification of Planning and Zoning Fees

Modify the Planning and Zoning Fee schedule, specific to the addition of a fee for zoning permits, zoning compliance certificate and zoning letter.

I. Adoption of the State of Michigan Bureau of Construction Codes Square Foot Cost Table

Approve a resolution amending the NEO Department building permit fees, by adopting the State of Michigan Bureau of Construction Codes square foot construction cost table. As approved by the Construction Code Commission February 12, 2013.

12. CITY COUNCILMEMBER'S COMMENTS.

13. MANAGER'S COMMENTS.

14. ADJOURNMENT.

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: October 26, 2021
SUBJECT: Conduct a Public Hearing to Receive Citizen Comments for Substantial Amendment 1 to the 2021-2022 Annual Action Plan, Approve the Resolution, and Authorize Submission to the U.S. Department of Housing and Urban Development (HUD)

Recommendation:

Conduct a Public Hearing to receive citizen comments for Substantial Amendment 1 to the 2021-2022 Annual Action Plan, approve the Resolution, and authorize submission to the U.S. Department of Housing and Urban Development (HUD).

Attached is a memorandum from Shane LaPorte, Director of the Department of Neighborhood & Economic Development, recommending City Council conduct a Public Hearing to receive citizen comments for Substantial Amendment 1 to the 2021-2022 Annual Action Plan, approve the Resolution, and authorize submission to the U.S. Department of Housing and Urban Development (HUD).

I recommend approval of the request. Your consideration and concurrence is appreciated.

JG

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager

FROM: Shane LaPorte, Director of Neighborhood & Economic Operations

DATE: October 26, 2021

RECOMMENDATION: Conduct a Public Hearing to Receive Citizen Comments for Substantial Amendment 1 to the 2021-2022 Annual Action Plan, Approve the Resolution, and Authorize Submission to the U.S. Department of Housing and Urban Development (HUD)

SUMMARY

Conduct a Public Hearing to receive citizen comments for Substantial Amendment 1 to the 2021-2022 Annual Action Plan, approve the Resolution, and authorize submission to the U.S. Department of Housing and Urban Development (HUD).

BUDGETARY CONSIDERATIONS

During the preparation of the 2021-2022 Annual Action Plan, no specific plans were in place for the utilization of HOME funds, although potential activities were being explored. One activity under consideration was providing Community Action Agency (CAA) funds to rehabilitate 16 homes in Partnership Park. Assuming they would qualify as a Community Housing Development Organization (CHDO) as they had in years past, \$318,329 was allocated toward CHDO Reserve activities of either new construction or homebuyer rehabilitation. It was subsequently learned CAA no longer qualifies to serve as a CHDO, but can receive HOME allocations as a subgrantee.

A Resolution to reallocate \$200,000 HOME funds from the CHDO Reserve activity to a new activity of Partnership Park Homebuyer Rehabilitation is included for Council's approval.

HISTORY, BACKGROUND and DISCUSSION

Jackson's Citizen Participation Plan requires the submission of a "substantial amendment" to the 2021-2022 Annual Action Plan when it proposes to change the original purpose, location, or class of beneficiaries of a previously-approved activity whose cost exceeds twenty (20%) percent of the entitlement amount for the current program year. This requires the creation of a substantial amendment report, followed by a 30-day period for citizen comment, and finally submission to HUD.

The draft Substantial Amendment was submitted to City Council on September 28, 2021, requesting permission to distribute for public review and comment. Being approved, the public comment period began on September 29, 2021; due to timing issues, the comment period will remain open until October 31, 2021. The Public Hearing on October 26, 2021 will offer citizens an opportunity to provide comment

on the planned activities. Comments received during the Public Hearing or by the Grant Coordinator during the open comment period will be included in the final Substantial Amendment before submission to HUD.

The Substantial Amendment provides detail regarding the reallocation process, the project to receive funding, and availability of the report for the public to review and comment.

DISCUSSION OF THE ISSUE

CAA owns 16 single family homes in Partnership Park which were constructed in 2006, partially financed with Low-Income Housing Tax Credits (LIHTC). The homes were built as rental units with the ultimate intention of selling them to income qualified families at the end of the 15 year compliance period, especially those who would be first time homebuyers. To keep the homes affordable, CAA anticipates selling them for approximately \$60,000 and providing down payment assistance as well. Once purchased by a qualified homebuyer, these homes will return to the City's tax roll.

POSITIONS

Requested action is for City Council to conduct a Public Hearing to receive citizen comments for Substantial Amendment 1 to the 2021-2022 Annual Action Plan, approve the Resolution to reallocate HOME funds, and authorize submission to the U.S. Department of Housing and Urban Development (HUD).

Attachments: Resolution
Substantial Amendment 1

JACKSON

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Substantial Amendment 1 to the 2021-2022 Annual Action Plan HOME Investment Partnerships Program



Prepared by:

Department of Neighborhood & Economic Operations
161 W Michigan Ave
Jackson MI 49201
517-788-4012



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2021-2022 Annual Action Plan

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Substantial Amendment 1
to the
2021 – 2022 Annual Action Plan,
Year Two of the
2020 – 2024 Five Year Consolidated Plan

Executive Summary

On August 10, 2021, the City of Jackson signed a grant agreement with the U.S. Department of Housing and Urban Development (HUD) making \$314,129 available through the HOME Investment Partnerships Program. During the preparation of the 2021-2022 Annual Action Plan, no specific plans were in place for the utilization of funds, although potential activities were being explored. When combined with anticipated program income in the amount of \$20,200, the City expects to have \$334,329 available to allocate toward affordable housing activities as a Participating Jurisdiction (PJ). The Annual Action Plan identified the following expected use of HOME funds:

In 2006, the Community Action Agency (CAA) also constructed 16 homes in Partnership Park with LIHTC funds. The intent of these new constructions was to rent for a number of years with eventual sale to a qualified homebuyer. As these units become vacant, CAA would also serve as a CHDO by using HOME funds to meet the rehabilitation needs of these homes to make suitable for qualified homebuyers.

During the Public Hearing to receive citizen comments on the City's housing and community development needs in January 2021, the subject of additional affordable housing was most common. Although CAA has not qualified to serve as a second Community Housing Development Organization (CHDO) in Jackson, it does qualify to receive funding as a subgrantee as long as the City remains within the HOME program's statutory thresholds as follows:

- **Administration** – no *more* than 10% of the annual budget may be set aside for administrative and planning activities (\$33,432 maximum in FY 2021-22)
- **CHDO Reserve** – no *less* than 15% of the annual budget **must** be set aside for eligible CHDO activities (\$50,150 minimum in FY 2021-22)
- **CHDO Operating** – (optional) cannot exceed 5% of the annual budget (\$16,716 maximum in FY 2021-22)

In response to the popular citizen comments regarding the need for more affordable housing options, the City of Jackson proposes to allocate a portion of its FY 2021-2022 HOME grant to CAA for homebuyer rehabilitation as a subgrantee.

General Information

Grantee Name:	City of Jackson, Michigan
Department Administering Funds:	Neighborhood & Economic Operations
Contact:	Lisa A. Freund, Grant Coordinator 161 W Michigan Ave Jackson, MI 49201 (517) 768-6436 lfreund@cityofjackson.org
Authorized Official	Derek J. Dobies, Mayor 161 W Michigan Ave Jackson, MI 49201 (517) 788-4028 ddobies@cityofjackson.org
Website:	www.cityofjackson.org
Amount of HOME Allocation:	\$200,000.00
Grant No.:	M21-MC260214

Action Plan Amendments

AP-20 Annual Goals/Objectives – add “Homebuyer Rehabilitation” as a goal; reduce CHDO Reserve from \$318,329 to \$118,329.

Sort Order	Goal Name	Category	Needs Addressed	Funding
4	CHDO Reserve	Affordable Housing	Homebuyer Housing	HOME: \$ 318,329 -200,000 \$118,329
5	Homebuyer Rehabilitation	Affordable Housing	Homebuyer Housing	HOME: \$200,000

5	Goal Name	Homebuyer Rehabilitation
	Goal Description	Conduct rehabilitation as necessary to meet HOME property standards in preparation to sell to income qualified homebuyers.

AP-35 Projects – add “Partnership Park Homebuyer Rehabilitation” as a project; reduce CHDO Reserve from \$318,329 to \$118,329.

7	Project Name	CHDO Reserve Activity
	Target Area	
	Goals Supported	CHDO Reserve
	Needs Addressed	Affordable Housing
	Funding	HOME: \$318,329 \$118,329
	Description	The actual activity of either New Construction or Homebuyer Rehabilitation will be determined in the future.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	Specific sites will be determined in the future.
	Location Description	Specific sites will be determined in the future.
	Planned Activities	
8	Project Name	Partnership Park Homebuyer Rehabilitation
	Target Area	West of S Martin Luther King Jr. Drive East of S Martin Luther King Jr. Drive
	Goals Supported	Homebuyer Rehabilitation
	Needs Addressed	Affordable Housing
	Funding	HOME: \$200,000
	Description	Rehabilitate 16 rental units constructed in 2006 with LIHTC to convert to homeowner single family homes.
	Target Date	June 30, 2026
	Estimate the number and type of families that will benefit from the proposed activities	Sixteen (16) low-income families will become first time homebuyers.
	Location Description	Partnership Park bordered by Washington Ave (north), Martin Luther King Jr. Drive (east), Morrell St (south), and Blackstone St (west)
	Planned Activities	Rehabilitate as necessary to convert LIHTC rental units to affordable first time homebuyer single family homes

Proposed Project

In 2005, CAA partnered with Sterling Development (later Eagle Point Development) to construct 16 new, 3-bedroom single family homes in the Partnership Park Downtown Neighborhood using Low-Income Housing Tax Credit (LIHTC) funding. This LIHTC project provided a purchase option to tenants at the end of the 15 year compliance period. In 2021, CAA became the sole owner of the project and transitioned management from Eagle Point to First Housing and hired a consultant, HousingLinks LLC, to assist in the conversion from rental to homeownership.

CAA plans to sell these single family homes to first time homebuyers at an affordable sales price of approximately \$60,000, offering down payment assistance, and converting security deposits to cover individual requirements to share in the down payment. Although regularly inspected by the City through the Non-Owner Occupied Residential Property (NOORP), CAA will rehabilitate and freshen the homes before turning over to prospective homebuyers by assuring the major mechanicals, appliances, flooring, roofing system and general maintenance is updated and any code violations corrected.



Partnership Park Downtown Neighborhood

The Partnership Park area is situated just south of downtown and was initially populated largely with persons of German descent. Over time as people moved out, the neighborhood started to deteriorate and eroded to a 90% rental neighborhood.

In the early 1990s, the consequences of being a highly transient rental area started to show. Houses were dilapidated, crime was high, and the streets were unsafe. In 1994, drug trafficking was so prevalent the City placed planters in street intersections to dissuade drug dealers from using as thoroughfares; however, this proved to be a great inconvenience to residents and entities trying to conduct their missions. As a result, neighbors collaborated to monitor the neighborhood and come up with strategies to get the planters removed.

Neighborhood leaders began to confront drug dealers and users in direct conversations. They also began liaisons with police officers and reported crime in their area through neighborhood watches. In turn,

officers began investing time and effort in the area with hopes of stabilizing the neighborhood and reducing calls for service. Soon, residents and a community liaison officer contacted the property owners of an overgrown vacant lot to turn it into a park for the area children. Residents sought donations for the park and worked together to clear the lot of garbage. A neighborhood child won a park naming contest and “Partnership Park” was born.

In 2002, two separate, informal neighborhood groups came together and began meeting more formally. CAA began seeking financial resources to help stabilize the area, which they received in the form of a Neighborhood Preservation grant. The grant allowed CAA to launch a process of gathering resident input about what was needed and desired in the neighborhood. In 2003, the neighborhood group formalized itself into a 501(c)(3) non-profit organization called The Partnership Park Downtown Neighborhood Association (PPDNA). The board was a combination of founding churches, area businesses, interested community groups, local government, police, and residents – a practice that was effective for reshaping the neighborhood.

Investment in the Neighborhood

In addition to the construction of the 16 single family homes led by CAA, the Greater Jackson Habitat for Humanity (GJHFH) also constructed four (4) new single family homes in the same neighborhood between 2007 and 2011. Starting in 2012 and under new leadership, the City of Jackson invested heavily in revitalizing its downtown and demolishing foreclosed, vacant, or abandoned residential properties in neighborhoods like this throughout the City.

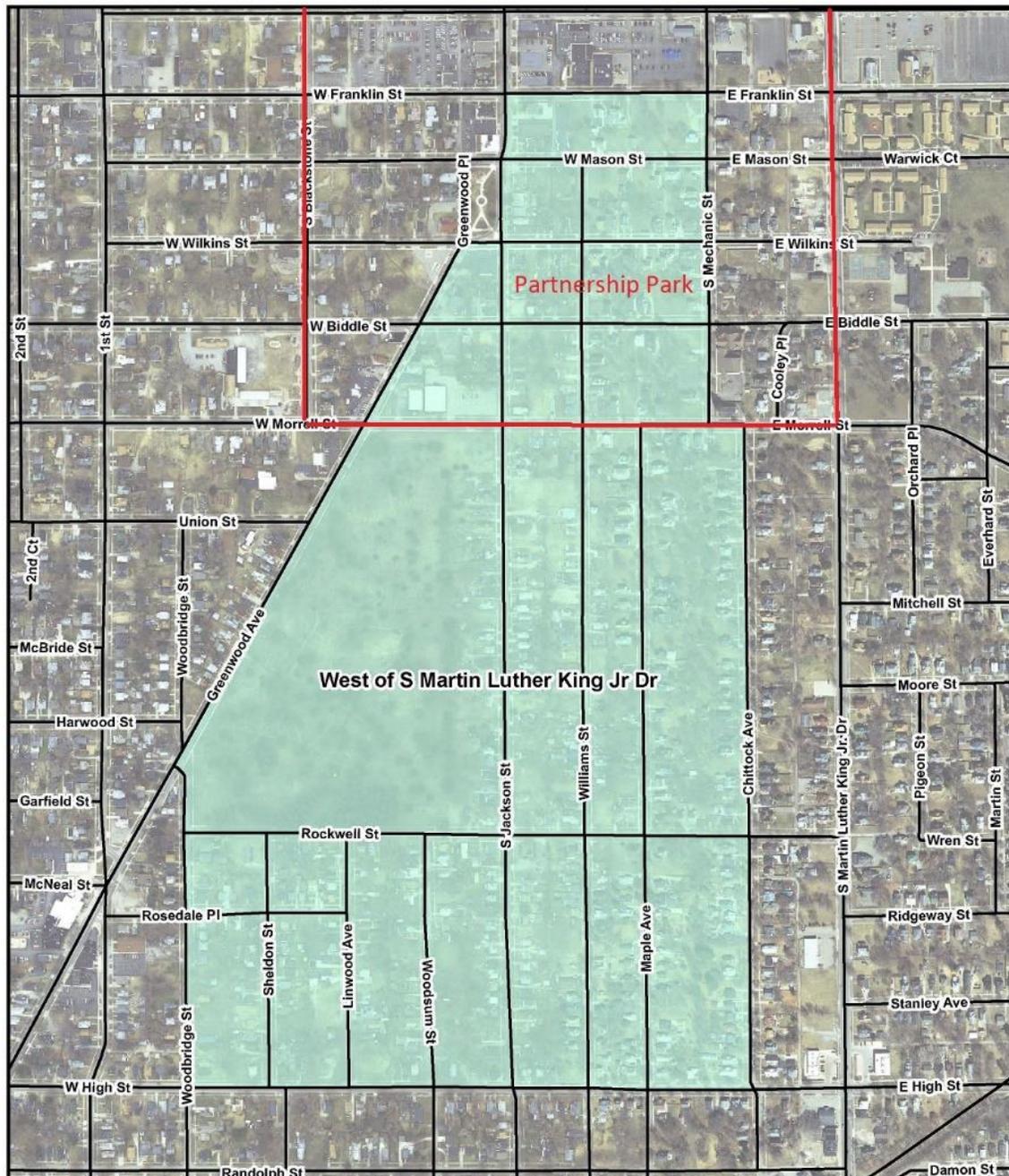
Currently, GJHFH is erecting three (3) new homes as the City’s CHDO at the corner of S Mechanic Street and W Franklin Street. The Jackson YMCA recently completed the design phase to build a new 75,000 square foot healthy living center on the north side of the Partnership Park boundaries in an effort to help people living in surrounding neighborhoods. In addition to its regular programming and exercise classes, the YMCA will offer child care and teen support services through a partnership with Big Brothers Big Sisters, including a science, technology, engineering, art, and math (STEAM) lab. The Center will also offer classes on cooking, healthy eating, and nutrition. The new YMCA, expected to begin construction in 2022, will be located directly across the street from GJHFH’s new home construction project.

Further, the City has invested in public infrastructure improvements in the neighborhood, including updating the Austin Blair Park, reconstructing neighborhood streets, and improving street lighting. Current leadership is expanding revitalization efforts in the downtown to include neighborhoods immediately adjacent to the downtown, such as Partnership Park, to increase stabilization and attract additional public and private ventures.

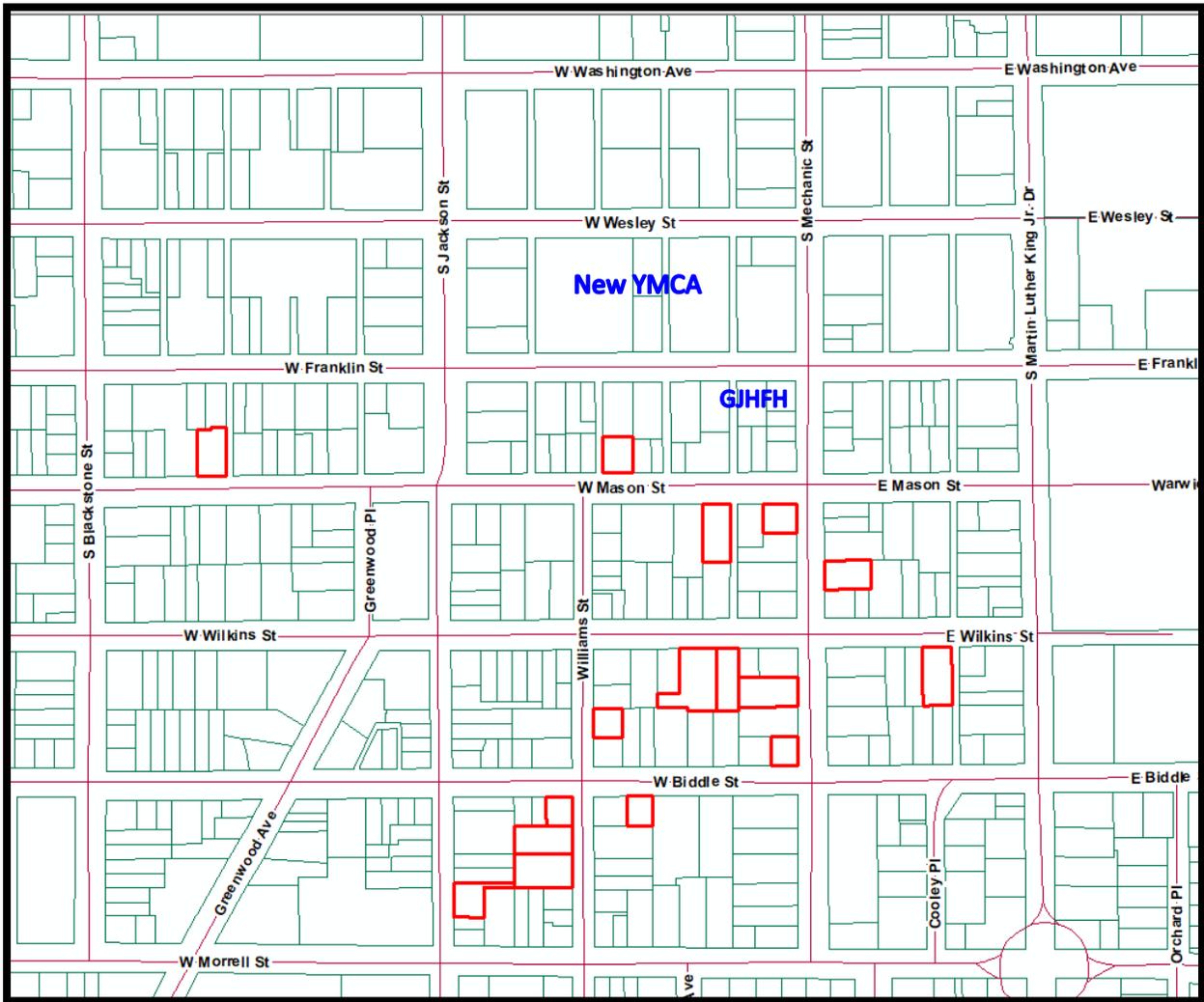
Target Area

The 2020 – 2024 Five-Year Consolidated Plan identified three (3) locally designated target areas in which to focus CDBG and HOME investments. One area, dubbed the “West of S Martin Luther King Jr Drive”, includes a large portion of Partnership Park.

The eastern part of Partnership Park between S Mechanic Street and S Martin Luther King Jr Drive and E Franklin Street to E Morrell Street is a small part of another target area called “East of S Martin Luther King Jr Drive”.



Following is a map of parcels in Partnership Park – those outlined in red indicate the location of CAA’s homebuyer rehabilitation projects. Also identified in blue is the GJFH new home constructions and location of the new Jackson YMCA.



Citizen Participation

Notice of the Substantial Amendment and October 26, 2021 public hearing was published in the *Jackson Citizen Patriot* and the *Jackson Blazer*. Hard copies of the Substantial Amendment were distributed to the following locations for review:

City of Jackson
Neighborhood & Economic Operations
161 W Michigan Ave, 3rd Floor
Jackson, MI 49201

City of Jackson
City Clerk's Office
161 W Michigan Ave, 1st Floor
Jackson, MI 49201

Shahan-Blackstone North Apartments
109 Shahan Dr
Jackson, MI 49202

Reed Manor
301 Steward Ave
Jackson, MI 49201

Jackson District Library
Carnegie Branch
224 W Michigan Ave
Jackson, MI 49201

Chalet Terrace
316 Barberry Dr
Jackson, MI 49203

Community Action Agency
1214 Greenwood Ave
Jackson, MI 49203

An electronic copy of this Substantial Amendment was also available on the City's website at <http://www.cityofjackson.org/332/Grant-Reports>. The public comment period began on September 29, 2021 and ended October 31, 2021. The public was afforded an opportunity to provide comments directly to the Grant Coordinator and/or through the public hearing before the Jackson City Council at its regular meeting on October 26, 2021.

Citizen comments to be determined

MEMO TO: Mayor and City Councilmembers

FROM: Jonathan Greene, City Manager

DATE: October 26,2021

SUBJECT: Obsolete Property Rehabilitation Act (OPRA) District public hearing

Recommendation: Hold a public hearing to establish the Obsolete Property Rehabilitation Act (OPRA) District for an area located at 906 E Pearl Street in the city of Jackson

I recommend holding a public hearing prior to adopting a resolution establishing 906 E Pearl as an OPRA District

Attached is a report from the Director of Neighborhood and Economic Operation Department regarding the establishment of an (OPRA) District at 906 E Pearl Street.

DEPARTMENTAL REPORT

MEMO TO: Jonathan Green, City Manager

FROM: Shane LaPorte, Director of NEO

DATE: Council Meeting- October 26, 2021

RECOMMENDATION: Hold a public hearing regarding the establishment of an (OPRA) District at 906 E Pearl St in the City of Jackson.

SUMMARY

The Developer, **Allen Lofts LLC**, is requesting the City Council hold a Public Hearing to consider establishing an Obsolete Property Rehabilitation District (OPRD) for the property located at 906 E Pearl Street in the City of Jackson, in accordance with the Obsolete Property Rehabilitation Act of 2000, PA 146 (OPRA), which requires a public hearing be held prior to the creation of an OPRD

BUDGETARY CONSIDERATIONS

N/A

HISTORY, BACKGROUND and DISCUSSION

Placing the property within an OPRD will allow a developer to apply for a Tax Exemption Certificate through the State of Michigan Treasury Department that would assist with the rehabilitation and redevelopment of the property. Approval of such a certificate would freeze the existing Ad Valorem property taxes collected under the General Property Tax Act of 1893, PA 206, on a designated building (not land) for up to 12 years. An application to the State Tax Commission is subject to City Council approval prior to submission.

POSITIONS

Requested action: Establish the October 26, 2021 City Council Meeting as the time and place to hold a Public Hearing for consideration of establishing OPRD for property located at 906 E Pearl Street

ATTACHMENTS:

MEMO TO: Mayor and City Councilmembers
FROM: Andrea Muray, City Clerk
DATE: October 26, 2021
SUBJECT: Public Hearing on the Obsolete Property Rehabilitation Exemption Certificate
Application submitted by Demmar, LLC

Recommendation:

Hold a Public Hearing on the application filed by Demmar, LLC located at 159 W. Michigan Avenue, for an Obsolete Property Rehabilitation Exemption Certificate. After the Public Hearing consider the resolution for approval.

Attached is the resolution along with supporting documentation for the application filed by Demmar, LLC for an Obsolete Property Rehabilitation Exemption Certificate for the property located at 159 W. Michigan Avenue. If Council adopts the resolution, it will be forwarded to the Michigan Tax Commission for their consideration.

Your consideration and concurrence is appreciated.

**RESOLUTION
APPROVING AN
OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE APPLICATION
PA 146 OF 2000 AS AMENDED**

WHEREAS, on June 6, 2000, Public Act 146 of 2000, known as the Obsolete Property Rehabilitation Ave (the Act), was signed into law; and

WHEREAS, as of June 6, 2000, the City of Jackson was a qualified local government unit under Section 2(k) of the Act; and

WHEREAS, the City of Jackson legally established the Obsolete Property Rehabilitation District in an area with boundaries of Louis Glick Highway to the north and W. Washington Avenue to the south on July 12, 2016, after a public hearing was held on July 12, 2016; and

WHEREAS, following the establishment of the Obsolete Property Rehabilitation District, applicant did submit an Application for Obsolete Property as defined in Section 2(h) of PA 146 of 2000; and

WHEREAS, applicant did provide a statement of items outlined in the Instruction for the Application for Obsolete Property as defined in Section 2(h) of PA 146 of 2000; and

WHEREAS, the applicant is not delinquent in any taxes, special assessments, and/or fees related to the property located at 159 W. Michigan Avenue, Jackson, Michigan; and

WHEREAS, applicant's rehabilitation of the facility located at 159 W. Michigan Avenue, Jackson, Michigan did not occur prior to the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the exempt taxable value of the proposed property plus all other exempt taxable value under PA 146 of 2000 and PA 196 of 1974, does not exceed 5% of the total taxable value of the City of Jackson; and

WHEREAS, as of June 3, 2003, amended March 22, 2005, the City of Jackson did adopt a policy to determine eligibility requirements for establishing the OPRD Tax Incentive Period; and

WHEREAS, applicant has provided the City with an Application for Obsolete Property Rehabilitation Exemption Certificate with all necessary attachments; and

WHEREAS, the proposed rehabilitation schedule includes improvements exceeding 10% of the true cash value of the property provided in Section 2(i) of PA 146 of 2000; and

WHEREAS, upon completion, the project constitutes a rehabilitation facility in accordance with PA 146 of 2000; and

WHEREAS, the rehabilitation of the property promises to increase commercial activity and create employment opportunities within the downtown; and

WHEREAS, a public hearing on the application for an OPRD Tax Exemption Certificate was held in accordance with PA 146 of 2000 on October 26, 2021; and

WHEREAS, the Application for Obsolete Property Rehabilitation Exemption Certificate was approved by the City Council on October 26, 2021; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby finds and determines that the Application for an OPRD Tax Exemption Certificate is in accordance with the OPRD Act (PA 146 of 2000), and is approved for 12 years; and

BE IT FURTHER RESOLVED, that Obsolete Property Rehabilitation District Tax Exemption Certificate in the area with boundaries of Louis Glick Highway to the north and W. Washington Avenue to the south is hereby established for the property at 159 W. Michigan Avenue, Jackson, Michigan, said property more fully described as: W 30 FT OF LOTS 5 & 6 B1S R1E THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG

* * * * *

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrea Muray, City Clerk in and for the City of Jackson, County and State of Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on the 26th day of October, 2021.

IN WITNESS WHEREOF, I have hereto affixed
my signature and the seal of the City of Jackson,
Michigan, on this 27th day of October, 2021.

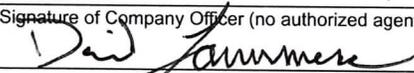
Andrea Muray, City Clerk

Application for Obsolete Property Rehabilitation Exemption Certificate

Issued under authority of Public Act 146 of 2000, as amended.

This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the completed application and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) See State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

Applicant (Company) Name (applicant must be the OWNER of the facility) Demmar LLC		
Company Mailing Address (Number and Street, P.O. Box, City, State, ZIP Code) 1150 Nelson Street, Grass Lake, Michigan 49240		
Location of obsolete facility (Number and Street, City, State, ZIP Code) 159 W. Michigan Avenue, Jackson, Michigan 49240		
City, Township, Village (indicate which) City of Jackson	County Jackson	
Date of Commencement of Rehabilitation (mm/dd/yyyy) 11/1/2021	Planned date of Completion of Rehabilitation (mm/dd/yyyy) 03/31/2022	School District where facility is located (include school code) Jackson
Estimated Cost of Rehabilitation \$550,000.00	Number of years exemption requested 12 years	
Attach legal description of obsolete property on separate sheet.		
Expected Project Outcomes (Check all that apply)		
<input checked="" type="checkbox"/> Increase commercial activity	<input type="checkbox"/> Retain employment	<input checked="" type="checkbox"/> Revitalize urban areas
<input checked="" type="checkbox"/> Create employment	<input type="checkbox"/> Prevent a loss of employment	<input checked="" type="checkbox"/> Increase number of residents in the community in which the facility is situated
Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment. <u>4 to 5</u>		
<input checked="" type="checkbox"/> Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the box at left if you wish to be considered for this exclusion.		
APPLICANT CERTIFICATION		
The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy. The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate. It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.		
Name of Company Officer (No authorized agents) David Lammers	Telephone Number (734) 355-9396	Fax Number
Mailing Address 1150 Nelson Street, Grass Lake, Michigan 49240	E-mail Address davlammers@hotmail.com	
Signature of Company Officer (no authorized agents) 	Title Member	
LOCAL GOVERNMENT UNIT CLERK CERTIFICATION		
The Clerk must also complete Parts 1, 2 and 4 on page 2. Part 3 is to be completed by the Assessor.		
Signature	Date Application Received	
FOR STATE TAX COMMISSION USE		
Application Number	Date Received	LUCI Code

LOCAL GOVERNMENT ACTION		
This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.		
PART 1: ACTION TAKEN		
Action Date		
<input type="checkbox"/> Exemption Approved for _____ Years, ending December 30, _____ (not to exceed 12 years) <input type="checkbox"/> Denied		
Date District Established	LUCI Code	School Code
PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)		
<p>A statement that the local unit is a Qualified Local Governmental Unit.</p> <p>A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000.</p> <p>A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.</p> <p>A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.</p> <p>A statement that a public hearing was held on the application as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing.</p> <p>A statement that the applicant is not delinquent in any taxes related to the facility.</p> <p>If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.</p> <p>A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.</p>	<p>A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000.</p> <p>A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District.</p> <p>A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district.</p> <p>A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in.</p> <p>A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.</p> <p>A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.</p>	
PART 3: ASSESSOR RECOMMENDATIONS		
Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31 of the year approved by the STC)		
Building Taxable Value		Building State Equalized Value
\$		\$
Name of Government Unit	Date of Action Application	Date of Statement of Obsolescence
PART 4: CLERK CERTIFICATION		
The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act of 2000 may be in jeopardy.		
Name of Clerk	Telephone Number	
Clerk Mailing Address		
Mailing Address		
Telephone Number	Fax Number	E-mail Address
Clerk Signature		Date

For faster service, email completed application and attachments to PTE@michigan.gov. An additional submission option is to mail the completed application and attachments to Michigan Department of Treasury, State Tax Commission, PO Box 30471, Lansing, MI 48909. If you have any questions, call 517-335-7491.

August 19, 2021

Application for Obsolete Property Rehabilitation Exemption Certificate
Public Act 146 of 2000, as amended
Demmar LLC
159 W. Michigan Avenue, Jackson, Michigan 49201

PART 2: APPLICATION DOCUMENTS

a. General Description of the facility (year built, original use, most recent use, number of stories, square feet)

Historical records indicate the existing building was constructed in 1951. Throughout the years the building was used for commercial/retail purposes. The second floor is used for residential purposes. The first floor of the building is currently vacant.

The Property consists of a zero-lot line, 2-story, 7,920 square foot, brick building situated on an 0.091-acre of land.

b. Description of the qualified facility's proposed use

The applicant intends to rehabilitate and reuse the first floor and basement of the subject building. The apartments on the second floor have already been renovated.

c. Description of the general nature and extent of the rehabilitation to be undertaken

This rehabilitation project will include new utilities, windows, doors and flooring. Building concrete and masonry will also be repaired with new construction materials.

d. Descriptive list of the fixed building equipment that will be a part of the qualified facility

The building interior will be demolished down to the structural components of the building while maintaining and/or reusing as many of the original architectural features as possible. New fixed building equipment will include new heating, ventilation, and air condition (HVAC) mechanical systems, plumbing and plumbing fixtures, electrical and electrical fixtures, lighting, interior walls and flooring, new doors and windows, improved interior and exterior appearance.

e. Time schedule for undertaking and completing the facility's rehabilitation

The rehabilitation project is anticipated to take four months to complete with a construction schedule currently planned for November 1, 2021 through March 31, 2022. No construction activities will be conducted prior to any approval of the PA 146 abatement.

f. Statement of the economic advantages expected from the exemption

Redevelopment of the property would provide numerous benefits to the City. While the specific facility would undergo considerable renovation, the entire area would benefit from the transformation of a vacant building into a thriving and fully utilized property.

In an effort to maximize the utility value of the building, the applicant is committed to finishing the rehab of the building. In that context, the applicant will incur considerable renovation costs. The establishment of the PA 146 District, with its multi-year property tax deferment benefit, is vital to making the project economically viable.

g. Legal description of the facility

W 30 FT OF LOTS 5 & 6 B1S R1E THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG
Parcel ID Number: 4-001500000

FINAL CONSTRUCTION COST BREAKDOWN

Development Name: Lammers - 159 W. Michigan, Jackson, MI
 Sponsor: _____

PHFA Number: _____

Contractor: First Contracting, Inc.

Form Completed by (print): Brian Fleming

7/27/21

Div. #/Description	Residential	Commercial	Total	Brownfield Eligible
01-General Requirements				
Project Management/Coordination	\$10,000.00			
Security				
Temporary Facilities/Controls				
Execution/Closeout Requirements				
Equipment	\$2,500.00			
Other (explain) Disposal				
Division 01 Total	\$12,500.00	\$0.00	\$12,500.00	\$0.00
02-Existing Conditions				
Building Demolition - Exterior	\$1,500.00			
Selective Demolition - Interior	\$6,000.00			
Soil Stabilization				
Environmental Remediation	\$5,000.00			
Offsite Improvements (explain)				
Other (explain)				
Division 02 Total	\$12,500.00	\$0.00	\$12,500.00	\$0.00
03-Concrete				
Cast-in-Place				
Pre-Cast				
Cement Underlayment				
Other (explain)				
Division 03 Total	\$0.00	\$0.00	\$0.00	\$0.00
04-Masonry				
Block - Shaft				
Brick/Stone Veneer				
Restoration/Cleaning				
Other (explain) - Dryvit Repair	\$23,800.00			
Division 04 Total	\$23,800.00	\$0.00	\$23,800.00	\$0.00
05-Metals				
Structural	\$3,500.00			
Joists/Decking				
Framing	\$3,000.00			
Railings				
Other (explain)				
Division 05 Total	\$6,500.00	\$0.00	\$6,500.00	\$0.00
Div. #/Description				
06-Wood, Plastics and Composites				
Rough Carpentry	\$25,000.00			
Finish Carpentry	\$12,000.00			
Architectural Woodwork	\$4,000.00			
Cultured Marble/Solid Surface	\$4,500.00			
Other (explain)				
Division 06 Total	\$45,500.00	\$0.00	\$45,500.00	\$0.00
07-Thermal and Moisture Protection				
Dampproofing/Waterproofing				
Insulation	\$5,000.00			
Roofing				
Exterior Finish				
Misc. (Gutters, flashing, etc.)				
Other (explain)				
Division 07 Total	\$5,000.00	\$0.00	\$5,000.00	\$0.00
08-Openings				
Exterior Doors/Frames				
Interior Doors/Frames				
Windows				
Storm Windows				

Other (explain) Storefronts	\$25,606.00			
Division 08 Total	\$25,606.00	\$0.00	\$25,606.00	\$0.00
09-Finishes				
Plaster Repair				
Drywall	\$40,000.00			
Tile Work				
Resilient Flooring				
Carpet / Wood				
Suspended Ceilings	\$9,000.00			
Painting and Wallcoverings	\$10,000.00			
Other (explain)				
Division 09 Total	\$59,000.00	\$0.00	\$59,000.00	\$0.00
10-Specialties				
Mailboxes, Bath Accessories, Signage, etc.	\$2,500.00			
Other (Explain) Awnings				
Division 10 Total	\$2,500.00	\$0.00	\$2,500.00	\$0.00
11-Equipment				
Residential Appliances	\$3,000.00			
Playground Equipment				
Trash Compactor				
Other (explain)				
Division 11 Total	\$3,000.00	\$0.00	\$3,000.00	\$0.00
12-Furnishings				
Window Treatments				
Kitchen Cabinets	\$5,000.00			
Bath Cabinets	\$1,500.00			
Site Furnishings				
Other (explain)				
Division 12 Total	\$6,500.00	\$0.00	\$6,500.00	\$0.00
Div. #/Description				
	Residential	Commercial	Total	
13-Special Construction				
Solar, Wind, etc.				
Other (explain)				
Division 13 Total	\$0.00	\$0.00	\$0.00	\$0.00
14-Conveying Systems				
Elevators				
Wheelchair Lifts	\$49,500.00			
Trash Chutes				
Other (explain)				
Division 14 Total	\$49,500.00	\$0.00	\$49,500.00	\$0.00
21-Fire Suppression				
Sprinkler System	\$25,000.00			
Other (explain)				
Division 21 Total	\$25,000.00	\$0.00	\$25,000.00	\$0.00
22-Plumbing				
Facility Water Distribution	\$27,000.00			
Facility Sanitary Sewerage				
Facility Storm Drainage				
Plumbing Fixtures/Equipment				
Other (explain)				
Division 22 Total	\$27,000.00	\$0.00	\$27,000.00	\$0.00
23-Heating, Ventilating and Air Conditioning				
Facility Fuel System (Fuel oil, Gas, etc.)				
Facility System/Equipment	\$50,000.00			
Other (explain)				
Division 23 Total	\$50,000.00	\$0.00	\$50,000.00	\$0.00
26-Electrical				
Primary Service	\$25,000.00			
Distribution System				
Generator				
Lighting	\$4,500.00			
Other (explain)				
Division 26 Total	\$29,500.00	\$0.00	\$29,500.00	\$0.00
27-Communications				
Data, Communication Wiring & Devices	\$2,000.00			
Other (explain)				
Division 27 Total	\$2,000.00	\$0.00	\$2,000.00	\$0.00
28-Electronic Safety and Security				
Fire Detection/Alarm	\$5,000.00			
Security System				

Other (explain)				
Division 28 Total	\$5,000.00	\$0.00	\$5,000.00	\$0.00
31-Earthwork				
Earthmoving, Excavation, Grading, etc.				
Erosion & Sedimentation Control				
Special Foundations				
Offsite Improvements (explain)				
Other (explain)				
Division 31 Total	\$0.00	\$0.00	\$0.00	\$0.00
Div. #/Description	Residential	Commercial	Total	
32-Exterior Improvements				
Paving				
Walks and Curbs - Repairs	\$2,500.00			
Landscaping				
Fences, Retaining Walls, etc.				
Offsite Improvements (explain)				
Other (explain)				
Division 32 Total	\$2,500.00	\$0.00	\$2,500.00	\$0.00
33-Utilities				
Sanitary Sewer				
Water, Gas, Elec, Communications - Allowance	\$10,000.00			
Storm Water				
Offsite Improvements (explain)				
Other (explain)				
Division 33 Total	\$10,000.00	\$0.00	\$10,000.00	\$0.00
Subtotal Divisions 1-33				
Construction Contingency - 10%	\$40,290.00			
Bond Premium or LOC				
Building Permit				
Gen. Cond., Profit & Overhead	\$62,047.00			
TOTAL COST	### \$505,243.00	\$0.00	\$505,243.00	\$0.00
TOTAL CONSTRUCTION COST (Residential and Commercial)	\$505,243.00			Brownfield Eligible

AFFIDAVIT OF THE CITY OF JACKSON ASSESSOR

I, Jason Yoakam affirm the following:

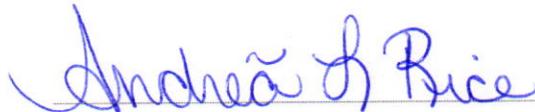
1. I am employed by the City of Jackson as the City Assessor.
2. I am a certified Michigan Master Assessing Officer (Level 4).
3. I have inspected the property located at 159 W Michigan Ave, in the City of Jackson.
4. This affidavit is given in accordance with Public Act 381 of 1996, commonly known as the Brownfield Redevelopment Financing Act, specifically MCL 125.2652(2)(c), in determining obsolete property. I also used Public Act 146 of 2000, MCL 125.2782(2)(h)(i), commonly known as the Obsolete Property Rehabilitation Act, to further define obsolescence of property.
5. It is my expert opinion the property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from factors such as blight, overcapacity, changes in technology, deficiencies or super adequacies in design, or other similar factors that affect the property itself or the property's relationship with other surrounding property.



Jason M Yoakam, City Assessor

Subscribed and sworn to before me by Jason Yoakam on September 8, 2021.

Andrea L. Rice
Notary Public, State of Michigan, Jackson County
My commission Expires 1/4/2026
Acting in Jackson County



MEMO TO: Mayor and City Councilmembers
FROM: Andrea Muray, City Clerk
DATE: October 26, 2021
SUBJECT: Public Hearing on the Obsolete Property Rehabilitation Exemption Certificate
Application submitted by Allen Lofts, LLC

Recommendation:

Hold a Public Hearing on the application filed by Allen Lofts, LLC located at 906 E. Pearl, for an Obsolete Property Rehabilitation Exemption Certificate. After the Public Hearing consider the resolution for approval.

Attached is the resolution along with supporting documentation for the application filed by Allen Lofts, LLC for an Obsolete Property Rehabilitation Exemption Certificate for the property located at 906 E. Pearl. If Council adopts the resolution, it will be forwarded to the Michigan Tax Commission for their consideration.

Your consideration and concurrence is appreciated.

**RESOLUTION
APPROVING AN
OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE APPLICATION
PA 146 OF 2000 AS AMENDED**

WHEREAS, on June 6, 2000, Public Act 146 of 2000, known as the Obsolete Property Rehabilitation Act (the Act), was signed into law; and

WHEREAS, as of June 6, 2000, the City of Jackson was a qualified local government unit under Section 2(k) of the Act; and

WHEREAS, the City of Jackson legally established the Obsolete Property Rehabilitation District in an area with boundaries of Detroit Street to the north, E. Pearl Street to the south, N. Waterloo to the east, and State Street to the west on October 26, 2021, after a public hearing was held on October 26, 2021; and

WHEREAS, following the establishment of the Obsolete Property Rehabilitation District, applicant did submit an Application for Obsolete Property as defined in Section 2(h) of PA 146 of 2000; and

WHEREAS, applicant did provide a statement of items outlined in the Instruction for the Application for Obsolete Property as defined in Section 2(h) of PA 146 of 2000; and

WHEREAS, the applicant is not delinquent in any taxes, special assessments, and/or fees related to the property located at 906 E Pearl, Jackson, Michigan; and

WHEREAS, applicant's rehabilitation of the facility located at 906 E. Pearl, Jackson, Michigan did not occur prior to the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the exempt taxable value of the proposed property plus all other exempt taxable value under PA 146 of 2000 and PA 196 of 1974, does not exceed 5% of the total taxable value of the City of Jackson; and

WHEREAS, as of June 3, 2003, amended March 22, 2005, the City of Jackson did adopt a policy to determine eligibility requirements for establishing the OPRD Tax Incentive Period; and

WHEREAS, applicant has provided the City with an Application for Obsolete Property Rehabilitation Exemption Certificate with all necessary attachments; and

WHEREAS, the proposed rehabilitation schedule includes improvements exceeding 10% of the true cash value of the property provided in Section 2(i) of PA 146 of 2000; and

WHEREAS, upon completion, the project constitutes a rehabilitation facility in accordance with PA 146 of 2000; and

WHEREAS, the rehabilitation of the property promises to increase commercial activity and create employment opportunities in which the facility is located; and

WHEREAS, a public hearing on the application for an OPRD Tax Exemption Certificate was held in accordance with PA 146 of 2000 on October 26, 2021; and

WHEREAS, the Application for Obsolete Property Rehabilitation Exemption Certificate was approved by the City Council on October 26, 2021; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby finds and determines that the Application for an OPRD Tax Exemption Certificate is in accordance with the OPRD Act (PA 146 of 2000), and is approved for 12 years; and

BE IT FURTHER RESOLVED, that Obsolete Property Rehabilitation District Tax Exemption Certificate in the area with boundaries of Louis Glick Highway to the north and W. Washington Avenue to the south is hereby established for the property at 906 E. Pearl, Jackson, Michigan, said property more fully described as: LD COM AT INTERS OF N LN OF PEARL ST WITH W LN OF WATERLOO AVE TH N TO SLY LN OF DETROIT ST TH WLY TO ELY LN OF STATE ST TH SLY TO NLY LN OF PEARL ST TH ELY TO POB

* * * * *

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrea Muray, City Clerk in and for the City of Jackson, County and State of Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on the 26th day of October, 2021.

IN WITNESS WHEREOF, I have hereto affixed
my signature and the seal of the City of Jackson,
Michigan, on this 27th day of October, 2021.

Andrea Muray, City Clerk

Application for Obsolete Property Rehabilitation Exemption Certificate

Issued under authority of Public Act 146 of 2000, as amended.

This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the completed application and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) See State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

Applicant (Company) Name (applicant must be the OWNER of the facility)		
Company Mailing Address (Number and Street, P.O. Box, City, State, ZIP Code)		
Location of obsolete facility (Number and Street, City, State, ZIP Code)		
City, Township, Village (indicate which)		County
Date of Commencement of Rehabilitation (mm/dd/yyyy)	Planned date of Completion of Rehabilitation (mm/dd/yyyy)	School District where facility is located (include school code)
Estimated Cost of Rehabilitation		Number of years exemption requested
Attach legal description of obsolete property on separate sheet.		
Expected Project Outcomes (Check all that apply)		
<input type="checkbox"/> Increase commercial activity	<input type="checkbox"/> Retain employment	<input type="checkbox"/> Revitalize urban areas
<input type="checkbox"/> Create employment	<input type="checkbox"/> Prevent a loss of employment	<input type="checkbox"/> Increase number of residents in the community in which the facility is situated
Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment. _____		
<input type="checkbox"/> Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the box at left if you wish to be considered for this exclusion.		

APPLICANT CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 146 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company Officer (No authorized agents)	Telephone Number	Fax Number
Mailing Address	E-mail Address	
Signature of Company Officer (no authorized agents) 	Title	

LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on page 2. Part 3 is to be completed by the Assessor.

Signature	Date Application Received
-----------	---------------------------

FOR STATE TAX COMMISSION USE

Application Number	Date Received	LUCI Code
--------------------	---------------	-----------

LOCAL GOVERNMENT ACTION		
This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.		
PART 1: ACTION TAKEN		
Action Date		
<input type="checkbox"/> Exemption Approved for _____ Years, ending December 30, _____ (not to exceed 12 years) <input type="checkbox"/> Denied		
Date District Established	LUCI Code	School Code
PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)		
<p>A statement that the local unit is a Qualified Local Governmental Unit.</p> <p>A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000.</p> <p>A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.</p> <p>A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.</p> <p>A statement that a public hearing was held on the application as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing.</p> <p>A statement that the applicant is not delinquent in any taxes related to the facility.</p> <p>If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.</p> <p>A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.</p>	<p>A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000.</p> <p>A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District.</p> <p>A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district.</p> <p>A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in.</p> <p>A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.</p> <p>A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.</p>	
PART 3: ASSESSOR RECOMMENDATIONS		
Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31 of the year approved by the STC)		
Building Taxable Value		Building State Equalized Value
\$		\$
Name of Government Unit	Date of Action Application	Date of Statement of Obsolescence
PART 4: CLERK CERTIFICATION		
The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act of 2000 may be in jeopardy.		
Name of Clerk	Telephone Number	
Clerk Mailing Address		
Mailing Address		
Telephone Number	Fax Number	E-mail Address
Clerk Signature		Date

For faster service, email completed application and attachments to PTE@michigan.gov. An additional submission option is to mail the completed application and attachments to Michigan Department of Treasury, State Tax Commission, PO Box 30471, Lansing, MI 48909. If you have any questions, call 517-335-7491.

AFFIDAVIT OF THE CITY OF JACKSON ASSESSOR

I, Jason Yoakam affirm the following:

1. I am employed by the City of Jackson as the City Assessor.
2. I am a certified Michigan Master Assessing Officer (Level 4).
3. I have inspected the property located at 906 E Pearl St, in the City of Jackson.
4. This affidavit is given in accordance with Public Act 146 of 2000 commonly known as the Obsolete Property Rehabilitation Act. The determination of obsolescence for this property also relied on Public Act 381 of 1996, commonly known as the Brownfield Redevelopment Financing Act, specifically MCL 125.2652(2)(c) to further define obsolescence of property.
5. It is my expert opinion the property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from factors such as blight, overcapacity, changes in technology, deficiencies or super adequacies in design, or other similar factors that affect the property itself or the property's relationship with other surrounding property.



Jason M. Yoakam, City Assessor

Subscribed and sworn to before me by Jason Yoakam on September 27, 2021

Andreã L. Rice
Notary Public, State of Michigan, Jackson County
My commission Expires 1/4/2026
Acting in Jackson County



Report on Proposed Additional Resources to Chapter 13 Historic Preservation Ordinance



"Allen School Historic District"

Prepared by:



Jackson
Historic District Commission
161 W. Michigan Avenue
Phone: 517-768-6433
Jackson, Michigan 49201
Fax: 517-768-5832

Contact Information: Prepared by the

Amy L. Torres, HDC Staff
City Hall, 161 West Michigan Avenue
Jackson, MI 49201
(517) 768-6433 / fax: (517) 768-5832
e-mail: atorres@cityofjackson.org

**City of Jackson, Michigan
Historic District Commission
June, 2005**

revised September, 2005

Adopted by City Council: October 4, 2005

ACKNOWLEDGEMENTS

The Jackson Historic District Commission wishes to acknowledge the contributions of the following individuals in the preparation of this report and the ongoing preservation of historic resources in Jackson:

The Allen School Study Committee

Charles Ahronheim	Degree in Music, interested citizen and resident of a historic home
David O. Bankole, M.D.	Secretary DJW Real Estate, LLC, interested citizen, resident of a historic home, proposed purchaser of the property under review
Martha Fuerstenau	Interested citizen and resident of the Under the Oaks Historic District
Marilyn Guidinger	Interested citizen and resident of a historic home
Pat Gutekunst	Member of the Jackson Historical Society and resident of the Under the Oaks Historic District
John Schaub	Interested citizen and resident of a designated historic home
Karessa Weir	Journalist, interested citizen and resident of a historic home
Jeannette Woodard	Licensed architect with special interest in historic preservation, owner of business in a designated historic building

The Jackson City Council

Mayor	Martin J. Griffin
1st Ward	Carl L. Breeding
2nd Ward	William Mure
3rd Ward	Daniel P. Greer
4th Ward	Sarah Mead
5th Ward	Judy M. Dupuis
6th Ward	Jerry F. Ludwig

HDC & Study Committee Staff

Amy L. Torres

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INTRODUCTION

The purpose of the Historic District Commission (HDC) is, in part, to create and designate historic sites, which will:

- 1) Safeguard the heritage of the City of Jackson by preserving a historic district, including areas, sites, landmarks, buildings, structures, works of art, and objects, which reflect elements of Jackson's cultural, social, economic, political and/or architectural history;
- 2) Stabilize and improve property values in the historic district;
- 3) Foster civic beauty;
- 4) Strengthen the local economy; and
- 5) Promote the use of the historic district, including areas, sites, landmarks, buildings, structures, works of art and objects, for the education, pleasure and welfare of the citizens of the City of Jackson and the State of Michigan.

For purposes of this report, each site recommended by the HDC, and ultimately approved and designated by the City Council, becomes a **"Historic District"**, meaning:

"an area, or group of areas not necessarily having contiguous boundaries, that contains one resource or a group of resources that are related by history, architecture, archaeology, engineering, or culture." The proposed district described herein includes a number of "Historic Resources".

Historic Resource means:

"a publicly or privately owned building, landmark, structure, site, feature or open space that is significant in the history, architecture, archaeology, engineering, or culture of the state, the City of Jackson, or the United States".

To date, the Jackson City Council has designated forty individual sites as historic landmarks and established one historic district entitled the "Under the Oaks Historic District" (see Chapter 13 of the Municipal Code of Ordinances, Section 13-21 and 13-22). This report proposes to add one new historic district entitled the **Allen School Historic District**.

Benefit to Community: Designation of sites as historic landmarks preserves the historic integrity of structures and sites, and also allows owners and developers an opportunity to utilize historic preservation tax credits as part of their financial package to allow renovation of historic buildings that might otherwise be lost to vacancy, blight, or worse, demolition. Designation also assists the HDC to fulfill their mission to stabilize and improve property values; foster civic beauty; strengthen the local economy; and promote the use of historic districts.

The Historic District Commission, created by ordinance in 1977, which was amended in 1990 by creation of the Historic Preservation Ordinance, Chapter 13 of the Municipal Code of Ordinances, was charged with the review of historic resources in the City of Jackson. Further, the Historic District Study Committee was charged on March 30, 2004, by the Jackson City Council, with the review of historic resources in the City of Jackson. The HDC, by recommendation of its Study Committee, has reviewed and approved the proposed landmark and recommends it be incorporated into the ordinance.

PROPOSED ALLEN SCHOOL HISTORIC DISTRICT

Building Type

This building has been little changed since its construction. Comparison of the existing building to the original drawings (see Exhibits A thru P) reveals a building substantially the same as the original.

The boiler room building is of a different vintage. As shown in Exhibit A, the boiler room building is left from the demolition of the school that was on the site originally, apparently the Central School. See below for the history of the site.

The building is constructed of brick using multiple wythes. The brick of the main building is a smooth molded brick of medium dark color, with considerable 'flash' (see Exhibit Q). The brick of the boiler room is a dark, wire cut brick (see Exhibit R). The brick is laid up in Flemish bond, except in areas on the north wall, where brick is laid in an English Cross Bond¹ (see Exhibit S). Brick is also used for decorative corbelling in numerous locations on the boiler room while a metal cornice tops the school (see Exhibits T and U).

Throughout the building, limestone is used for detailing of columns, decorative panels, window hoods and door surrounds (see Exhibits V thru Y). The existing aluminum windows are not original. The original windows, as shown in Exhibit F, were nine-over-nine double hung, of wood sash. These traditional details and the way they are used reflect the Classical Revival style as defined by "*What Style Is It?*"²

"*An Honor and An Ornament: Public School Buildings in Michigan*"³ classifies school buildings with this building form as having an "Alphabet Plan." More specifically, the plan would be a 'C' plan.

Age

As seen in Exhibits A through P, the construction drawings for this building are dated May 14, 1927. The Cornerstone also puts its construction date as 1927 (see Exhibit Y). The East Central School, which was on the site, was noted as being razed in the July 24, 1927 issue of the paper⁴, leading one to assume that construction started shortly thereafter. No mention was found of the actual dedication of the new school, but articles regarding the athletic success of the students of the Pearl Street School (later Allen School) began to appear in the paper⁵ by 1930, so the school was clearly occupied by that time.

History of Education in Jackson

From its earliest days, education was paramount in Jackson. The village was founded in 1829. By 1831, the daughter of one of the founders, Miss Silence Blackman, was teaching the children of the community⁶. The first school district was formed later that year with the first school building built at the corner of Blackstone Street and Michigan Avenue.

¹ Website <http://plato.acadiau.ca/courses/educ/reid/Geometry/brick/Bricklayer.html>

² What Style Is It? A Guide to American Architecture

³ An Honor and An Ornament: Public School Buildings in Michigan

⁴ Jackson Citizen Patriot, July 24, 1927

⁵ Jackson Citizen Patriot, May 17 (pg. 5), 29 (pg 13) and 30 (page 1) of 1930

⁶ Jackson Citizen Patriot, July 24, 1927, September 13, 1937

Between 1831 and 1854, district records were lost⁷, but in 1838, the Township officers rearranged the boundaries to form District 17, basically consisting of the portion of town north and east of the Grand River. The boundaries of the District became a subject of much debate, culminating in a resolution of the 1856 District 17 School Board, to wit:

*Resolved, Unanimously, that a committee be appointed to prosecute a suite to recover a portion of this district illegally set off into district No. 1 by the trickery of the board of district No. 1 and the hireling Board of School Inspectors, and W. T. Howell and Henry H. Bingham are duly appointed said committee, fully authorized to prosecute such suit, and the district board are fully authorized to draw from the contingent fund hereof, any sums that may be necessary to defray the expenses of such prosecution.*⁸

Differences were eventually resolved, and the two districts were merged into the Union School District, later the Jackson Public School District, in 1897⁹

From its beginnings, the Jackson School Districts were ahead of their times in their approach to education. From 1911 to 1930, Jackson's School Superintendent was touted as a pioneer in the education field¹⁰. Mr. E. O. Marsh, superintendent of Jackson's public school at the time Pearl Street School was constructed, apparently drew from his education at the University of Michigan and his almost legendary past as a denizen of the 'wild west' (he is purported to have been kidnapped by Geronimo) to develop his program of what we now call 'special education.' Jackson High School, which predated the Pearl Street School by one year, was state of the art with its programs of industrial, commercial, agricultural, arts, home economics and physical training programs. Throughout the District, Mr. Marsh began special programs including programs for "mentally defective children...speed schools for gifted children...open air school for anemic children and those liable to the contraction of tuberculosis...Among the latest developments...a department for the correction of speech defects."¹¹ Mr. Marsh's philosophy was summed up by two paragraphs he wrote on the blackboard in his office:

The Old Education - selected, retained and educated those who were fitted by natural endowment and interest to profit by what the school thought fit to offer; others were eliminated along the way, and with little concern the precious material thus forced to waste. It stood for uniformity in materials of education, in methods and in product.

The New Education - believes that it is the function of the school to educate every boy and girl, to eliminate none, to accept all. It fits work and method to individual needs and strives to send all children out of school as individually diverse as nature designed them to be and as the diversity of services which awaits them require.¹²

⁷ History of Jackson County, page 506

⁸ History of Jackson County, page 505

⁹ Jackson Citizen Patriot, September 21, 1969

¹⁰ Pioneering in Education

¹¹ Jackson Citizen Patriot, July 24, 1927

¹² Pioneering in Education

In Europe, new trends in education were emerging. By 1903, Open Air Schools, schools specifically designed to serve the needs of children with tuberculosis, anemia, or other chronic diseases, were popular in Vienna. They quickly spread to England and, in 1909, the Elizabeth McCormick Foundation of Chicago, Illinois first brought the concept to the United States by funding two model projects in the slums of urban Chicago.¹³ The first Michigan school was constructed in Detroit in 1912. Jackson launched its first Open Air School in 1914 with principal, Cora Allen, the future principal of the Pearl Street School. By 1930, the use of antibiotics to treat diseases had proved to be successful and research showed there was little actual health benefit from an open air school program compared to a regular school. As a result, the construction of open air schools was discontinued.

Pearl Street School was specifically designed to serve children of less than full health, which apparently involved classes held in rooms with many windows or entirely outdoors, and facilities for these children to rest throughout the day. Original construction documents feature such facilities as open air classrooms and a sleeping room, orthopedic and corrective rooms, a clinic, upper and lower deaf rooms, shops and a second floor 'play deck' (see Exhibit C).

During the 1940s, a time of educational experimentation, Jackson received national attention for its advanced educational programs¹⁴. The school district's long history of dedication to serving all students, including those with special needs, indicates that Jackson recognized the importance of schools in the social development of the community.

History of Site

The site was platted as a school when the area was first laid out. The designation of the land meant that piece of property had no deed. At that point in time, there was concern there would be some difficulty providing clear title to the property¹⁵.

Articles indicate the first school building on this site was a wood frame structure constructed in 1838¹⁶ but other, earlier documents suggest that the first building on the site was constructed in 1868 and the school building constructed in 1838 was on the corner of Blackstone and Michigan Avenue¹⁷.

That said, by 1895 two buildings existed on the site¹⁸ (see Exhibit Z). A building on the west side of the site was a grammar school, built in 1868, known as the Central School, while the building on the east, built between 1868 and 1995 was known as the East Side High School or District 17. The High School was demolished sometime between 1908 and 1910¹⁹.

Architect

The architects for the Pearl Street School were Childs & Smith, of 720 North Michigan Avenue, Chicago, Illinois. They were also the architects for the Jackson High School, constructed one year prior to the construction of Pearl Street School. An internet search²⁰ reveals that a firm by the same name has a considerable body of work in the Philadelphia area.

¹³ Fundamentals of School Health

¹⁴ Pioneering in Education

¹⁵ Legal History of the Union School District of the City of Jackson and Historic Greater Jackson

¹⁶ Jackson Citizen Patriot, September 29, 1996 and Legal History of the Union School District

¹⁷ Jackson Citizen Patriot, September 19, 1937

¹⁸ Headlights

¹⁹ Polk Directories, 1908 and 1910

²⁰ www.philadelphiabuildings.org

Occupants

As this school has always been an elementary school, it is difficult to trace any particular student.

The first principal of Pearl Street School, Cora Allen, was said to epitomize the school principal. Little is known about her personal life, other than she appears to have been unmarried and remained so for her entire professional life.

There were many prominent Jackson families with the surname Allen, but there is no evidence she was a member of any of those families. She first appears in Jackson's records²¹ in 1906, living alone and serving as the principal of the Lansing Avenue School, where she headed an 'open air school'. By 1914, Miss Allen was the principal at the Central School. When the Pearl Street School was constructed, Miss Allen was the natural choice to be teacher of this school for special education students.

Miss Allen was greatly loved. Upon her retirement in the early 1940s, she donated a showcase to the school (Exhibit AA). The school district showed their appreciation by naming the school after her. Miss Allen is no longer shown as a Jackson resident after 1942. Neither of the city cemeteries shows Miss Allen in the cemetery rolls.

Statement of Significance Allen School, Jackson, Michigan

The following items describe the historical significance of Allen School:

- Allen School was originally an open-air school built in 1927 in the Classic Revival style. Briefly, the concept of open-air schools started in Central Europe as a method of treating tuberculosis. In 1909, the Elizabeth McCormick Foundation of Chicago, IL first brought the concept to the United States by funding two model projects in the slums of urban Chicago. The first Michigan school was constructed in Detroit in 1912. By 1930, the use of antibiotics to treat the disease had proved to be successful and research showed that there was little actual health benefit from an open-air school program compared to a regular school. As a result, the construction of open-air schools was discontinued.
- E. O. Marsh, superintendent of Jackson's public school at the time Allen school was constructed, was responsible for bringing the open-air school to Jackson.
- The Pearl Street School was specifically designed to serve children of less than full health, which apparently involved classes held in rooms with many windows, or entirely outdoors, and facilities for these children to rest throughout the day.
- The building was designed by Childs & Smith, a Chicago-based firm, which also designed Jackson High School.
- The school district's long history of dedication to serving all students, including those with special needs, indicates that Jackson recognized the importance of schools in the social development of the community.
- The City of Jackson is a highly diversified community and always has been, since its founding in 1829, which is also evident in the school district's development.

²¹ Polk Directory, various years.

- In 1831, Silence Jackson started teaching an informal classroom in the home of her father, Lemual Blackman. Proceeding quickly from one school district to two demonstrated Jackson's recognition of the importance of education.
- The platting of the school sites indicates that Jackson recognized the importance of schools in the economic development of the community
- The early battles over school district territory and the prominence given to the members of the school boards indicates that Jackson recognized the importance of the schools in the political development of the community.
- The school districts' long history of dedication to serving all students, including those with special needs, indicates that Jackson recognized the importance of schools in the social development of the community.
- Allen School is a symbol of the community of Jackson's recognition of the importance of schools in social, economic and political life and development of the community.

Allen School meets three of the Secretary of the Interior's four criteria in the course of evaluation for the National Register of Historic Places:

Criteria A: *Is associated with events that have made a significant contribution to the broad patterns of our history.* Allen School is a symbol of the importance that Jackson attached to education and the provisions of education to a diversified community from the very beginning of its foundation.

Criteria B: *Is associated with the lives of persons significant in our past.* Both Mr. Marsh and Miss Allen were significant forces in education in Jackson and elsewhere.

Criteria C: *Embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction.* Allen School was designed by Childs & Smith Architects, a firm of national renown. The school building is a very handsome example of the Classical Revival style.

Boundary Justification Statement

The boundary of the proposed Allen School Historic District duplicates the boundaries of the area designated as a school when the City of Jackson was originally platted in 1830, and also includes a portion of a vacated alley which supplements the original site.

Historic and Non-Historic Resources

The historic resources on the site consist of the historic school building and the Boiler room as shown in Exhibit A. There are no other structures on the site. Sidewalks and playground equipment are non-historic.

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Jackson History File (Schools), Jackson District Library

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Pioneering in Education, Ruth E. Coolidge, no publisher, no date. Appears to have been printed approximately 1940

What Style Is It? A Guide to American Architecture, John C. Poppeliers and S. Allen Chambers Jr., John Wiley and Sons, Inc (Paper); ISBN 0-471-25036-8; 2003

EXHIBITS

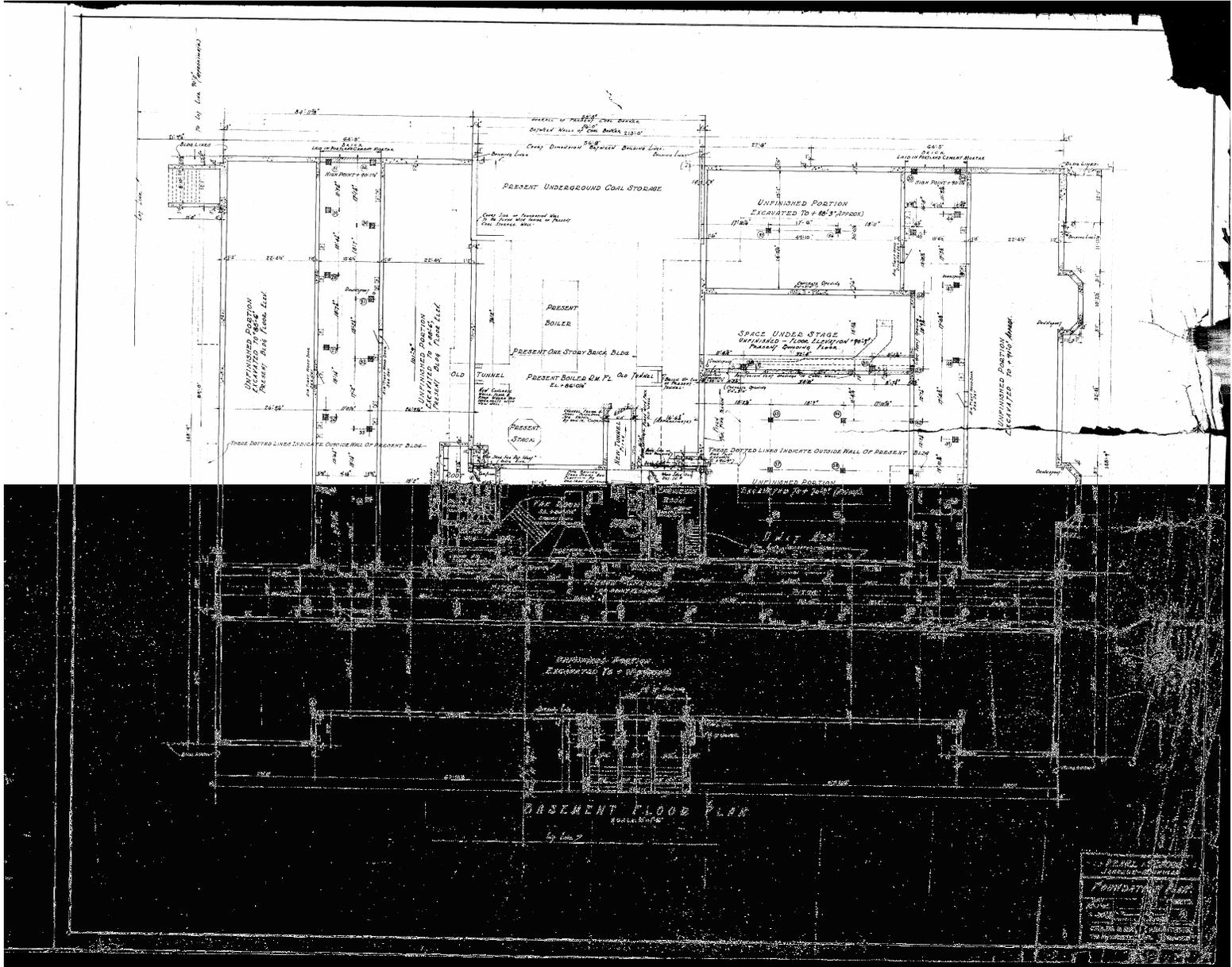


Exhibit B

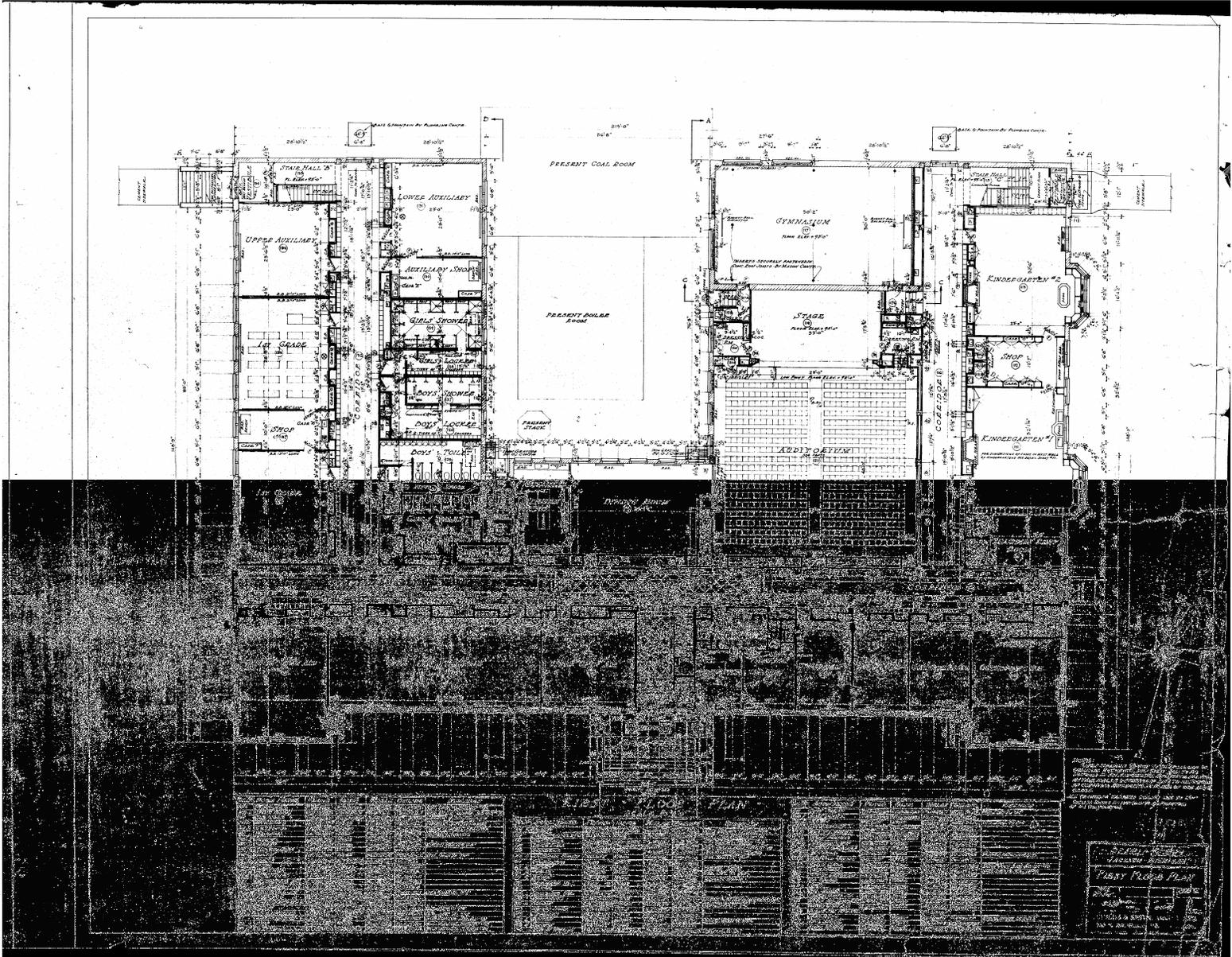


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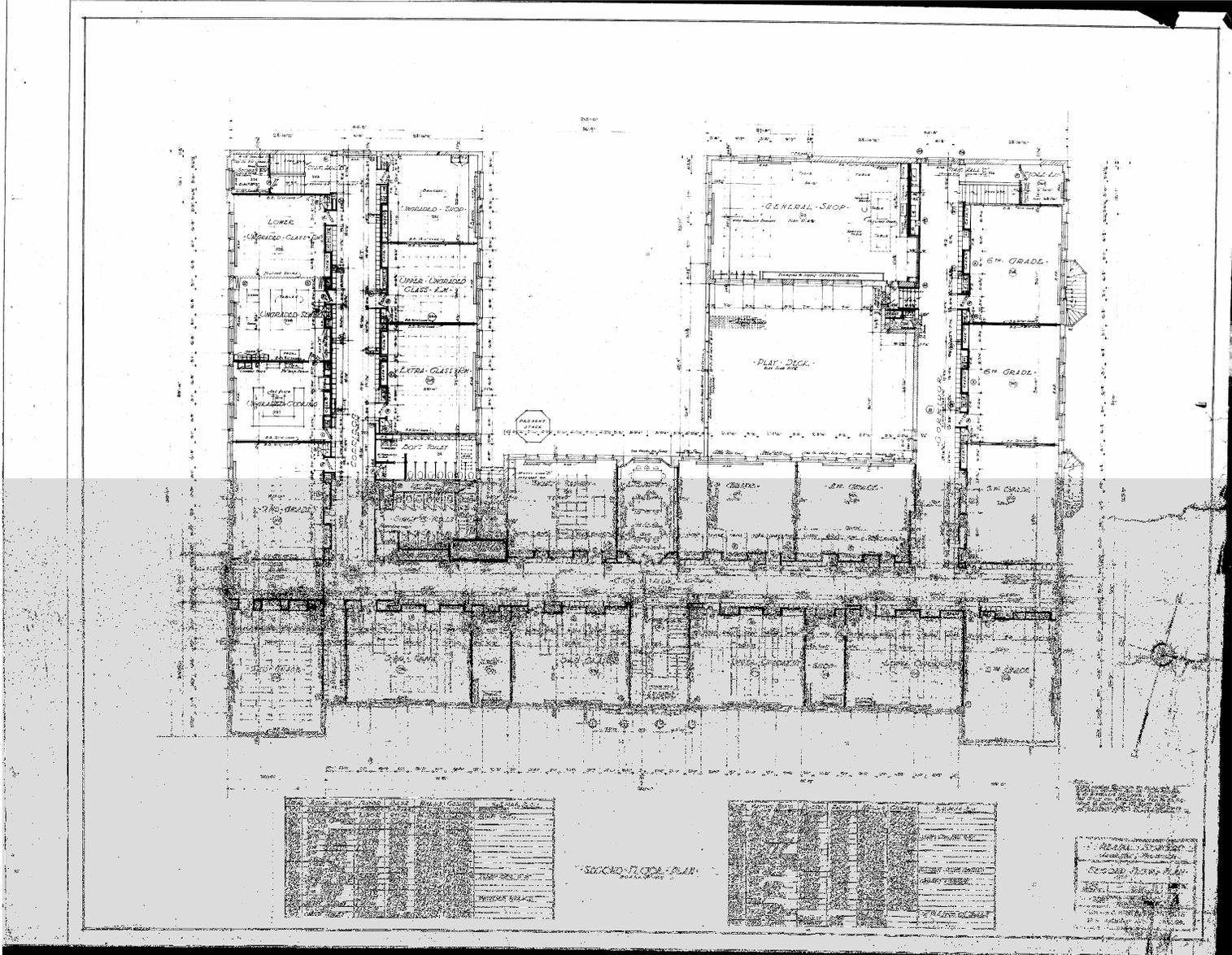
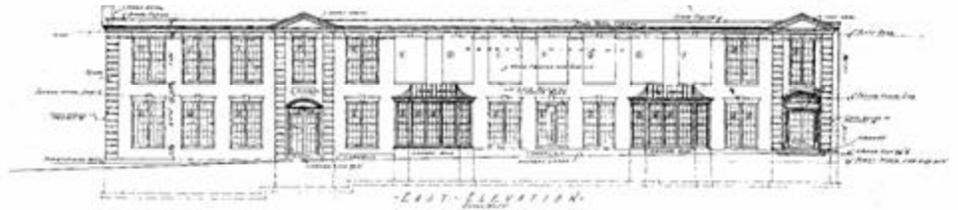


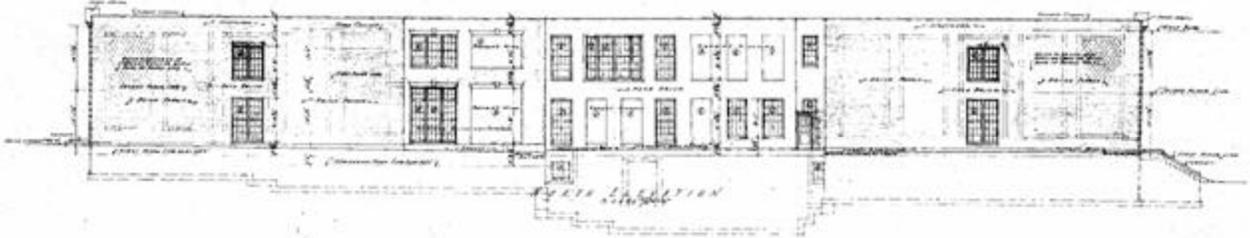
Exhibit D



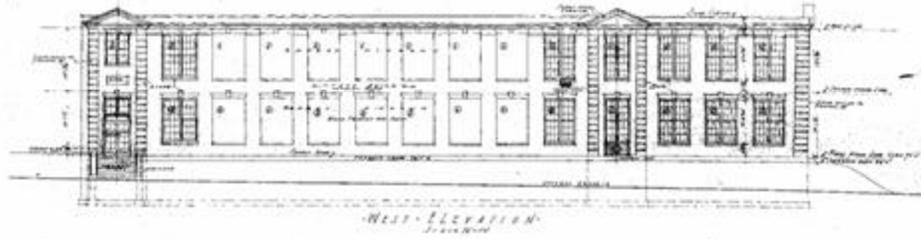
DETAIL OF ENGLISH GOTHIC OR GOTHIC REVIVAL STYLE WINDOW OR DOOR PANEL IN NORTH ELEVATION



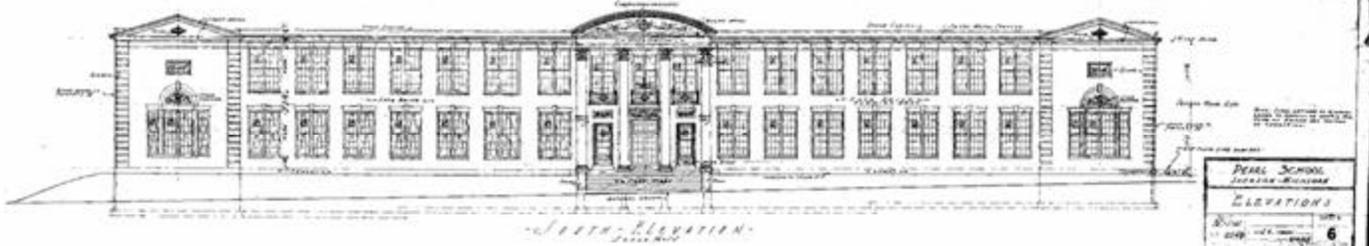
EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION

PEARL SCHOOL
 JACKSON, MICHIGAN
 ELEVATIONS
 DRAWN BY
 J. H. BENTON
 1906

Exhibit F

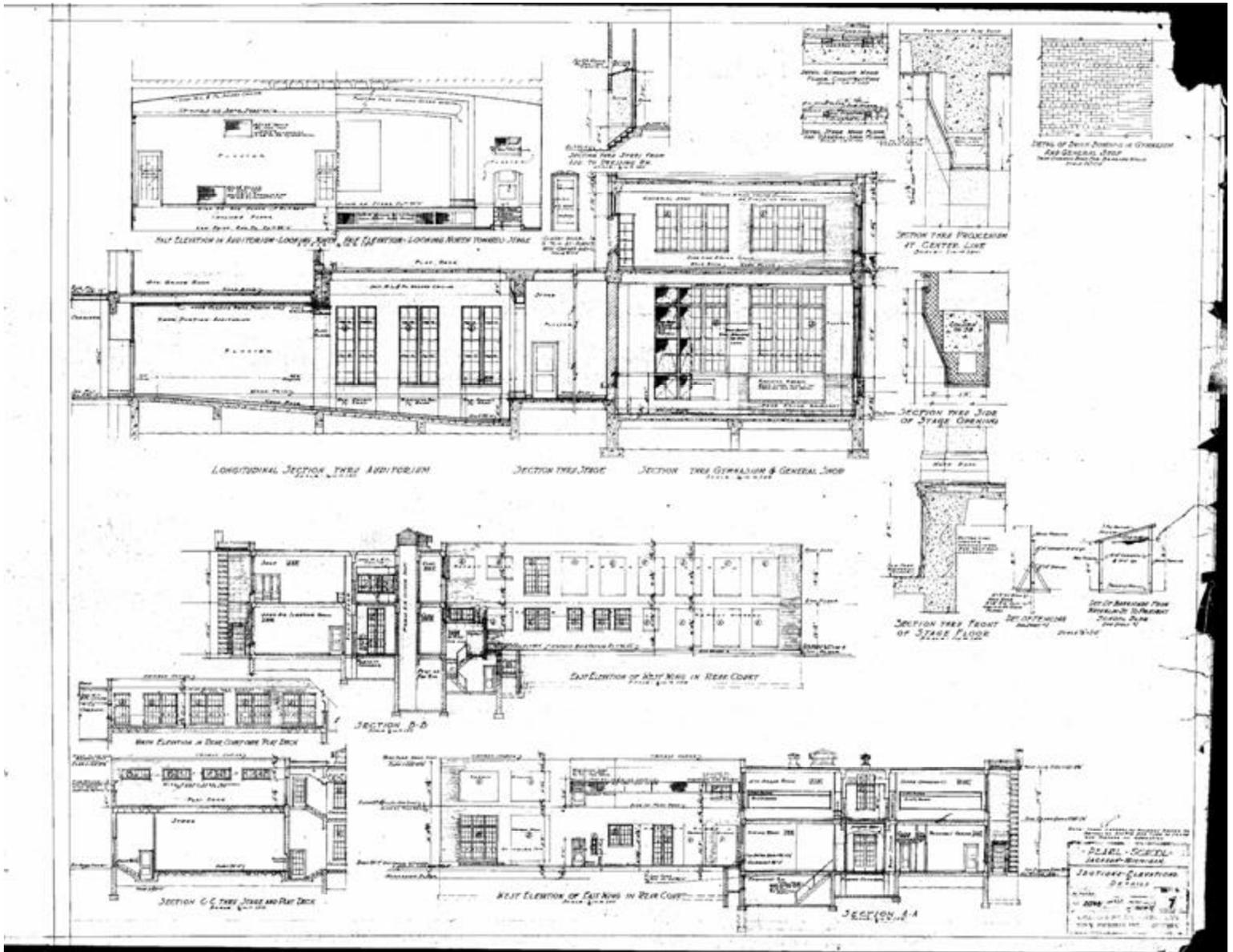


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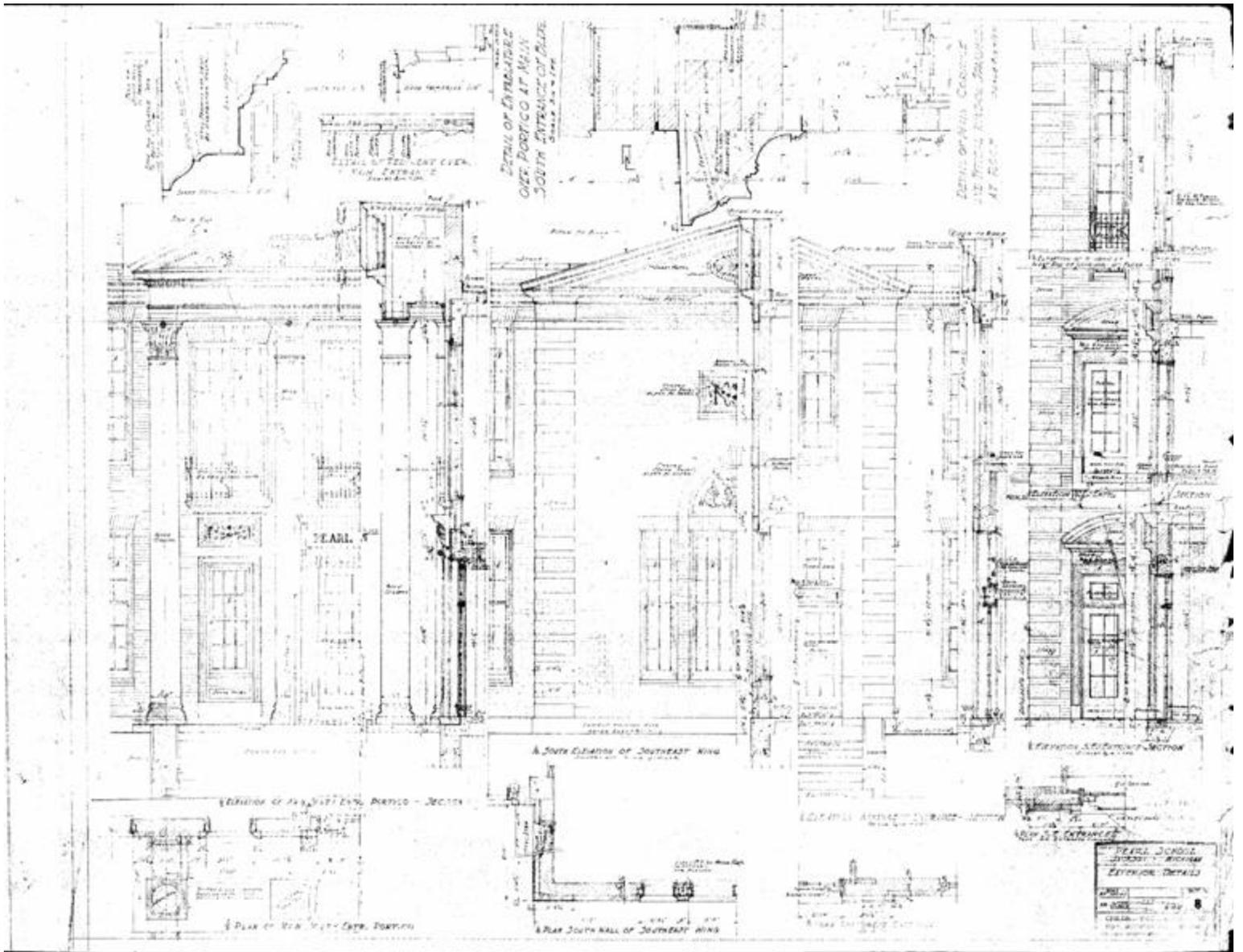


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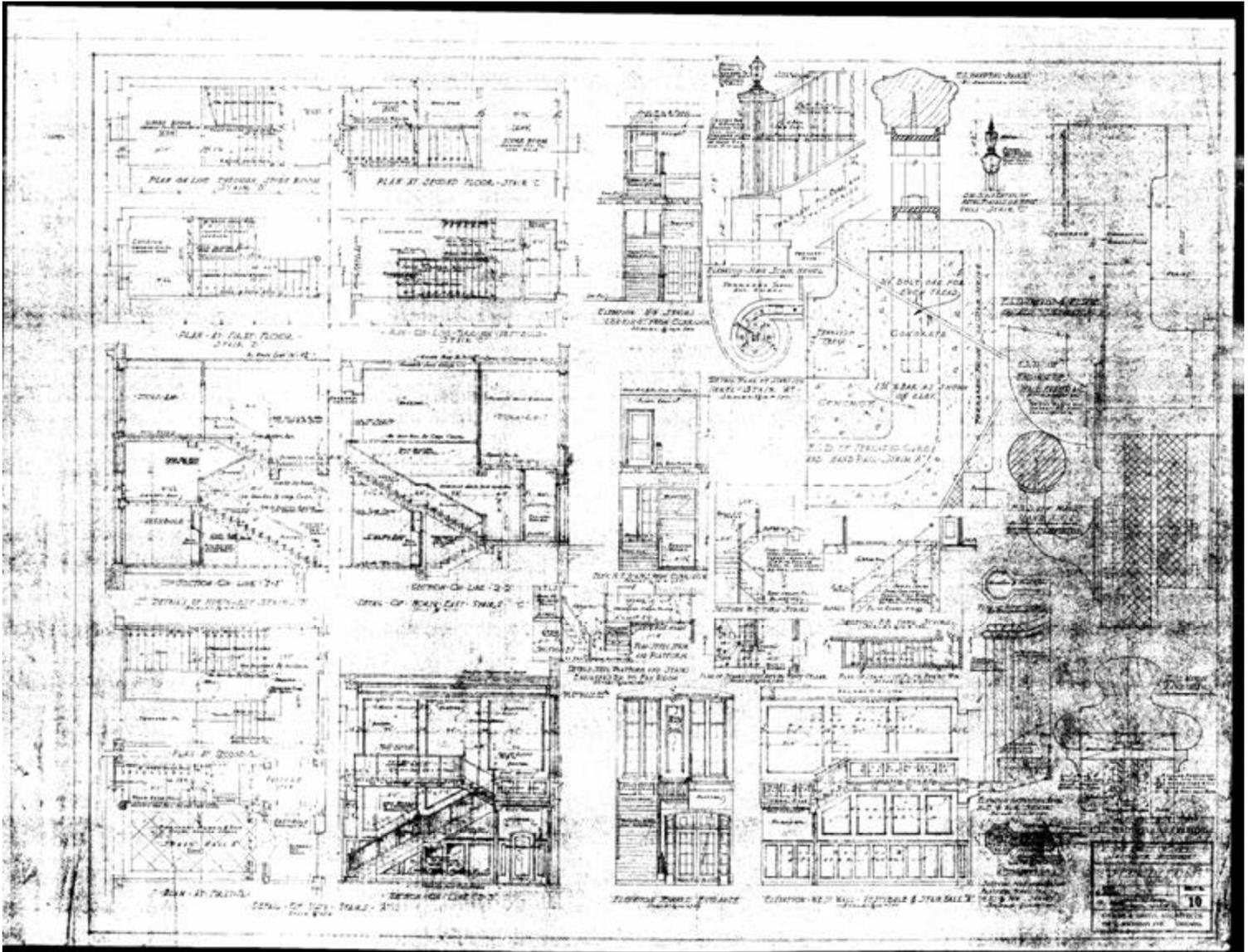


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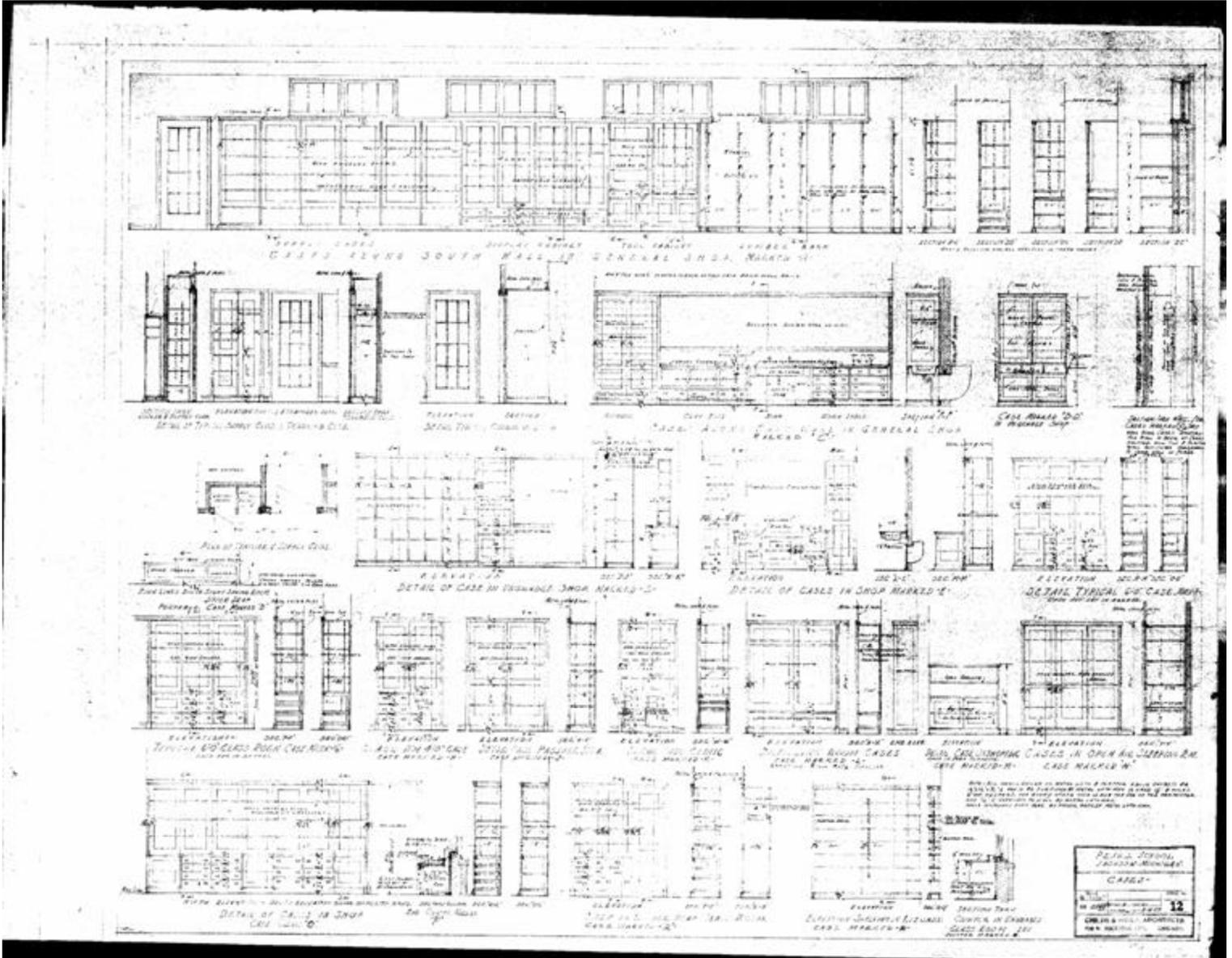


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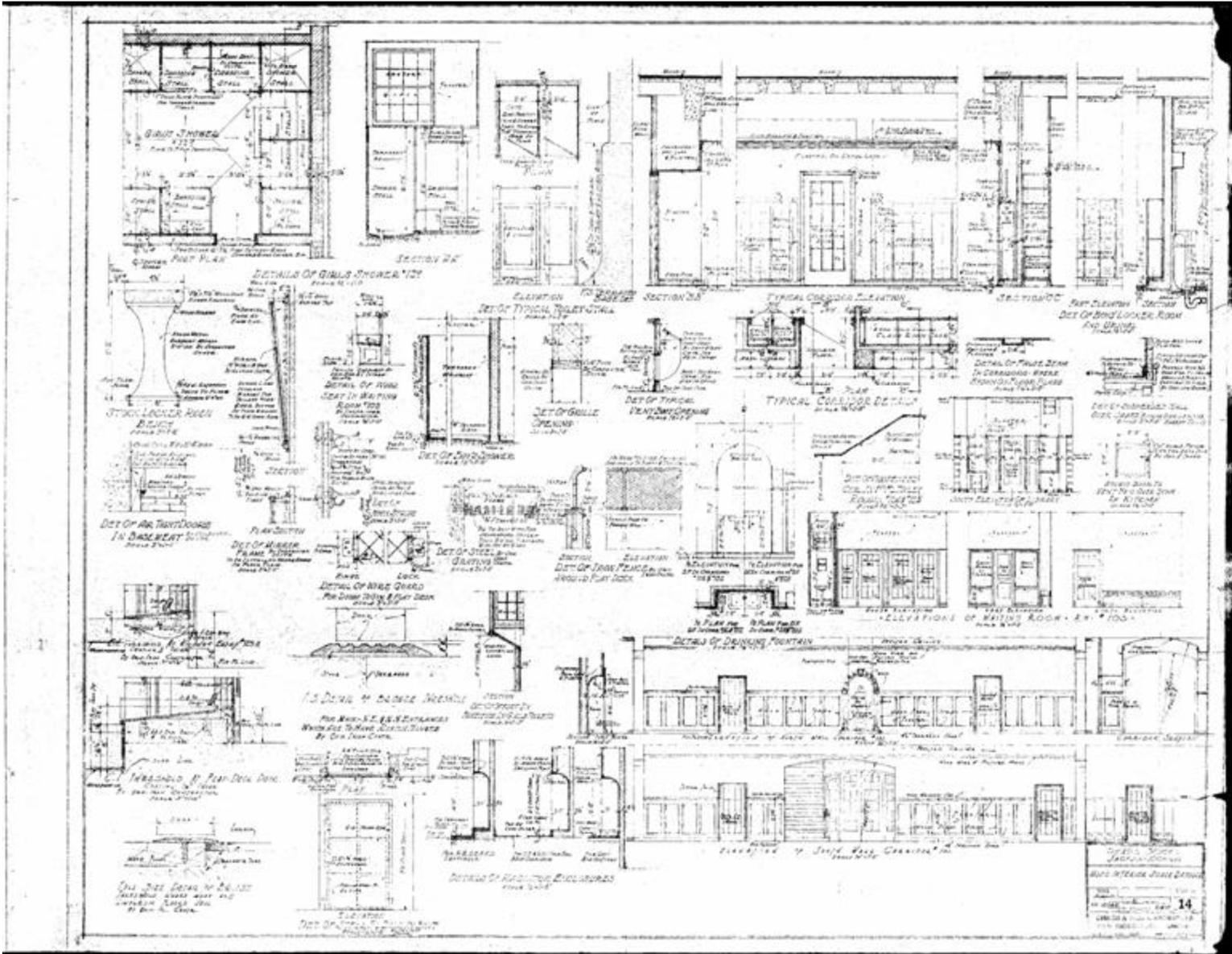


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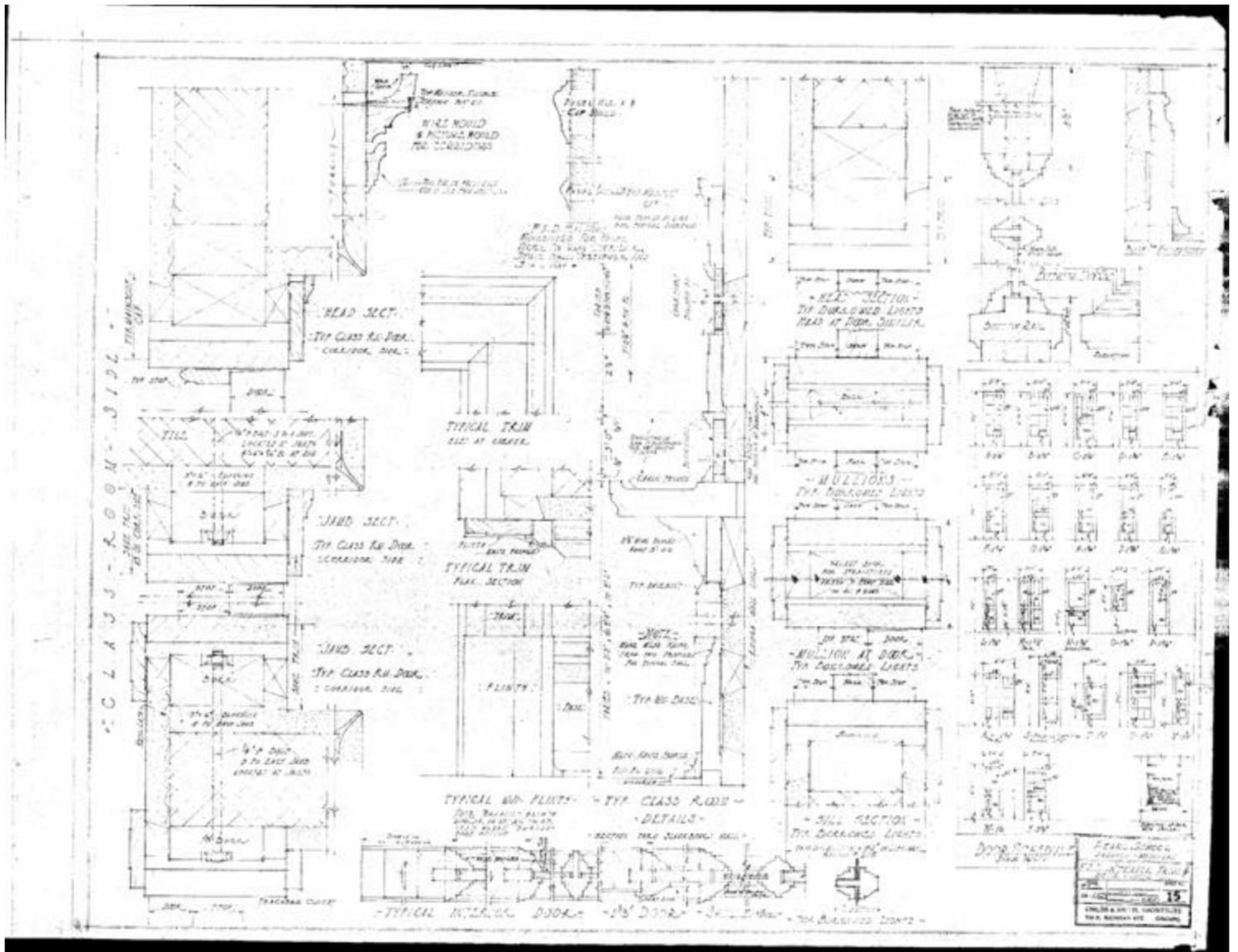


Exhibit O

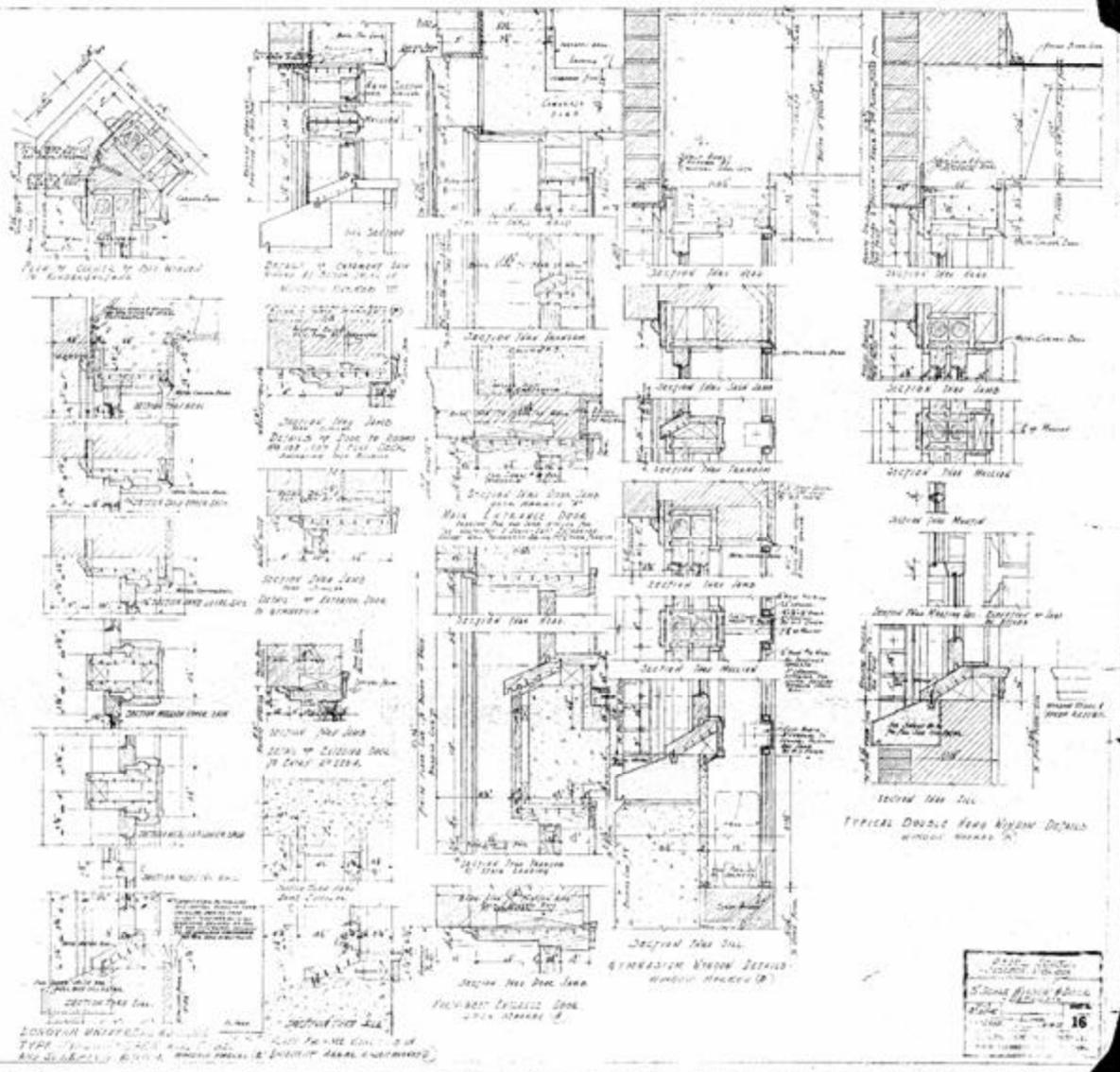


Exhibit P



Exhibit Q – Brick on School Building



Exhibit R – Brick on Boiler Room

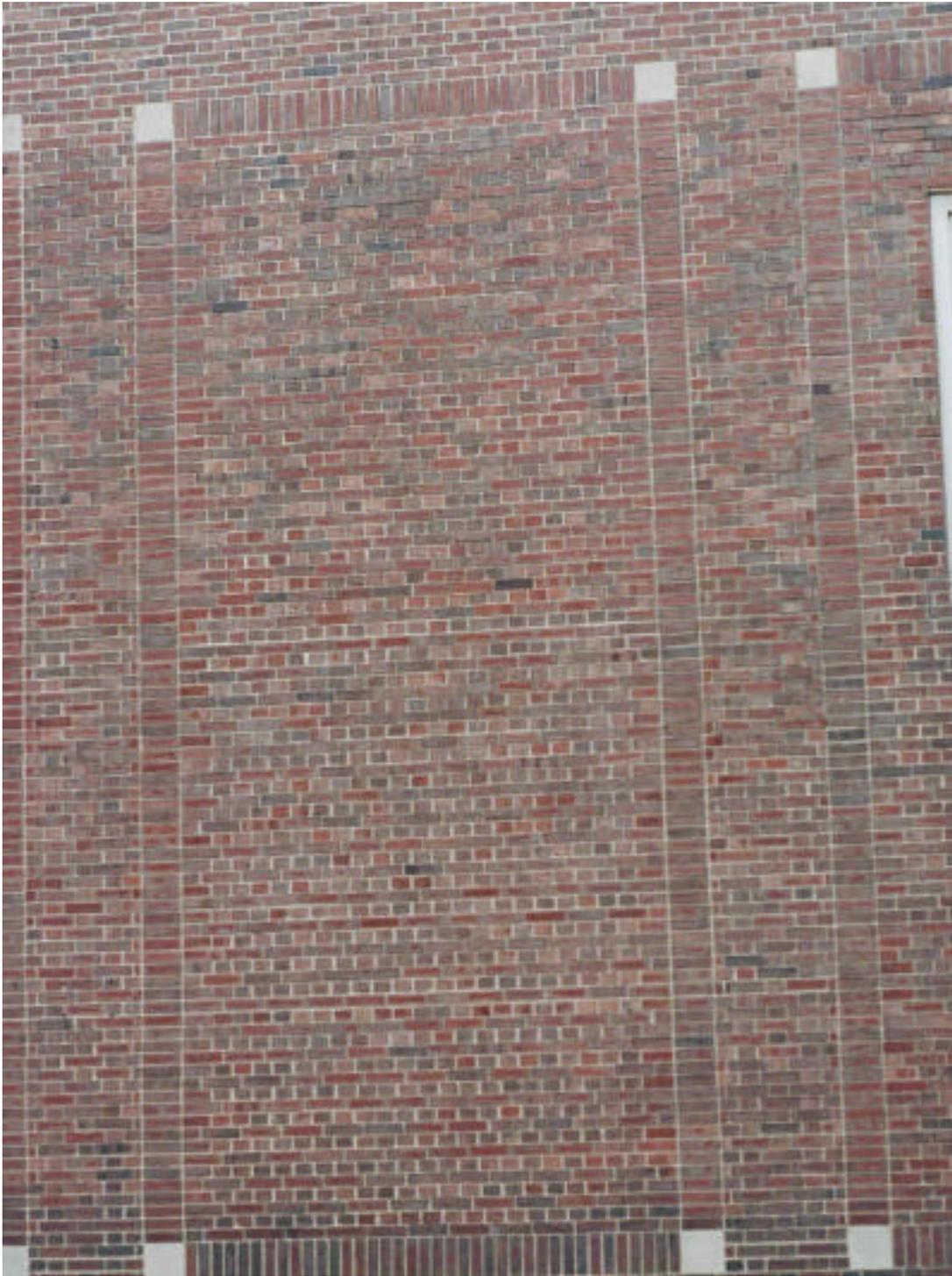


Exhibit S – Brick on South Side of School



Exhibit T – Corbelling on the Boiler Room



Exhibit U – Metal Cornice on School



Exhibit V – Limestone on Porch



Exhibit W – Limestone Panel Over Window



Exhibit X – Limestone Panel Over Window



Exhibit Y – Porch and Cornerstone

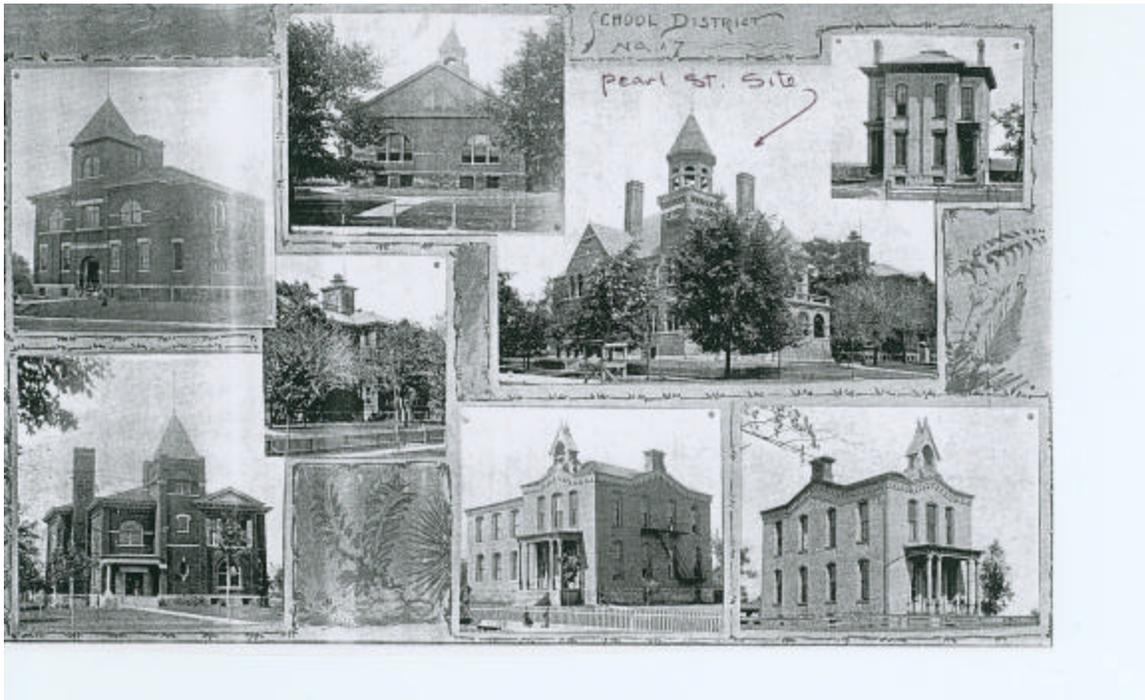


Exhibit Z – Jackson Schools, C.A. 1895

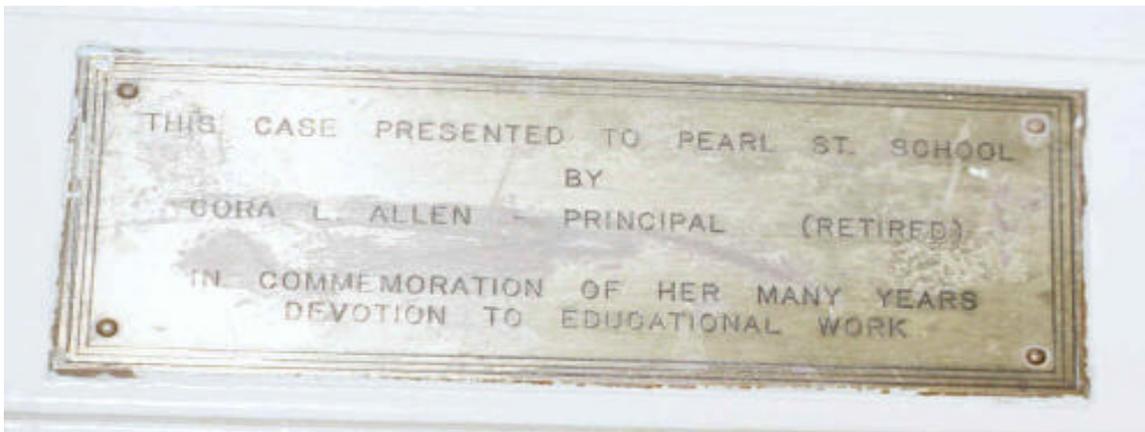


Exhibit AA – Dedication Plaque



Exhibit AB – East Elevation



Exhibit AC – South Elevation



Exhibit AD – North Elevation



Exhibit AE – West Elevation

APPENDIX I

MAPS

APPENDIX II

PROPOSED DISTRICT GENERAL PROPERTY DESCRIPTION

1. Name of Property

Historic Name: Allen School

Other Names: Pearl Street School

2. Location

906 East Pearl Street, Jackson, Michigan 49201

3. Report Prepared by:

Jeannette Woodard, Woodard & Associates Architects, Inc., with assistance from Amy L. Torres, HDC Staff, and Michelle L. Kohn, Community Development Administrative Assistant, for the Historic District Study Committee.

Property Owner

Jackson Public Schools, 522 Wildwood Avenue, Jackson, MI 49201

Telephone: (517) 841-2200

APPENDIX III - LEGAL DESCRIPTION 906 East Pearl Street

Parcel No. 7-0560

Land commencing at the intersection of the North line of Pearl Street with the West line of Waterloo Avenue, thence North to the Southerly line of Detroit Street, thence Westerly to the Easterly line of State Street, thence Southerly to the Northerly line of Pearl Street, thence Easterly to the place of beginning of this State House Square, being in the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 35, Town 2 South, Range 1 West, City of Jackson, Jackson County, Michigan, together with the South $\frac{1}{2}$ vacated Detroit Street lying North of the subject property.

APPENDIX IV

ORDINANCE NO. 2005-_____

AN ORDINANCE ADDING SECTION 13-21(41) TO CHAPTER 13, THE HISTORIC PRESERVATION ORDINANCE, OF THE CODE OF ORDINANCES, CITY OF JACKSON, MICHIGAN CREATING A HISTORIC DISTRICT ENTITLED ALLEN SCHOOL HISTORIC DISTRICT

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. The report of the Jackson Historic District Commission entitled *Report on Proposed Additional Resources to Chapter 13, Historic Preservation Ordinance, "Allen School Historic District,"* dated June 2005, relating to a site known as "Allen School Historic District" as defined below, is approved. The Jackson City Council concurs with the findings of fact and the recommendations in that report.

Section 2. The following property is designated a historic district in accordance with the Historic Preservation Ordinance, Chapter 13, Code of Ordinances, City of Jackson, Michigan and accordingly, Chapter 13 is amended to add Section 13-21(41), as follows:

Sec. 13-21(41). The Allen School Historic District.

The Allen School Historic District is created pursuant to Act No. 169 of the Public Acts of 1970, State of Michigan (MCLA 399.201 et seq.) and consists of the area described below. Maps of the district are available at the office of the City Clerk, City Hall, 161 West Michigan Avenue, Jackson, Michigan, or at the office of Community Development, City of Jackson, 161 W. Michigan Avenue, Jackson, Michigan, during normal business hours. If the district depicted on the maps conflicts with the below description, the description contained in this chapter prevails.

(41) Description:

906 EAST PEARL STREET. Land commencing at the intersection of the North line of Pearl Street with the West line of Waterloo Avenue, thence North to the Southerly line of Detroit Street thence Westerly to the Easterly line of State Street, thence Southerly to the Northerly line of Pearl Street, thence Easterly to the place of beginning of this State House Square, being in the East ½ of the Southwest ¼ of Section 35, Town 2 South, Range 1 West, City of Jackson, Jackson County, Michigan together with the South ½ vacated Detroit Street lying North of the subject property (containing Tax Parcel number 7-0560.).

Section 3. This Ordinance takes effect thirty (30) days from the date of adoption.

APPENDIX V
Existing Historic Preservation Ordinance
Chapter 13 of the Municipal Code of Ordinances
Jackson, Michigan
Chapter 13 HISTORIC PRESERVATION*

***Editor's note:** Ord. No. 90-23, § 3, adopted Nov. 13, 1990, amended Ch. 13 in its entirety to read as herein set out. Prior to inclusion of said ordinance, Ch. 13 pertained to similar subject matter and derived from Code 1977, §§ 5.602--5.613. Subsequently, Ord. No. 98-14, § 1, adopted June 16, 1998, amended Ch. 13, in its entirety, to read as herein set out. See the Code Comparative Table for a detailed analysis of inclusion.

Cross references: Buildings and building regulations, Ch. 5; community development, Ch. 8; planning, Ch. 20; zoning, Ch. 28.

State law references: Historical activities, MCL 399.171 et seq.; historic districts, MCL 399.201 et seq.

Sec. 13-1. Title.

This chapter shall be known as the Historic Preservation Ordinance for the City of Jackson.
(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-2. Purpose.

The purpose of this chapter is to create a historic district commission through which the City of Jackson will:

- (1) Safeguard the heritage of the City of Jackson by preserving a historic district, including areas, sites, landmarks, buildings, structures, works of art, objects and resources which reflect elements of Jackson's cultural, social, economic, political and/or architectural history;
- (2) Stabilize and improve property values in the historic district;
- (3) Foster civic beauty;
- (4) Strengthen the local economy; and
- (5) Promote the use of the historic district, including areas, sites, landmarks, buildings, structures, works of art, objects and resources, for the education, pleasure and welfare of the citizens of the City of Jackson and the State of Michigan.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-3. Definitions.

[For the purposes of this chapter, certain terms shall have the meanings ascribed to them in this section, unless the context clearly indicates otherwise.]

Alteration means work that changes the detail of a resource but does not change its basic size or shape.

Center means the Michigan Historical Center, formerly the Bureau of History, of the Michigan department of state.

Certificate of appropriateness means the written approval of a permit application for work that is appropriate and that does not adversely affect a resource.

Commission means a historic district commission created by the Jackson City Council pursuant to section 13-4.

Committee means a historic district study committee or a standing committee appointed by the Jackson City Council pursuant to section 13-8.

Demolition means the razing or destruction, whether entirely or in part, of a resource and includes, but is not limited to demolition by neglect.

Demolition by neglect means neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.

Denial means the written rejection of a permit application for work that is inappropriate and that adversely affects a resource.

Historic district means an area, or group of areas not necessarily having contiguous boundaries, that contains one resource or a group of resources that are related by history, architecture, archaeology, engineering, or culture.

Historic preservation means the identification, evaluation, establishment, and protection of resources significant in history, architecture, archaeology, engineering, or culture.

Historic resource means a publicly or privately owned building, landmark, structure, site, feature, or open space that is significant in the history, architecture, archaeology, engineering, or culture of the state, the City of Jackson, or the United States.

Notice to proceed means the written permission to issue a permit for work that is inappropriate and that adversely affects a resource, pursuant to a finding under section 13-9(e).

Open space means underdeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other resources.

Ordinary maintenance means keeping a resource unimpaired and in good condition through ongoing minor intervention, undertaken from time to time, in its exterior condition. Ordinary maintenance does not change the external appearance of the resource except through the elimination of the usual and expected effects of weathering. Ordinary maintenance does not constitute work for purposes of this act.

Proposed historic district means an area, or group of areas not necessarily having contiguous boundaries, that has delineated boundaries and that is under review by a committee or a standing committee for the purpose of making a recommendation as to whether it should be established as a historic district or added to an established historic district.

Repair means to restore a decayed or damaged resource to a good or sound condition by any process. A repair that changes the external appearance of a resource constitutes work for purposes of this act.

Resource means one or more publicly or privately owned historic or non-historic buildings, structures, landmarks, sites, objects, features, significant trees, plants or open spaces located within a historic district.

Standing committee means a permanent body established by the city council of the City of Jackson pursuant to section 13-8 to conduct the activities of a historic district study committee on a continuing basis.

Work means construction, addition, alteration, repair, moving, excavation, or demolition. (Ord. No. 98-14, § 1, 6-16-98; Ord. No. 2004.4, § 1, 3-30-04)

Sec. 13-4. Historic district commission; creation.

The Jackson Historic District Commission is hereby created pursuant to Act No. 169 of the Michigan Public Acts of 1970, as amended (MCL 399.201 et seq.) (Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-5. Historic district commission; membership; terms of office; compensation; vacancies.

The Jackson Historic District Commission shall consist of seven (7) members who reside in the City of Jackson. Members shall be appointed by the mayor and approved by the city council members shall be appointed for three (3) year terms, except that the initial appointments, shall provide for three (3) three-year terms, two (2) two-year terms, and two (2) one-year terms so that subsequent appointments shall not recur at the same time. All subsequent appointments shall be for full three-year terms. The mayor shall consult with the chairman of the historic district commission and shall appoint at least two (2) members from a list of citizens submitted by a duly organized and existing local historical and/or preservation society or societies, and, if available, one architect, or a graduate of an accredited school of architecture who has two (2) years of architecture experience or who is an architect registered in this state. Members shall serve without compensation and shall be eligible for reappointment. All terms shall commence on January first and terminate on December thirty-first, except that a member shall continue in office until a successor is appointed and takes office. In the event of a vacancy on the commission, an interim appointment shall be made by the mayor and approved by the city council to complete the unexpired term of such position within sixty (60) days. (Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-6. Historic district commission; meetings; rules of procedure; records.

At the first meeting of each year, the Jackson Historic District Commission shall elect from its membership a chairman and such other officers as it deems appropriate. The terms of the officers shall be for one year and they shall be eligible for re-election. The commission shall prepare rules of procedure and shall submit them, and any subsequent amendment of such rules, to the city council for approval. The commission shall meet at least four times during the year, and at the request of the chairman. A majority of the members of the historic district commission shall constitute a quorum. A majority of the members is required to take action on all matters not of an administrative nature, but a majority of a quorum may deal with administrative matters. All meetings of the commission shall be open to the public and any person or representative of his choice shall be entitled to appear and be heard on any matter before the commission before it reaches its decision. The minutes of commission meetings shall

be maintained in the office of the Jackson City Clerk or Region 2 Planning Commission and shall be open to public view.
(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-7. Historic district commission; duties and functions.

The Jackson Historic District Commission shall have the following duties and functions:

- (1) It shall have those duties and powers set forth in this chapter concerning construction, alteration, repair, moving, or demolition of a historic resource.
 - (2) It shall encourage and cooperate with civic and fraternal groups and other organizations in promoting Jackson history, heritage, traditions and customs through participation in public historical activities, patriotic celebrations or other special events.
 - (3) It shall encourage and cooperate with merchants, banks, utilities, and other commercial enterprises in the use of local historical material in their advertising and sales promotion, using the historic district commission's collections, knowledge and skill.
 - (4) It shall encourage and cooperate with the Chamber of Commerce in the use of historical material in promoting the welfare of the city, using the resources of the historic district commission.
 - (5) It shall work with any local, state or national groups, organizations, agencies or units of government in the selection, marking and/or acquisition of historic resources, as well as the acquisition, preservation and display of historical material.
 - (6) It shall represent, or serve as a liaison between the city government and other organizations interested in the history of Jackson.
 - (7) It shall act in a management, administrative, advisory, research or service capacity for the city council in historical matters, subject to the instructions of the city council, and it shall attempt to relieve the city council of all of the day to day detail and minutiae of historical concerns and preservation activities.
 - (8) It shall advise the city council regarding the acceptance, by the city, of gifts of property having historical significance or, in the alternative, cooperate in the receipt of such property, funds, bequests or gifts.
 - (9) It shall carry out such special assignments on historical matters as the city council may direct from time to time, including the solicitation of grants and bequests for historical purposes by any and all appropriate available means.
 - (10) It shall report annually, and as requested, to the city council on all its activities and the results.
 - (11) It may select other non-voting ad hoc members to assist a standing committee in the investigation and evaluation of historic district commission projects.
- (Ord. No. 98-14, § 1, 6-16-98; Ord. No. 2004.4, § 2, 3-30-04)

Sec. 13-8. Establishment of historic districts.

- (a) Historic districts shall be established by ordinance. Before such establishment, the Jackson City Council shall appoint a historic district study committee or a standing committee. This committee shall be made up of the existing historic district commission and such representation from existing historical preservation societies and others who have an interest in such preservation. The committee shall conduct studies and research and make a report on the historical significance of the proposed historic district, which

report may address the historical significance of the exteriors and interiors of buildings, structures, features, sites, objects and surroundings in Jackson. The committee and its report shall comply with the requirements of section 3 of Act No. 169 of the Michigan Public Acts of 1970, as amended. The report shall contain recommendations concerning the area to be included in the proposed historic district. Copies of the report shall be transmitted for review and recommendation to the planning commission, to the Michigan Historical Commission, and the State Historical Advisory Council.

(b) Not less than sixty (60) calendar days after the transmittal of the preliminary report, the committee shall hold a public hearing in compliance with Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date and place of the hearings shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended. Written notice shall be mailed by first-class mail not less than fourteen (14) calendar days before the hearing to the owners of properties within the proposed historic district, as listed on the tax rolls of the City of Jackson.

(c) After the date of the public hearing, the committee and the Jackson City Council shall have not more than one (1) year, unless otherwise authorized by the city council, to take the following actions:

(1) The committee shall prepare and submit a final report with its recommendations and the recommendations, if any, of the Jackson City Planning Commission to the Jackson City Council. If the recommendation is to establish a historic district or districts, the final report shall include a draft of a proposed ordinance or ordinances.

(2) After receiving a final report that recommends the establishment of a historic district or districts, the Jackson City Council, at its discretion, may introduce and pass or reject an ordinance or ordinances. If the ordinance or ordinances establishing one (1) or more historic districts is passed, the City of Jackson shall file a copy of that ordinance or ordinances, including a legal description of the property or properties located within the historic district or districts, with the register of deeds. The Jackson City Council shall not pass an ordinance establishing a contiguous historic district less than sixty (60) days after a majority of the property owners within the proposed historic district, as listed on the tax rolls of the City of Jackson, have approved the establishment of the historic district pursuant to a written petition.

(d) The historic district study committee shall keep a record of its resolutions, proceedings, and actions. A writing prepared, owned, used, in the possession of, or retained by an historic district study committee in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, as amended, being sections 15.231 to 15.246 of the Michigan Compiled Laws. (Ord. No. 98-14, § 1, 6-16-98; Ord. No. 2004.4, § 3, 3-30-04)

Sec. 13-9. Historic district commission review.

(a) Except for ordinary maintenance or repair or as provided in section 13-9(d), a permit shall be obtained before any work affecting the exterior appearance of a resource is performed within a historic district. The person, individual, partnership, firm, corporation, organization, institution, or agency of government proposing to do that work shall file an application for permission with the building inspector. Within seven (7)

business days after the building inspector receives the application, the application shall be referred to the historic district commission, together with all required supporting materials that make the application complete. A permit shall not be issued and proposed work shall not proceed until the historic district commission has acted on the application by issuing a certificate of appropriateness or a notice to proceed as prescribed in section 13-9(e).

(b) All decisions of the historic district commission, that deny or modify an application for permission, must be in writing and served upon the applicant by personal service or by certified mail, return receipt requested.

(1) An applicant aggrieved by a decision of the historic district commission concerning a permit application may appeal that decision to:

- a. The Jackson City Council; or
- b. The State Historic Preservation Review Board of the Michigan Historical Commission.

Provided, however, an applicant who files an appeal with the Jackson City Council may appeal the decision of the city council to the State Historic Preservation Review Board of the Michigan Historical Commission.

(2) The following procedures and time limits must be adhered to by an applicant who appeals a decision of the historic district commission:

- a. *Appeal to Jackson City Council.* An aggrieved applicant who wishes to appeal a decision of the historic district commission to the Jackson City Council must file a written claim of appeal with the Jackson City Clerk within seven (7) business days after the applicant receives the decision from the historic district commission. The Jackson City Council will attempt to hear the appeal within thirty (30) days after the claim of appeal has been filed with the city clerk.
- b. *Appeal to the State Historic Preservation Review Board.* An applicant aggrieved by a decision of the historic district commission or the Jackson City Council may file an appeal with the State Historic Preservation Review Board of the Michigan Historical Commission within the Department of State. All appeals to the State Historic Preservation Review Board shall be filed within sixty (60) days after the decision of the historic district commission is received by the applicant. The applicant may submit all or part of the appellant's evidence and arguments in written form. An applicant aggrieved by the decision of the State Historic Preservation Review Board may appeal the decision to the Circuit Court having jurisdiction over the Jackson Historic District Commission whose decision was appealed to the State Historic Preservation Review Board.

(c) In reviewing the plans, the historic district commission shall follow the U.S. secretary of the interior's standards for rehabilitation and guidelines for rehabilitating historic buildings, as set forth in 36 C.F.R. part 67. (A copy of these standards is

available for review at the city clerk's office.) The commission shall also consider all of the following:

- (1) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.
- (2) The relationship of any architectural features of the resource and its relationship to the historic value of the surrounding area.
- (3) The general compatibility of the design, arrangement, texture, and materials proposed to be used.
- (4) Other factors, such as aesthetic value, that the commission finds relevant.
- (5) *Height.* All additions shall be no higher than the existing building or structure.
- (6) *Second exit platforms.* Second exit shall not be applied to the front or sides of a building or structure, unless they are not visible from the street or unless such prohibition would endanger the safety of the inhabitants.
- (7) *Solar apparatus.* Passive and active solar apparatus may be allowed only if such devices do not detract from the architectural integrity of a building or structure and are unobtrusive. Solar apparatus will not be permitted if such devices hide significant architectural features of a building or structure or neighboring buildings or structures, if their installation requires the loss of significant architectural features, or if they are such a large scale that they become a major feature of the design.
- (8) *Repairs.* Repairs in materials that exactly duplicate the original in composition, texture and appearance are encouraged. Repairs in new materials that duplicate the original in texture and appearance may also be permitted.

Repairs in materials that do not duplicate the original in appearance may be permitted on an individual basis if the repairs are compatible with the character and materials of the existing building or structure and if repairs that duplicate the original in materials are prohibitively expensive.
- (9) *Restoration.* Projects that will return the appearance of a building, structure or property to an earlier appearance are encouraged and may be permitted if such projects are documented by photographs, architectural or archeological research, or other suitable evidence.
- (10) *Additions and alterations to street facades.* The appearance of all street facades of a building or structure shall not be altered unless the design is sensitive to the historic character of a building or structure. Specifically, the design shall be compatible with the existing building in scale, color, texture and the proportion of solids to voids. Materials and architectural details used in such alterations and additions shall be in accordance with the Secretary of the Interior's standards.

(11) *Additions and alterations not visible from the street.* Additions and alterations that are not visible from streets contiguous to the lot lines may be permitted if their design is compatible with the scale of the existing building or structure, and if it is in accordance with the Secretary of the Interior's standards.

(12) *Repair, replacement, alterations, additions, or modifications to a roof.* Existing roofing that is repaired or replaced with roofing materials of the same or similar kind and quality as that currently existing on a building or structure may be approved by the building inspector without referring the application for permission to the historic district commission.

Further provided, that in order for the building inspector to approve the aforementioned roofing, all architectural details including, but not limited to, window trim, wood cornices and ornaments must either remain uncovered or be duplicated exactly in appearance and materials.

(d) An application for permission is not required for the construction, alteration, repair, moving or demolition of fences, downspouts, storm doors or storm windows. Nor is an application for permission needed for painting.

(e) Work within a historic district shall be permitted through the issuance of a notice to proceed by the historic district commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the commission to be necessary to substantially improve or correct any of the following conditions:

(1) The resource constitutes a hazard to the safety of the public or to the structure's occupants.

(2) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.

(3) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner.

(4) Retaining the resource is not in the interest of the majority of the community.

(f) The business that the historic district commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 to 15.275 of the Michigan Compiled Laws. 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, as amended. A meeting agenda shall be part of the notice and shall

include a listing of each permit application to be reviewed or considered by the commission.

(g) The historic district commission shall keep a record of its resolutions, proceedings, and actions. A writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function shall be made available to the public in compliance with the freedom of information act, Act No. 442 of the Public Acts of 1976, as amended, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

(h) The historic district commission shall adopt its own rules of procedure and shall adopt design review standards and guidelines for resource treatment to carry out its duties under this act.

(i) Upon a finding by the historic district commission that a historic resource within a historic district or a proposed historic district subject to its review and approval is threatened with demolition by neglect, the commission may do either of the following:

(1) Require the owner of the resource to repair all conditions contributing to demolition by neglect.

(2) If the owner does not make repairs within a reasonable time, the historic district commission or its agents may enter the property and make such repairs as are necessary to prevent demolition by neglect. The cost of the work shall be charged to the owner, and may be levied by the City of Jackson as a special assessment against the property. The historic district commission or its agents may enter the property for purposes of this section upon obtaining an order from the circuit court.

(j) When work has been done upon a resource without a permit, and the historic district commission finds that the work does not qualify for a certificate of appropriateness, the commission may require an owner to restore the resource to the condition the resource was in before the inappropriate work or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply with the restoration or modification requirement within a reasonable time, the commission may seek an order from the circuit court to require the owner to restore the resource to its former condition or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply or cannot comply with the order of the court, the commission or its agents may enter the property and conduct work necessary to restore the resource to its former condition or modify the work so that it qualifies for a certificate of appropriateness in accordance with the court's order. The costs of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. When acting pursuant to an order of the circuit court, the historic district commission or its agents may enter a property for purposes of this section.

(k) Plan for preservation. In the case of an application for repair or alteration affecting the exterior appearance of a historic resource or a building or structure within a historic district, or for the moving or demolition of a historic resource or a building or structure within a historic district, which the historic district commission deems so valuable to the City of Jackson, the State of Michigan, or the United States of America that the loss thereof will adversely affect the public purpose of the City of Jackson, the

State of Michigan, or the United States of America, the historic district commission may endeavor to work out with the owner an economically feasible plan for preservation of said historic resource or a building or structure within a historic district.

(l) Certificates of appropriateness or rejection. The historic district commission shall file with the chief building inspector its certificate of appropriateness, notice to proceed or denial of an application for permission submitted to it for review. No work shall begin until the certificate or notice is filed, but in the case of denial, the certificate is binding on the chief building inspector, or other duly delegated authority, and no permit shall be issued in such case. The failure of the commission to issue a decision within thirty-two (32) days after the date the application for a permit was first presented to the historic district commission at a regular meeting, shall be deemed to constitute approval unless an extension is agreed upon mutually by the applicant and the historic district commission in writing.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-10. Applicability.

Nothing in this chapter shall apply to nor affect a building permit issued by the City of Jackson, which has been issued and is outstanding on the effective date of this chapter.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-11. Ordinary maintenance and repair.

Nothing in this chapter shall be construed to prevent ordinary maintenance or repair of a historic resource.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-12. Maintenance.

Notwithstanding any other provision contained in this chapter, the provisions of the City's Housing Maintenance Code, being Chapter 14 of the Jackson City Code, shall remain in full force and effect for all historic resources and all buildings or structures within a historic district.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-13. Gifts and grants to city.

The city council may accept public and/or private gifts for historical preservation or restoration purposes. All funds accepted as grants and gifts for historical preservation purposes shall be deposited with the city treasurer or Region 2 Planning Commission and all such funds shall be used for historical preservation purposes only.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-14. Acquisition of property by the city.

If all efforts by the Jackson Historic District Commission to preserve a historic resource or a building or structure within a historic district fail, or if it is determined that public ownership is most suitable, the city council may, if deemed to be in the public interest, acquire such property using public funds, gifts for historical purposes, grants from the State of Michigan and/or the United States of America for acquisitions of historic properties, or proceeds from revenue bonds issued for historical preservation purposes. Such acquisitions shall be based on the recommendation of the Jackson Historic District Commission. The Jackson Historic District Commission shall have responsibility for the maintenance of such acquisitions within a historic district, using funds committed for this use by the city council.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-15. Budget.

There may be appropriated in the annual City of Jackson budget a sum of money which may be expended by the historic district commission for and in connection with:

- (1) The preparation of surveys of buildings, structures, and historic districts in the City of Jackson.
- (2) The acquisition and/or restoration of buildings or structures of historical or architectural significance; or
- (3) Subject to the approval of the city council, an incentive improvement program under which the historic district commission may contract with the owner or lessee of a designated historic resource or building or structure, or a designated historic or cultural site, to reimburse such owner or lessee some pre-determined portion of the costs incurred by him in the reconstruction, alteration, removal, preservation, maintenance, repairs or painting of an exterior feature in furtherance of the purposes of this chapter, as determined by the historic district commission, and in any and all such cases the city council shall have the absolute right to determine the actual cost of such work and the proportion or amount to be reimbursed out of appropriated funds.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-16. Special historic buildings and districts.

The provisions of the city building code relating to the exterior construction, repair, alteration, enlargement, restoration and moving of historic resources or buildings or structures within a historic district may not be mandatory when such historic resources or buildings or structures, are judged by the city's chief building inspector to be safe and it is in the public's interest of health, safety, and welfare not to enforce said codes. All such approvals must be based on the applicant's complete submission of professional architectural and engineering plans and specifications bearing the professional seal of the designer.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-17. Actions prohibited.

As of the effective date of this chapter:

- (1) No person shall erect, demolish, alter, repair or remove any historic resource established pursuant to this chapter, except pursuant to the standards and procedures of this chapter.
- (2) No owner of any historic resource established pursuant to this chapter shall maintain or cause same to be maintained in a condition which violates the provision of this chapter.
- (3) No owner of any historic resource established pursuant to this chapter shall fail to restore same to its previous condition if any portion of same has been altered, demolished, constructed, repaired or moved in violation of the requirements set forth in this chapter.

(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-18. Penalty.

Any person, firm or corporation convicted of a violation of any of the provisions of this chapter, or any amendment thereto, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished pursuant to section 1-13 of the Code. Each and every day such

violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.
(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-19. Civil remedies.

Violations of this chapter may be abated by civil suit in any court of competent jurisdiction which remedy shall be in addition to others provided in this chapter. The city attorney is authorized to seek an order from a court of competent jurisdiction to prevent any violation of this chapter or to require that property which has been altered in violation of this chapter be restored.
(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-20. Dangerous structures.

Notwithstanding any other provision contained herein, in the event any historic resource is deemed a "dangerous structure" pursuant to the city's dangerous structure ordinance, Chapter 17 of this Code, said structure may be made safe by utilizing the procedures established in said dangerous structure ordinance. The city's building inspection division may provide notice to the chairperson of the historic district commission of all proceedings before the city's building code board of appeals which involve the alleged dangerous structure.
(Ord. No. 98-14, § 1, 6-16-98)

Sec. 13-21. The Jackson Historic Districts.

The Jackson Historic Districts are hereby created pursuant to Act No. 169 of the Public Acts of 1970, State of Michigan (MCLA 399.201 et seq.) and shall consist of the following resources:

- (1) *Stone Post Office, 125 N. Jackson Street (1836)*: S 22.39 ft of Lot 1 and South 38.4 ft of Lot 2, Block 1 North, Range 1 East.
- (2) *Wilcox-Holton House, 231 E. High (1871)*: A piece of land in section 11 commencing at point on N line of section 11 63 rods W of N 1/4 of post of SD section then W on said section line 219 feet then S 10 rods then E 219 feet thence N 10 rods to beginning except 2 rods on N for street purposes N 1/2 of NW 1/4 section 11 Township 3 S, Range 1 West.
- (3) *First Congregational Church, 120 N. Jackson Street (1860)*: Lot 1 and East 11 ft of Lot 2 Block 1 North Range 1 West and West 55 ft of Lot 2 Block 1 North Range 1 West.
- (4) *Jackson District Library, 244 W. Michigan Avenue (1906)*: Lots 10, 11 and 12, except East 8.25 ft of Lots 10 and 12 Block 1 North Range 1 West.
- (5) *No. 5 Fire House at Rockwell and South Jackson Streets (1907)*: Land in the SE 1/4 of S/E 1/4 of Section 3, Township 3 S, Range 1 West, described as: Commencing at the intersection of the south line of Rockwell Street with the east line of Jackson Street, thence east 8 rods, thence south 8 rods, thence west 8 rods, thence north 8 rods, to the point of beginning.
- (6) *First Baptist Church, 201 South Jackson Street (1872)*: Lots 1 and 2, Block 2 South, Range 1 East.
- (7) *St. Mary's Catholic Church, 116 East Wesley Street (1923--26)*: Lots 1 and 2, Block 3 South, Range 2 East.

(8) *Berthold S. Rummler House, 122 West Wilkins (1904)*: Lot 162, except the west 8 feet of the south 65.54 feet thereof, Assessor's South Plat, City of Jackson, Michigan.

(9) *First United Methodist Church, 275 West Michigan Avenue (1867--70)*: The north 9 feet of Lot 10, and all of Lots 11 and 12, Block 1 South, Range 1 West of the original plat of the City of Jackson, Michigan.

(10) *Michigan Theatre, 124 North Mechanic Street (1928--30)*: The south 26 feet of the east 60 feet of Lot 15, also the west 72 feet of Lot 15 and the north 7.66 feet of Lot 13 and the north 7.66 feet of the west 6 feet of Lot 14, City of Jackson.

(11) *Beffel Lighting, 208 South Jackson Street (1912)*: The north 27 feet of the south 35.25 feet of Lot 1, Block 2 South, Range 1 West of the original plat of the City of Jackson.

(12) *Michigan Central Depot, 501 East Michigan Avenue (1873)*: All that parcel of land situated in the City of Jackson, County of Jackson, and State of Michigan, being designated as parcel MIJJ-1 on Railroad Valuation Map No. V 1B-M/S-33-C and V 1B-M/S-33-D, as drawn on June 30, 1918, and furnished to the United States Railway Association on December 1, 1975; and being all of the land of the Michigan Central Railroad Company, as shown on the Map, which lies within the following described lines:

Beginning at a point on the southern line of Elizabeth Street opposite Railroad Station 3983+50; thence southwesterly 85 feet, more or less, to a point distant 20 feet northwardly and at right angles to the northeasternmost rail of the mainline tracks, as it was located on December 1, 1975; thence, northwestwardly 402 feet, more or less, parallel to said northeasternmost rail to a point opposite Railroad Station 3987+52; thence northeastwardly 44 feet, more or less, to the southerly line of East Michigan Avenue; thence eastwardly along said line of East Michigan Avenue 212 feet, more or less, to the west line of Park Street; thence southwardly by said line of Park Street 123 feet, more or less; thence, southeastwardly by same, 130 feet more or less; thence eastwardly by the same 37 feet, more or less, to the point of beginning.

(13) *Soldiers and Sailors Monument at Wildwood and Michigan Avenues (1903)*: Land commencing at a point on the north line of West Michigan Avenue, 118.25 feet east of the southeast corner of Lot 17, Block 1, Assessor's Wildwood Plat, thence northerly 109.47 feet to southerly line of Wildwood Avenue, thence southeasterly to northerly line of Michigan Avenue, thence west to beginning. Southeast 1/4 of southwest 1/4, Section 34, Township 2 South, Range 1 West.

(14) *Ella Sharp Museum House (before 1856)*: Being a part of the East 1/2 of the North West 1/4 of Section 16, Township 3 South, Range 1 West, City of Jackson, Jackson County, Michigan. More particularly described as: Beginning at a point distant, on the west north-south 1/16 line, South 88 degrees 59'00" East - 1322.67' and north 00 degrees 08'14" east - 1361.04' from the west 1/4 Post of said section; thence: North 00 degrees 08'14" East, along said 1/16 line, 119.82'; North 90 degrees 00'00" East 206.19'; south 00 degrees 08'14" west - parallel with said 1/16 line of 121.79'; North 89 degrees 27'05" West 206.19' parallel with the southerly wall of the Ella Sharp Museum House to the point of beginning. Containing 0.572 acres more or less.

(15) *St. Paul's Church, 309 S. Jackson (1850)*: Lots 1 and 2, Block 3 south, Range 1 East, also commencing at intersection of east line of Jackson Street with south line of Washington Street, thence east 8 rods, thence south 8 rods, thence west 8 rods to east line of Jackson Street, thence north 8 rods to beginning. Block 3 south, Range 1 East.

(16) *The Republican Birthplace at Franklin and Second Streets (1854)*: The south 38.31 feet of the east 83.13 feet of Lot 17, Block 12 of Livermore Woods, Eaton's Addition to the City of Jackson.

(17) *Old Prison (Armory) at North and Cooper Streets (1842)*: Commencing at a point on the east line of Section 34; 660 feet north of the 1/4 post on the east line of said section, thence west 15 chains to the center of the Grand River, thence north 13 1/3 chains to a stake, thence east 15 chains to a stake, thence south 13 1/3 chains to place of beginning. Also a strip of land bounded on the south by Prison Street, west by Broad Street, north by the south line of the Michigan State Prison Land, on east by Cooper Street. Being 82 1/2 feet north and south by 551 1/2 feet east and west, east 1/2 of northeast 1/4, Section 34, Township 2 South, Range 1 West.

(18) *St. John's Catholic Church, 711 Cooper (1857)*: Block 3, Ford's North Addition.

(19) *Commercial Exchange Building, 2301 E. Michigan (1895)*: Lots 1 to 10 inclusive, and north 5.6 feet of Lot 11. Also a parcel of land commencing at southeast corner of Lot 10, thence east to west line of Ann Street, thence south 7.35 feet, thence west 59.15 feet, thence north 1.75 feet, thence west to east line of Lot 11, thence north to beginning. Being part of Lot 12, Block 18 east, addition No. 4.

(20) *1401 Greenwood (1900)*: Lot 1 and north 22 feet of Lot 2, Block 2, Division 2, amended plat of Divisions 1, 2, 3 of Summitville Addition.

(21) *Jackson County Juvenile Court Building, 936 Fleming Avenue (n.a.)*: LD COM AT A PT 138- 1/2 FT N & 42 RDS W OF THE SE COR OF SEC 26 TH W 38 RDS THE N 558.3 FT TH E 38 RDS TH S 558.3 FT TO BEG EXC THE W 33 FT FOR STREET ALSO EXCEPT THAT PART DEEDED TO CITY FOR FLORAL AVE SE 1/4 OF SE 1/4 SEC 26 T2S R1W (Claire Allen structure).

(22) *205 South West Avenue (n.a.)*: LOT 42 ASSESSOR'S WASHINGTON PLAT (Claire Allen structure).

(23) *1000-02 Carlton Boulevard*: LOT 16 EX S 16 1/2 FT BLK 17 SHOEMAKERS ADD (Claire Allen structure).

(24) *310 South Thompson (1929)*: N 38 FT OF LOT 7 & A PIECE OF LAND COM 160 FT S OF INTERS OF W LINE OF THOMPSON ST & S LINE OF WASHINGTON ST TH W 45.25 FT TH SWLY 14.42 FT TH W 74.65 FT TH S 30 FT TO NO LINE OF LOT 7 TH E 132 FT TH N 38 FT TO BEG BEING PART OF LOT 6 BLK 9 SHOEMAKER'S ADD (Claire Allen structure).

(25) *604 Wildwood Avenue, Toddler Tech (n.a.)*: LAND COM AT A PT ON THE NLY LN OF WILDWOOD AVE 36 RDS E OF THE W LN OF SEC 34 T2S R1W FOR PL OF BEG, TH SELY ON NLY LN OF SD AVE 9 RDS TO THE W LN OF EDWARD AVE TH N ON W LN OF EDWARD AVE 276 FT TH W 189.3 FT TH S 38.9 FT TH ELY TO A PT ON THE E LN OF LOT 4 AND 226.5 FT N OF N LN OF WILDWOOD AVE MEASURED

ALG E LN OF SD LOT 4 TH SWLY TO BEG BEING A PART OF LOTS 4 & 5 BLK 2 CARR & PECK'S ADD (Claire Allen structure).

(26) *1214 West Washington Avenue (1915)*: LAND COM AT THE INTERSECTION OF THE N LINE OF WASHINGTON ST WITH THE E LINE OF THOMPSON ST TH N 8 RDS TH E 4 RDS TH S 8 RDS TO THE N LINE OF WASHINGTON ST TH S 4 RDS TO THE BEG NW 1/4 OF NE 1/4 SEC 4 T3S R1W (Claire Allen structure).

(27) *1403 West Washington (1911)*: LOTS 1, 2 & 6 BLK 8 SHOEMAKER'S ADD (Claire Allen structure).

(28) *206 South Webster Street (n.a.)*: E 116 FT OF LOT 14 BLK 3 SHOEMAKER'S ADD (Claire Allen structure).

(29) *Post Office, 200 South Otsego (1932)*: ALL OF R T MCNAUGHTON'S ALTERATION OF PART OF BLK 1 GRAND RIVER ADD EX THAT PART USED FOR STREET PURPOSES.

(30) *Masonic Temple, 157 Cortland Street (n.a.)*: N 102 FT OF LOT 6 BLK 2 S RIE (Claire Allen structure).

(31) *County building (Courthouse), 312 South Jackson Street (1936)*: LOTS 3 & 4 & S 123.89 FT OF E 49.5 FT OF LOT 5 & ALSO S 123.85 FT OF ALLEY LYING BETWEEN SD LOTS 3, 4, & 5 SAME HAVING BEEN VAC BLOCK 3 S R1W (Claire Allen structure).

(32) *County Health Dept., former TB Sanitorium, 410 Erie Street (n.a.)*: LAND COM AT A PT 269.56 FT N & 182.11 FT E OF THE INTERS OF THE N LN OF ST CLAIR AVE WITH THE ELY LN OF LANSING AVENUE TH E 541.09 FT TO THE 1/4 SECTION LN OF SEC 27 T2S R1W TH S 132 FT TH W 541.09 FT TH N 132 FT TO BEG (Claire Allen structure).

(33) *Former East Intermediate School, 1210 E. Michigan Avenue (n.a.)*: LAND COM AT INTERS OF NLY LINE OF E MAIN ST WITH E LINE OF HALL & KENNEDY'S ALTERATION OF BLK 2 LOOMIS HOMEWILD ADD TH E 267.8 FT TH N 450 FT TH WLY 387.25 FT TH SLY 440 FT TO BEG W 1/2 OF SE 1/4 SEC 35 T2S R1W (Claire Allen structure).

(34) *1000-02 West Washington Avenue (n.a.)*: LOT 15 BLK 3 SHOEMAKER'S ADD (Claire Allen structure).

(35) *1300 West Franklin (n.a.)*: LOTS 14, 15 & 16 EX N 38 FT OF LOT 14 BLK 9 SHOEMAKER'S ADD (Claire Allen structure).

(36) *Mt. Evergreen Cemetery (1843)*: LAND COM AT THE INTERSECTION OF THE E LINE OF GREENWOOD AVE WITH THE S LINE OF MORRELL ST TH E 310 FT TH S 1600 FT TO THE N LINE OF ROCKWELL ST TH W 1400 FT TO THE E LINE WOODBRIDGE ST TH N ON THE E LINE OF WOODBRIDGE ST 310 FT TH NELY ON THE ELY LINE OF GREENWOOD AVE 1450 FT TO THE PLACE OF BEG MT EVERGREEN CEMETERY.

(37) *Reynolds Building (Renee de Paris), 149-151 West Michigan Avenue (1865):* E 60 FT OF LOTS 5 & 6 BLK 1 S RIE.

(38) *229 South Mechanic Street:* N 1/2 OF LOT 2 BLK 2S R 2E OF THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURG.

(39) *Michigan Central Express Building, Foot of Elizabeth Street (Circa 1892):* BEGINNING AT AN IRON FOUND ON THE SOUTH LINE OF ELIZABETH STREET OPPOSITE RAILROAD STATION 3983+50; THENCE, SOUTH 37° 12' 22" WEST, 76.54 FEET (RECORD 85 FEET) TO A POINT THAT LIES 20 FEET NORTHERLY OF THE CENTERLINE OF THE NORTHEASTERNMOST TRACK OF THE MAIN LINE TRACKS; THENCE, SOUTH 52° 47' 37" EAST, PARALLEL WITH AND 20.0 FEET DISTANT THEREFROM SAID NORTHEASTERNMOST TRACK, 143.72 FEET; THENCE, NORTH 37° 12' 22" EAST, 15.00 FEET; THENCE, SOUTH 52° 47' 37" EAST, PARALLEL WITH AND 35.00 FEET DISTANT THEREFROM SAID NORTHEASTERNMOST TRACK, 149.51 FEET TO THE WEST LINE OF VAN DORN STREET; THENCE, NORTH 02° 29' 41" EAST, ALONG SAID WEST LINE, 217.57 FEET TO SAID SOUTH LINE OF ELIZABETH STREET; THENCE, NORTH 87° 30' 19" WEST, ALONG SAID SOUTH LINE, 206.00 FEET TO THE POINT OF BEGINNING, BEING BLOCK NO. 43 IN FORD'S EXTENSION TO THE VILLAGE OF JACKSON IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 WEST, CITY OF JACKSON, MICHIGAN.

(40) *317 W. Wesley Street:* BEING A PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 3, T3S, R1W, CITY OF JACKSON, JACKSON COUNTY, MICHIGAN. MORE PARTICULARLY DESCRIBED AS: THE WEST 1/2 OF LOT 4, BLOCK 4 SOUTH, RANGE 2 WEST, OF THE ORIGINAL PLAT OF THE VILLAGE OF JACKSONBURGH.

(Ord. No. 98-14, § 1, 6-16-98; Ord. No. 2001.6, § 1, 2-13-01; Ord. No. 2001.14, § 1, 6-26-01; Ord. No. 2002-7, § 1, 9-10-02; Ord. No. 2003.1, § 1, 2-25-03)

Sec. 13-22. The Under the Oaks Historic District.

The Under the Oaks Historic District is hereby created pursuant to Act No. 169 of the Public Acts of 1970, State of Michigan (MCLA 399.201 et seq.) and shall consist of the following description defined by street segments. Maps of the district are available at the office of the City Clerk, City Hall, 161 West Michigan Avenue, Jackson, Michigan, or at the office of Region 2 Planning Commission, 120 West Michigan Avenue - 16th Floor, Jackson, Michigan during normal business hours. If the district depicted on the maps conflicts with the description as hereinafter provided, the description contained in this chapter shall prevail.

(1) Description:

WEST FRANKLIN STREET: Commencing at a point easterly of South West Avenue at, and including, 745 and 750 West Franklin Street; thence easterly on West Franklin Street to First Street, including all parcels abutting on the north and south sides of West Franklin Street therein; and

WEST WASHINGTON AVENUE: Commencing at a point easterly of South West Avenue at, and including, 766 on the north side of West Washington Avenue, and commencing at, and including, 751 on the south side of West Washington Avenue, thence easterly on West Washington Avenue to First Street, including all parcels

abutting on the north and south sides of West Washington Avenue therein; and also including 724 and 725 West Washington Avenue; and

WEST MICHIGAN AVENUE: Commencing at a point between the centerline of South and North West Avenue; thence easterly to First Street, including all parcels abutting on the north and south side of West Michigan Avenue therein; and

WILDWOOD AVENUE AND NORTH: Commencing southeasterly of Edwards Avenue, at a point, and including, 547 Wildwood Avenue; thence southeasterly to the intersection of Wildwood Avenue and Steward Avenue, including all parcels abutting on the south side of Wildwood Avenue; thence north on Steward Avenue to a point, and including 442 Steward Avenue, including all properties abutting on the west side of Steward Avenue; thence westerly 64 feet to the northwest corner of said property; thence south to the centerline of the MCRR Co. railroad right-of-way; thence northwesterly along the centerline of said right-of-way to the west property line of the Jackson Public Schools (High School) property, as extended; thence southwesterly along the westerly property line of the Jackson Public Schools property to the centerline of Winthrop Street; thence southwesterly along said centerline to the centerline of Edward Avenue; thence south along said centerline to the centerline of Wildwood Avenue; thence southeasterly along said centerline to point of beginning of said described boundaries, including all properties within the area described herein; and

LYDIA STREET: Commencing at the intersection of Wildwood Avenue and Lydia Street; thence southwest along Lydia Street to the intersection of West Michigan Avenue, including all parcels abutting on the east and west sides of Lydia Street; and

FOURTH STREET: Commencing at the intersection of Fourth Street and West Michigan Avenue; thence south along Fourth Street to the intersection of West Franklin Street, including all parcels abutting on the east and west sides of Fourth Street; and

THIRD STREET: Commencing at the intersection of Third Street and West Michigan Avenue; thence south to the intersection of Third Street and West Franklin Street, including all parcels abutting on the east and west sides of Third Street; and

SECOND STREET: Commencing at the intersection of Second Street and Washington Northwest (the connector between West Michigan Avenue and West Washington Avenue); thence south to the intersection of Second Street and West Franklin Street, including all parcels abutting on the east and west sides of Second Street; and

FIRST STREET: Commencing at the intersection of First Street and Wildwood Avenue; thence south to the intersection of First Street and West Morrell Street, including all parcels abutting on the east and west sides of First Street.

(Ord. No. 98-14, § 1, 6-16-98)

APPENDIX VI

HISTORIC DISTRICT COMMISSION

Ordinance Adoption Procedure

I. Study Committee

The Historic District Commission appoints a Study Committee, Members of the Committee must contain representation from the Historic District Commission.

II. Purpose

The Committee is required to conduct studies and research and write a report regarding what sites are to be included in the historic district or as historic landmarks and explain the significance of each site.

III. Copies of the Study Committee's report are to be transmitted to:

- A. Local Planning Commission
- B. Michigan Historic Commission
- C. State Advisory Council
- D. Copies to the City Council (for information only – not for comment)

Within sixty (60) days after the report has been transmitted to the three agencies, the Jackson City Planning Commission is required to send their recommendations regarding the report to the Historic District Commission.

IV. Public Hearing is required by the Open Meetings Act

Sixty (60) days after the report has been transmitted to the above agencies, a public hearing must be held by the Historic District Commission. The date can be arranged by contacting the City Manager's office.

Fifteen (15) days prior to the public hearing, public notice must be given to the citizens of Jackson and all property owners to be included in the district or whose property is to be listed as a historic landmark. The notice should include the date, time, place, and purpose of the hearing. It is required that the notice be placed in the local newspaper, City Hall, and the Jackson County Tower Building.

V. City Manager/City Council

After the above procedures have been completed, the Secretary to the Historic District Commission will submit to the City Manager's office a description of the procedures followed and a copy of the report, updated with any recommendations. It will be requested that the Historic Preservation Ordinance be included on the agenda of the next City Council meeting for Council approval.

The requested action of the City Council should also include adoption of the revised Historic Preservation Ordinance, which should include the legal descriptions of each of the properties proposed to be listed as historic landmarks and/or a generalized description of the historic district.

VI. Copies of Record

At least three copies of the revised report and ordinance should be maintained with the Secretary to the Historic District Commission, and it is recommended that copies be sent to the following for information:

- Jackson District Library
- Ella Sharp Museum
- Jackson Citizen Patriot (2)
- Michigan Historic Commission



Parcel Report - Parcel ID: 7-056000000

3/18/2021



Owner Name	DJW REAL ESTATE CO LLC	2018	2019	2020
Owner Address	603 LANSING AVE JACKSON, MI 49202	Taxable Value	\$126,558	\$129,595
Homestead	0	Assessed Value	\$142,050	\$168,400
Parcel Address	906 E PEARL ST JACKSON, MI 49201		\$171,350	
Property Class	201 - COMMERCIAL	Tax Description:		
Status	Active	LD COM AT INTERS OF N LN OF PEARL ST WITH W LN OF WATERLOO AVE TH N TO SLY LN OF DETROIT ST TH WLY TO ELY LN OF STATE ST TH SLY TO NLY LN OF PEARL ST TH ELY TO POB THIS IS STATE HOUSE SQUARE & IS DEDICATED AS A PUBLIC SQUARE FOR PUBLIC USE & NO OTHER. UNION SCHOOL DISTRICT NO 1. SE 1/4 SW 1/4 SEC 35 T2S R1W		
Acreeage	1.8			
Gov't Unit	City of Jackson			
Tax Unit	City of Jackson			
School District	JACKSON PUBLIC SCHOOL			
Liber/Page	1833-0894			



WARNING: Displayed boundaries are NOT SURVEY GRADE and may not reflect legal property description. The intent of this map is to allow easy access and visual display of government information and services. Every reasonable effort is made to ensure the accuracy of this map and data; nevertheless, errors may occur.





Parcel Report - Parcel ID: 7-056000000

6/29/2020



Owner Name	DJW REAL ESTATE CO LLC	2018	2019	2020	
Owner Address	603 LANSING AVE JACKSON, MI 49202	Taxable Value	\$126,558	\$129,595	\$132,057
Homestead	0	Assessed Value	\$142,050	\$168,400	\$171,350
Parcel Address	906 E PEARL ST JACKSON, MI 49201	Tax Description:	LD COM AT INTERS OF N LN OF PEARL ST WITH W LN OF WATERLOO AVE TH N TO SLY LN OF DETROIT ST TH WLY TO ELY LN OF STATE ST TH SLY TO NLY LN OF PEARL ST TH ELY TO POB THIS IS STATE HOUSE SQUARE & IS DEDICATED AS A PUBLIC SQUARE FOR PUBLIC USE & NO OTHER. UNION SCHOOL DISTRICT NO 1. SE 1/4 SW 1/4 SEC 35 T2S R1W		
Property Class	201 - COMMERCIAL				
Status	Active				
Acreage	1.8				
Gov't Unit	City of Jackson				
Tax Unit	City of Jackson				
School District	JACKSON PUBLIC SCHOOL				
Liber/Page	1833-0894				



WARNING: Displayed boundaries are NOT SURVEY GRADE and may not reflect legal property description. The intent of this map is to allow easy access and visual display of government information and services. Every reasonable effort is made to ensure the accuracy of this map and data; nevertheless, errors may occur.





City of Jackson, Michigan Financial Statements

As of and For the 3 Months Ended September 30, 2021

Preliminary/Unaudited

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City of Jackson, Michigan
General Fund Expenditure Summary
As of and For the 3 Months Ended September 30, 2021
(Prepared on the Adopted Budget-Basis)
Preliminary/Unaudited

Function Department	2021/22 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<u>General Government :</u>						
101-101 City Council	113,060	113,060	7,803	27,318	24.16%	85,742
101-103 Charter Review Committee	2,500	2,500	0	0	0.00%	2,500
101-172 City Manager	433,880	433,880	44,957	114,768	26.45%	319,112
101-191 Finance	465,541	465,541	36,497	107,874	23.17%	357,667
101-215 City Clerk	306,669	306,669	25,271	69,584	22.69%	237,085
101-228 Management Info. Services	360,819	360,819	17,547	80,263	22.24%	280,556
101-233 Purchasing	123,257	123,257	9,177	27,001	21.91%	96,256
101-253 City Treasurer	398,079	398,079	29,065	87,397	21.95%	310,682
101-254 City Income Tax	215,172	215,172	10,402	30,058	13.97%	185,114
101-257 City Assessor	423,890	423,890	35,825	96,322	22.72%	327,568
101-262 City Clerk-Elections	136,800	136,800	2,564	23,693	17.32%	113,107
101-265 City Hall & Grounds	419,346	419,346	27,042	66,475	15.85%	352,871
101-266 City Attorney	624,627	624,627	49,526	145,828	23.35%	478,799
101-270 Personnel	285,272	285,272	7,918	32,649	11.44%	252,623
101-278 Unallocated	800,750	800,750	48,348	132,973	16.61%	667,777
	5,109,662	5,109,662	351,942	1,042,203	20.40%	4,067,459
<u>Judicial:</u>						
101-299 Admin. Hearings Bureau	186,160	186,160	9,889	25,610	13.76%	160,550
	186,160	186,160	9,889	25,610	13.76%	160,550
<u>Public Safety:</u>						
101-301 Police	10,730,184	10,730,184	805,566	2,328,125	21.70%	8,402,059
101-311 OHSP Grant - Seatbelts	12,806	12,806	0	778	6.08%	12,028
101-320 Consortium Training	27,500	27,500	14,100	14,100	51.27%	13,400
101-321 In Service Training	7,000	7,000	0	0	0.00%	7,000
101-340 Fire Suppression	5,195,936	5,370,027	336,121	1,192,281	22.20%	4,177,746
101-350 Public Safety - Unallocated	2,011,296	2,011,296	170,219	513,533	25.53%	1,497,763
	17,984,722	18,158,813	1,326,006	4,048,817	22.30%	14,109,996
<u>Public Works :</u>						
101-442 Forestry	588,607	588,607	27,227	128,063	21.76%	460,544
101-444 Sidewalk Construction	43,065	43,065	3,131	18,639	43.28%	24,426
101-445 Drains at Large	85,043	85,043	306	9,258	10.89%	75,785
101-450 Street Lighting	576,110	576,110	49,390	88,279	15.32%	487,831
101-455 Weed Control	103,743	103,743	12,850	28,288	27.27%	75,455
101-465 Grounds Maintenance	456,970	456,970	28,607	70,184	15.36%	386,786
101-567 Cemeteries	309,234	309,234	44,924	99,135	32.06%	210,099
101-571 Tax Property Maintenance	238,246	238,246	24,352	81,622	34.26%	156,624
101-572 Civic Affairs	83,703	83,703	9,343	19,184	22.92%	64,519
	2,484,721	2,484,721	200,130	542,652	21.84%	1,942,069
<u>Community & Economic Development:</u>						
101-701 Planning	224,224	224,224	16,080	56,264	25.09%	167,960
101-728 Economic Development	111,000	111,000	9,787	13,448	12.12%	97,552
	335,224	335,224	25,867	69,712	20.80%	265,512

(Continued -)

City of Jackson, Michigan
General Fund Expenditure Summary
As of and For the 3 Months Ended September 30, 2021
(Prepared on the Adopted Budget-Basis)

- Continued -

Function Department	2021/22 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<u>Recreation & Culture :</u>						
101-752 Parks, Rec. & Grnds. Admin.	292,640	292,640	25,574	73,239	25.03%	219,401
101-758 Lt. Nixon Memorial Pool	65,857	65,857	801	13,756	20.89%	52,101
101-771 Parks & Facilities Maintenance	696,158	696,158	79,307	151,291	21.73%	544,867
101-803 Historical District	11,673	11,673	858	2,469	21.15%	9,204
101-806 Diversity, Equity & Inclusion	248,702	248,702	18,640	51,967	20.90%	196,735
	1,315,030	1,315,030	125,180	292,722	22.26%	1,022,308
<u>Contributions to Other Funds:</u>						
101-965 Contributions to Other Funds	356,450	356,450	0	0	0.00%	356,450
Total General Fund Expenditures	27,771,969	27,946,060	2,039,014	6,021,716	21.55%	21,924,344
 <u>Funds Consolidated with the General Fund</u> <u>for Financial Reporting Purposes:</u>						
102 Budget Stabilization	36,000	36,000	0	0	0.00%	36,000

City of Jackson
All Other Funds - Expenditure Summary
As of and For the 3 Months Ended September 30, 2021
(Prepared on the Adopted Budget-Basis)
- Continued -

Fund Type/Fund Name	2021/22 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<u>Permanent Funds :</u>						
151 Cemetery Perpetual Maint.	45,500	45,500	0	0	0.00%	45,500
155 Ella W. Sharp Endowment	24,000	24,000	0	0	0.00%	24,000
160 Lloyd E. Mount Endowment	7,000	7,000	0	0	0.00%	7,000
<u>Special Revenue Funds :</u>						
202 Major Street	10,331,120	10,331,120	1,275,326	1,456,123	14.09%	8,874,997
203 Local Street	2,617,710	2,458,906	395,231	638,397	25.96%	1,820,509
208 Ella W. Sharp Park Operating	843,732	843,732	101,438	265,901	31.51%	577,831
245 Public Improvement	1,114,965	1,114,965	149,324	149,324	13.39%	965,641
246 Cortland St. Redev. Project	34,560	34,560	1,234	2,490	7.20%	32,070
249 Building Department	722,358	722,358	33,881	99,511	13.78%	622,847
251 Housing Code Enforcement	1,181,712	1,181,712	73,296	199,874	16.91%	981,838
252 Building Demolitions	61,780	61,780	13,780	66,061	106.93%	(4,281) Note 2
265 Drug Law Enforcement	17,968	17,968	1,389	4,812	26.78%	13,156
275 Byrne/JAG Grant	0	0	1,986	3,516	N/A	(3,516) Note 2
279 American Rescue Plan Act	1,882,250	1,882,250	0	0	0.00%	1,882,250
296 Recreation Activity	187,093	187,093	12,945	25,222	13.48%	161,871
297 Recreation Millage Program	645,424	645,424	48,730	153,759	23.82%	491,665
<u>Debt Service Funds :</u>						
308 2020 Capital Improvement D/S	223,533	223,533	0	0	0.00%	223,533
352 2017 Mich. Trans. Fund D/S	761,350	761,350	0	0	0.00%	761,350
367 2021 City Hall Refunding D/S	734,840	734,840	0	0	0.00%	734,840
385 2016 Capital Improvement D/S	143,275	143,275	137,645	137,645	96.07%	5,630
386 2018 Capital Improvement D/S	1,443,000	1,443,000	0	0	0.00%	1,443,000
389 2017 BRA TIF Refunding D/S	415,704	415,704	0	0	0.00%	415,704
391 2021 BRA TIF Refunding D/S	758,700	758,700	0	0	0.00%	758,700
394 2001 DDA TIF D/S	2,597,987	2,597,987	0	0	0.00%	2,597,987
<u>Capital Projects Funds :</u>						
401 Capital Projects	0	0	0	6,000	N/A	(6,000) Note 2
402 Water Equip. and Replacem.	4,995,759	4,995,759	439,433	785,602	15.73%	4,210,157
403 Lead Service Line Replacement	845,246	845,246	(17)	1,892	0.22%	843,354
404 Sanitary Sewer Maint.	391,202	391,202	31,969	81,081	20.73%	310,121
405 Sanitary Sewer Replacement	3,214,299	3,214,299	203,338	423,848	13.19%	2,790,451
406 Wastewater Equip. Replacem.	2,062,083	2,062,083	293,449	329,188	15.96%	1,732,895
408 2020 Capital Imp. Bonds Const.	0	0	873	873	N/A	(873) Note 2
489 Brownfield Redevelopmt. Auth.	1,298,540	1,298,540	1,706	13,316	1.03%	1,285,224
494 DDA Project	2,805,617	2,805,617	0	0	0.00%	2,805,617

(Continued -)

City of Jackson
All Other Funds - Expenditure Summary
As of and For the 3 Months Ended September 30, 2021
(Prepared on the Adopted Budget-Basis)

- Continued -

Fund Type/Fund Name	2021/22 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)	
	Original	Amended					
<u>Enterprise Funds :</u>							
514	Auto Parking System	252,247	252,247	221	221	0.09%	252,026
518	Parking Assessment	280,808	280,808	14,779	30,275	10.78%	250,533
519	Cooper/Francis Parking Deck	283,836	283,836	3,337	5,922	2.09%	277,914
590	Sewer	8,776,495	8,776,495	610,474	1,447,258	16.49%	7,329,237
591	Water	13,542,689	13,542,689	764,850	2,010,654	14.85%	11,532,035
<u>Internal Service Funds :</u>							
641	Public Works Administration	413,922	413,922	21,948	81,954	19.80%	331,968
642	Engineering Administration	266,064	266,064	22,821	63,085	23.71%	202,979
643	Local Site Remed. Revolving	0	0	0	0	N/A	0
661	Motor Pool and Garage	1,333,779	1,333,779	81,380	173,691	13.02%	1,160,088
663	Equipment Revolving	0	0	0	0	N/A	0
676	Workers' Compensation	171,243	171,243	22,268	35,149	20.53%	136,094
677	Self-Insured Health Care	4,791,500	4,791,500	378,127	1,121,017	23.40%	3,670,483
<u>Trust & Agency Funds :</u>							
703	County & School Tax Collection	48,000	48,000	0	0	0.00%	48,000
731	Employees' Retirement System	4,175,000	4,175,000	0	691,570	16.56%	3,483,430
732	Policemen's/Firemen's Pension	663,540	663,540	0	102,993	15.52%	560,547
734	Police./Fire. Pension-345	7,640,000	7,640,000	0	494,557	6.47%	7,145,443
736	Public Employee Health Care	15,000	15,000	0	0	0.00%	15,000
<u>Special Assessment Funds :</u>							
852	2020 Special Assessment D/S	157,420	157,420	147,220	147,220	93.52%	10,200
895	Special Assessment	1,084,586	1,084,586	329,328	422,948	39.00%	661,638

City of Jackson
All Funds - Revenue Summary
As of and For the 3 Months Ended September 30, 2021
(Prepared on the Adopted Budget-Basis)

Fund/Fund Name	2021/22 Budget		Actual Month To Date	Actual Year To Date	Percent Collected	
	Original	Amended				
<u>General Fund :</u>						
Property Taxes	10,411,253	10,411,253	688,226	8,019,238	77.02%	
Income Taxes	8,020,000	8,020,000	585,314	2,534,364	31.60%	
Licenses & Permits	241,325	241,325	880	2,436	1.01%	
Federal Grants	15,614	189,705	(1,847)	0	0.00%	
State Grants	6,110	6,110	0	0	0.00%	
State Revenue Sharing	4,789,762	4,789,762	0	25,842	0.54%	
Charges For Goods & Services	1,213,759	1,213,759	12,893	72,225	5.95%	
Fines & Forfeits	252,150	252,150	29,923	137,798	54.65%	
Investment Income	155,000	155,000	11,378	20,916	13.49%	
Contributions From Other Funds	2,036,750	2,036,750	4,420	4,420	0.22%	
Contributions From Local Units	12,500	12,500	0	60	0.48%	
Miscellaneous	186,430	186,430	126,007	288,492	154.75%	
Total General Fund Revenues	27,340,653	27,514,744	1,457,194	11,105,791	40.36%	
<u>Funds Consolidated with the General Fund</u>						
<u>for Financial Reporting Purposes:</u>						
102	Budget Stabilization	36,000	36,000	7	52	0.14%
<u>Permanent Funds :</u>						
151	Cemetery Perpetual Maint.	78,346	78,346	1,847	9,874	12.60%
155	Ella W. Sharp Endowment	24,000	24,000	0	0	0.00%
160	Lloyd E. Mount Endowment	7,000	7,000	0	0	0.00%
<u>Special Revenue Funds :</u>						
202	Major Street	86,778	8,677,834	566,997	1,057,053	12.18%
203	Local Street	2,506,088	2,506,088	167,411	274,259	10.94%
208	Ella W. Sharp Park Operating	844,600	844,600	24,582	224,675	26.60%
245	Public Improvement	1,181,500	1,181,500	80,652	916,521	77.57%
246	Cortland St. Redev. Project	0	0	34	101	N/A
249	Building Department	494,500	494,500	49,116	159,421	32.24%
251	Housing Code Enforcement	1,168,000	1,168,000	82,730	239,142	20.47%
252	Building Demolitions	1,500	1,500	67	322	21.47%
265	Drug Law Enforcement	15,600	15,600	665	740	4.74%
273	Project Safe Neighborhood	111,565	111,565	1,362	4,778	4.28%
275	Byrne/JAG Grant	0	0	(12,730)	1,020	N/A
279	American Rescue Plan Act	16,017,651	16,017,651	0	15,722,413	98.16%
296	Recreation Activity	216,800	216,800	9,761	28,514	13.15%
297	Recreation Millage Program	645,500	645,500	174	254	0.04%
<u>Debt Service Funds :</u>						
308	2020 Capital Improvement D/S	223,533	223,533	0	0	0.00%
352	2017 Mich. Trans. Fund D/S	761,350	761,350	0	0	0.00%
367	2021 City Hall Refunding D/S	680,600	680,600	41,850	533,421	78.38%
385	2016 Capital Improvement D/S	143,275	143,275	137,645	137,645	96.07%
386	2018 Capital Improvement D/S	1,443,000	1,443,000	0	0	0.00%

Note 2
Note 2

Note 2

(Continued-)

City of Jackson
All Funds - Revenue Summary
As of and For the 3 Months Ended September 30, 2021
(Prepared on the Adopted Budget-Basis)

- Continued -

Fund/Fund Name	2021/22 Budget		Actual Month To Date	Actual Year To Date	Percent Collected		
	Original	Amended					
<u>Debt Service Funds (Continued) :</u>							
389	2017 BRA TIF Refunding D/S	415,704	415,704	0	0	0.00%	
391	2021 BRA TIF Refunding D/S	758,700	758,700	0	0	0.00%	
394	2001 DDA TIF D/S	2,597,987	2,597,987	0	0	0.00%	
395	2019 DDA TIF Refunding D/S	205,630	205,630	0	0	0.00%	
<u>Capital Projects Funds :</u>							
401	Capital Projects	500	500	0	0	0.00%	
402	Water Equip. and Replacem.	3,269,754	3,269,754	274,978	817,908	25.01%	
403	Lead Service Line Replacement	845,246	845,246	30,335	90,881	10.75%	
404	Sanitary Sewer Maintenance	391,202	391,202	31,969	73,922	18.90%	
405	Sanitary Sewer Replacement	1,038,575	1,038,575	87,710	259,962	25.03%	
406	Wastewater Equip. Replacem.	1,461,450	1,461,450	123,176	365,213	24.99%	
408	2020 Capital Imp. Bonds Const.	0	0	5	7	N/A	Note 2
489	Brownfield Redevelopmt. Auth.	1,340,180	1,340,180	825	1,154	0.09%	
494	DDA Project	3,320,256	3,320,256	2,422	3,379	0.10%	
<u>Enterprise Funds :</u>							
514	Auto Parking System	92,893	92,893	285	616	0.66%	
518	Parking Assessment	261,042	261,042	90,830	116,654	44.69%	
519	Cooper/Francis Parking Deck	16,150	16,150	(3,236)	(646)	-4.00%	
590	Sewer	6,647,106	6,647,106	596,686	1,517,492	N/A	Note 2
591	Water	11,834,447	11,834,447	1,236,865	3,735,579	31.57%	
<u>Internal Service Funds :</u>							
641	Public Works Administration	366,886	366,886	33,826	116,604	31.78%	
642	Engineering Administration	266,714	266,714	23,725	72,009	27.00%	
643	Local Site Remed. Revolving	300	300	89	125	41.67%	
661	Motor Pool and Garage	1,135,484	1,135,484	93,395	314,410	27.69%	
664	Equipment Revolving	0	0	0	0	N/A	Note 2
676	Workers' Compensation	110,000	110,000	6,928	25,722	23.38%	
677	Self-Insured Health Care	5,242,500	5,242,500	399,529	1,304,676	24.89%	
<u>Trust & Agency Funds :</u>							
703	County & School Tax Collection	48,000	48,000	756	1,011	2.11%	
731	Employees' Retirement System	5,920,961	5,920,961	0	1,219,327	20.59%	
732	Policemen's/Firemen's Pension	659,736	659,736	0	161,594	24.49%	
734	Police./Fire. Pension-345	9,819,831	9,819,831	0	2,532,832	25.79%	
736	Public Employees Health Care	200,000	200,000	59,396	59,396	29.70%	
<u>Special Assessment Funds :</u>							
852	2020 Special Assessment D/S	157,420	157,420	147,220	147,220	93.52%	
897	Special Assessment	777,166	777,166	182,851	276,737	35.61%	

City of Jackson
Notes to Revenue & Expenditure Summaries
As of and For the 3 Months Ended September 30, 2021
(Prepared on the Adopted Budget-Basis)

Note 1: Revenues do not include budgeted appropriations from fund balance. These appropriations, together with budgeted revenues, are sufficient to fund budgeted expenditures, in accordance with State law.

Note 2: A Budget Amendment is pending to correct this variance.



CITY COUNCIL MEETING MINUTES
October 12 , 2021

CALL TO ORDER:

The Jackson City Council met in regular session in Council Chambers and was called to order at 6:33 p.m. by Mayor Derek J. Dobies.

PLEDGE OF ALLEGIANCE AND INVOCATION:

Council joined in the Pledge of Allegiance. Invocation was given by Sixth Ward Councilmember Will Forgrave in which he offered a moment of silence, meditation, or prayer in the way that each attendee saw fit.

ROLL CALL:

Present: Mayor Derek J. Dobies, Vice Mayor/1st Ward Councilmember Arlene Robinson, 2nd Ward Councilmember Freddie Dancy, 4th Ward Councilmember Laura Dwyer Schlecte, 5th Ward Councilmember Karen Bunnell, and 6th Ward Councilmember Will Forgrave.

Absent: 3rd Ward Councilmember Jeromy Alexander.

Also present: City Manager Jonathan Greene, City Attorney Matthew Hagerty, City Clerk Andrea Muray, City Assessor Jason Yoakam, Chief Equity Officer John Willis, and City Engineer Jon Dowling

ADOPTION OF AGENDA:

Motion was made by Councilmember Schlecte, seconded by Councilmember Forgrave to adopt the agenda as presented. Vote – Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Schlecte, Bunnell, and Forgrave (6). Nays: none. Motion carried.

PRESENTATIONS/PROCLAMATIONS: none.

PUBLIC HEARINGS: none.

CITIZEN COMMENTS:

Citizen comments were heard and the meeting continued.

PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES: none.

CONSENT CALENDAR:

A. Minutes of the Regular Meeting of September 28, 2021

Approve the minutes of the regular City Council Meeting of September 28, 2021.

B. Special Event Application for Jackson County Veteran's Council Veteran's Day Ceremony

Approve a request from the Jackson County Veteran's Council to host their Veteran's Day Ceremony on November 11, 2021 in Withington Park.

C. Approve a Revocable License for a Fence within a Public Alley Right of Way

Approve a Revocable License for the installation of a fence on and within property owned by the City and within a public alley right-of-way, and authorize the Mayor and City Clerk to execute the appropriate document(s).

D. Engineer's Report for Street Reconstruction and Water Main Replacement Biddle Street - Greenwood Avenue to Williams Street

Receive the Engineer's Report for street reconstruction with water main replacement on Biddle Street from Greenwood Avenue to Williams Street and establish November 9, 2021 at the City Council meeting as the time and place to hold a public hearing of necessity.

E. Engineer's Report for Street Reconstruction and Water Main Replacement Arnold Street - Cooper Street to East End

Receive the Engineer's Report for street reconstruction with water main replacement on Arnold Street from Cooper Street to East End and establish November 9, 2021 at the City Council meeting as the time and place to hold a public hearing of necessity.

F. Engineer's Report for Street Reconstruction and Water Main Replacement Burr Street - State Street to Waterloo Street

Receive the Engineer's Report for street reconstruction with water and sewer main replacement on Burr Street from State Street to Waterloo Street and establish November 9, 2021 at the City Council meeting as the time and place to hold a public hearing of necessity.

**G. Engineer's Report for Street Reconstruction and Water Main Replacement
Burr Street – Cooper Street to State Street**

Receive the Engineer's Report for street reconstruction with water main replacement on Burr Street from Cooper Street to State Street and establish November 9, 2021 at the City Council meeting as the time and place to hold a public hearing of necessity.

**H. Engineer's Report for Street Reconstruction and Water Main Replacement
Dwight Street – Chapin Street to Tyson Street**

Receive the Engineer's Report for street reconstruction with water main replacement on Dwight Street from Chapin Street to Tyson Street and establish November 9, 2021 at the City Council meeting as the time and place to hold a public hearing of necessity.

**I. Engineer's Report for Street Reconstruction and Water Main Replacement
Deyo Street – Elm Avenue to Gorham Street**

Receive the Engineer's Report for street reconstruction with water main replacement on Deyo Street from Elm Avenue to Gorham Street and establish November 9, 2021 as the time and place to hold a public hearing of necessity.

**J. Engineer's Report for Street Reconstruction and Water Main Replacement
East Avenue – Teneyck Street to Michigan Avenue**

Receive the Engineer's Report for street reconstruction with water main replacement on East Avenue from Teneyck Street to Michigan Avenue and establish November 9, 2021 at the City Council meeting as the time and place to hold a public hearing of necessity.

**K. Engineer's Report for Street Reconstruction and Water Main Replacement
East Avenue – Plymouth Street to Teneyck Street**

Receive the Engineer's Report for street reconstruction with water main replacement on East Avenue from Plymouth Street to Teneyck Street and establish November 9, 2021 at the City Council meeting as the time and place to hold a public hearing of necessity.

**L. Engineer's Report for Street Reconstruction and Water Main Replacement
Garfield Street – Fourth Street to First Street**

Receive the Engineer's Report for street reconstruction with water main replacement on Garfield Street from Fourth Street to First Street and establish November 9, 2021 at the City Council meeting as the time and place to hold a public hearing of necessity.

**M. Engineer's Report for Street Reconstruction and Water and Sewer Main
Replacement**

Perrine Street – Michigan Avenue to Pearl Street

Receive the Engineer's Report for street reconstruction with water and sewer main replacement on Perrine Street from Michigan Avenue to Pearl Street and establish November 9, 2021 at the City Council meeting as the time and place to hold a public hearing of necessity.

**N. Engineer's Report for Street Reconstruction and Water Main Replacement
McBride Street – Fourth Street to First Street**

Receive the Engineer's Report for street reconstruction with water main replacement on McBride Street from Fourth Street to First Street and establish November 9, 2021 at the City Council meeting as the time and place to hold a public hearing of necessity.

**O. Engineer's Report for Street Reconstruction and Water Main Replacement
Grinnell Street – Norfolk Street to Wildwood Avenue**

Receive the Engineer's Report for street construction with water main replacement on Grinnell Street from Norfolk Street to Wildwood Avenue and establish November 9, 2021 at the City Council meeting as the time and place to hold a public hearing of necessity.

**P. Engineer's Report for Street Reconstruction and Water and Sewer Main Replacement
Williams Street – Biddle Street to Wilkins Street**

Receive the Engineer's Report for street reconstruction with water main replacement on Williams Street from Biddle Street to Wilkins Street and establish November 9, 2021 at the City Council meeting as the time and place to hold a public hearing of necessity.

**Q. Engineer's Report for Street Reconstruction and Water and Sewer Main Replacement
Perrine Street – Pearl Street to Burr Street**

Receive the Engineer's Report for street reconstruction with water main replacement on Perrine Street from Pearl Street to Burr Street and establish November 9, 2021 at the City Council meeting as the time and place to hold a public hearing of necessity.

Motion was made by Councilmember Dancy, seconded by Vice Mayor Robinson to approve the consent calendar as presented.

Councilmember Schlecte asked to pull everything except Items A and B from the consent calendar for separate consideration.

Vote – Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Schlecte, Bunnell, and Forgrave (6). Nays: none. Motion carried.

Motion was made by Councilmember Forgrave, seconded by Councilmember Dancy to approve a revocable license for the installation of a fence on and within property owned by the City within public alley right-of-way and authorize the Mayor and City Clerk to execute the appropriate document(s). Vote – Yeas: Vice Mayor Robinson, Councilmembers Dancy, Bunnell, and Forgrave (4). Nays: Mayor Dobies and Councilmember Schlecte (2). Motion passed.

Motion was made by Councilmember Schlecte, seconded by Councilmember Forgrave to receive the Engineer's Report for Items D-Q, and establish November 9, 2021 at the City Council meeting as the time and place to hold a public hearing of necessity. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Schlecte, Bunnell, and Forgrave (6). Nays: none. Motion carried.

OTHER BUSINESS:

A. Appointment to the Racial Equity Commission

Recommendation: *Approve the Mayor's recommendation to appoint Jacob Inosencio to the Racial Equity Commission for a three year term, expiring December 31, 2024*

Motion was made by Councilmember Dancy, seconded by Councilmember Schlecte to approve the Mayor's recommendation to appoint Jacob Inosencio to the Racial Equity Commission for a three year term. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Schlecte, Bunnell, and Forgrave (6). Nays: none. Motion carried.

B. Resolution Revoking OPRA Certificate Number 3-19-0030

Recommendation: *Approve the proposed resolution revoking the Obsolete Property Rehabilitation Act (OPRA) Certificate Number 3-19-0030.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Bunnell to postpone the proposed resolution revoking the Obsolete Property Rehabilitation Act (OPRA) Certificate Number 3-19-0030 until the December 7, 2021 meeting. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Schlecte, Bunnell, and Forgrave (5). Nays: Councilmember Dancy (1). Motion carried.

C. Second Reading of a Proposed Amendment to the City Code Section 22-12, Assessments for Delinquent Invoices

Recommendation: *Second reading/final adoption of an ordinance amending Section 22-12, assessments for delinquent invoices, of the City Code concerning the levying of nuisance and hazard abatement fees as authorized by City Charter.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Forgrave to approve the second reading and final adoption of an ordinance amending Section 22-12 Assessments for delinquent invoices, of the City Code concerning the levying of nuisance and hazard abatement fees as authorized by City Charter. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Schlecte, Bunnell, and Forgrave (6). Nays: none. Motion carried.

NEW BUSINESS:

A. Transfer and Maintenance Agreement

Recommendation: *Approve a resolution authorizing the transfer of a bicycle path, pedestrian path and pedestrian boardwalk near Cascades Park to the County of Jackson.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Forgrave to approve a resolution authorizing the transfer of a bicycle path, pedestrian path, and pedestrian boardwalk near Cascades Park to the County of Jackson. Vote – Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Schlecte, Bunnell, and Forgrave (6). Nays: none. Motion carried.

B. Request to Adopt a Resolution Approving Selected Projects for the 2023-2026 Transportation Improvement Plan (TIP) Projects

Recommendation: *Adopt a resolution to approve the street list as selected for inclusion in the 2023-2026 Transportation Improvement Plan (TIP) and to acknowledge that the City is willing to pay the local match for selected projects.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Bunnell to adopt a resolution to approve the street list as selected for inclusion in the 2023-2026 Transportation Improvement Plan (TIP) and acknowledge that the City is willing to pay the local match for selected projects. Vote – Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Schlecte, Bunnell, and Forgrave (6). Nays: none. Motion carried.

C. Change Order 2 to the 2021 Morrell and Steward Water Main Replacement Contract

Recommendation: *Approve Change Order 2 to the 2021 Morrell & Steward Water Main Replacement contract with Dunigan Brothers, Inc. in the increased amount of \$78,301.00 for work to separate a sanitary sewer from the storm sewer system and authorize the City Manager and City Engineer to execute the appropriate document.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Bunnell to approve Change Order 2 to the 2021 Morrell & Steward Water Main Replacement contract with Dunigan Brothers, Inc. in the increased amount of \$78,301.00 for work to separate a sanitary sewer from the storm sewer system and authorize the City Manager and City Engineer to execute the appropriate document. Vote – Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Schlecte, Bunnell, and Forgrave (6). Nays: none. Motion carried.

D. Change Order 4 to the Clinton Street and Glick Highway Construction Contract with Bailey Excavating, Inc.

Recommendation: *Approve Balancing Change Order 4 to the Clinton Street and Glick Highway Construction contract with Bailey Excavating, Inc. in the increased amount of \$39,774.76 to add items for a sanitary sewer repair on First Street and authorize the City Manager and City Engineer to execute the appropriate document.*

Motion was made by Councilmember Schlecte, seconded by Vice Mayor Robinson to approve Balancing Change Order 4 to the Clinton Street and Glick Highway Construction contract with Bailey Excavating, Inc. in the increased amount of \$39,774.76 to add items for a sanitary sewer repair on First Street and authorize the City Manager and City Engineer to execute the appropriate document. Vote – Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Schlecte, Bunnell, and Forgrave (6). Nays: none. Motion carried.

E. Halloween Resolution

Recommendation: *Approve the resolution to establish Halloween hours between 6:00 pm and 8:00 pm on Sunday, October 31, 2021.*

Motion was made by Councilmember Dancy, seconded by Vice Mayor Robinson to approve the resolution to establish Halloween hours between 6:00 p.m. and 8:00 p.m. on Sunday October 31, 2021. Vote – Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Schlecte, Bunnell, and Forgrave (6). Nays: none. Motion carried.

F. First Reading – First Reading of Amendment to Chapter 16, Article XVIII of the Jackson Code of Ordinances

Recommendation: *Approve amendment to Chapter 16, Article XVIII of the Jackson Code of Ordinances.*

Motion was made by Councilmember Forgrave, seconded by Councilmember Bunnell to approve the first reading of an amendment to Chapter 16, Article XVIII of the Jackson Code of Ordinances. Vote – Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers, Schlecte, Bunnell, and Forgrave (5). Nays: Councilmember Dancy (1). Motion carried.

G. Approve Conditional Phase One Facility License for a Medical/Adult Use Marihuana Establishment as per Ordinance No. 2020-15

Recommendation: *Approve conditional phase one facility license for Wildwood Essence LLC Medical/Adult Use Marihuana Class B Grower at 1623 Wildwood Ave, per Ordinance No. 2020-15. Authorize the City Manager to sign the development Agreement and make minor modifications as necessary.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Bunnell to approve the conditional phase one facility license for Wildwood Essence LLC Medical/ Adult Use Marihuana Class B Grower at 1623 Wildwood Avenue, per Ordinance No. 2020-15 and authorize the City Manager to sign the development agreement and make minor modifications as necessary. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Schlecte, Bunnell, and Forgrave (5). Nays: Councilmember Dancy (1). Motion carried.

CITY COUNCILMEMBER'S COMMENTS:

Vice Mayor Robinson, Councilmembers Dancy and Schlecte offered comments. Mayor Dobies, Councilmember Bunnell and Forgrave did not offer comments.

MANAGER'S COMMENTS:

City Manager Jonathan Greene did not offer comments.

ADJOURNMENT:

No further business being offered a motion to adjourn was made by Councilmember Dancy, seconded by Councilmember Forgrave. Vote was done by voice with all in favor. Mayor Dobies adjourned the meeting at 7:40 p.m.

MEMO TO: Mayor and City Council Members
FROM: Jonathan Greene, City Manager
DATE: October 26, 2021
SUBJECT: Special Event Application: 2022 Hot Air Jubilee

Recommendation:

Approve a request from Jacqueline Austin & Dean Anderson to host the 2022 Hot Air Jubilee on July 21-24 in Ella Sharp Park.

Attached is a memo and supporting paperwork from Cory Mays regarding the Special Event Application for the 2022 Hot Air Jubilee.

I recommend approval of the special event application for the 2022 Hot Air Jubilee. Your consideration and concurrence is appreciated.

JG

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager

FROM: Cory L. Mays, Executive Director, DDA

DATE: October 26, 2021

RECOMMENDATION: Approve a request from Jacqueline Austin & Dean Anderson to host the 2022 Hot Air Jubilee on July 21-24 in Ella Sharp Park.

SUMMARY: Annual family-friendly event featuring hot air balloons and related activities

DEPARTMENTAL APPROVAL SUMMARY

Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

<u>DEPARTMENT</u>	<u>APPROVAL</u>	<u>DENIAL</u>	<u>ECONOMIC IMPACT</u>
DDA	X		\$0.00
Engineering	X		\$0.00
Fire	X		\$0.00
Neighborhood & Economic Operations	X		\$0.00
Parks & Recreation	X		\$0.00
Police	X		\$5,200.00
<u>Public Works</u>	<u>X</u>		<u>\$600.00</u>
	<i>TOTAL</i>		<i>\$5,800.00</i>

CONDITIONS & CONSIDERATIONS

Police assistance; DPW assistance

INSURANCE STATUS

Approved by the office of the City Attorney, pending receipt of proper insurance documents

ATTACHMENTS: Special Event Application: 2022 Hot Air Jubilee



City of Jackson Downtown Development Authority
 161 W Michigan Ave, Jackson Michigan, MI 49201
 Contact for questions at 517-768-6410 or cmays@cityofjackson.org

SPECIAL EVENT APPLICATION

Application must be submitted 60 days PRIOR to event

Application Attachments

- | | |
|---|--|
| <input type="checkbox"/> \$50 Application Fee | <input type="checkbox"/> Liquor License & Liquor Liability Insurance (if applicable) |
| <input type="checkbox"/> \$25 Late/Rush Fee | <input type="checkbox"/> Carnival Ride Permit (if applicable) |
| <input type="checkbox"/> Insurance documentation for sponsoring organization | <input type="checkbox"/> Insurance documentation for all vendors (if applicable) |
| <input type="checkbox"/> Event Map –Please indicate the location of all items | |

Make checks payable to “Downtown Development Authority”

Special Event Application Policy

Additional charges may occur if policies are broken.

- The applicant or representative of any business, group, or organization that seeks approval to conduct a special event must be 21 years of age or older.
- No ground stakes are allowed on City property. Tents and inflatables must be weighted down.
- Glitter and confetti are prohibited at all events.
- No plugging into outlets without prior approval.
- For events utilizing street space, all fixtures (tents, vehicles, trucks, etc.) must be placed near the curbs to allow for emergency vehicle access.
- No alcoholic beverages allowed unless proper paperwork is provided along with City Council approval. Alcoholic beverages must be consumed within the area in which they are served. No containers, open or closed, may leave the event area unless approval is granted.
- Only a removable medium, such as chalk and/or tape, can be used to mark event area or routes. No paint of any kind is permitted. Tape must be removed once event is over.

Applicant Information

Sponsoring Organization Legal Name:	
Address:	Phone: ()
Tax ID#:	Website:
Contact Name:	Phone: 517-414-7890 Email:
Contact Name:	Phone: 517-740-4000 Email:
Contact Name During Event:	Phone: ()

Event Information

Event Name:				
Event Date(s):	Event Set up Time:	Event Start Time:	Event End Time:	Event Tear Down Time:

Has this event occurred before? Yes, (if yes, how many previous years? _____) No

Do you expect this event to occur again next year? _____ What is the expected attendance for this event? _____

Type of Event (please check all that apply)

Walk/Run Festival March/Parade Other: _____

Event Location Choose any of the following that apply. For parks, include a map of the area being used.

- | | |
|---|---|
| <input type="checkbox"/> Horace Blackman Park | <input type="checkbox"/> GrandRiver Farmers Market Pavilion |
| <input type="checkbox"/> Bucky Harris Park | <input type="checkbox"/> CP Federal City Square (Stage) |
| <input type="checkbox"/> Ella Sharp Park (requires Ella Sharp Board approval) | <input type="checkbox"/> MLK Equality Trail |
| <input type="checkbox"/> Other Location: _____ | |
| <input type="checkbox"/> Streets: _____ | |
| <input type="checkbox"/> Other Park: _____ | |

Brief description of Event

This description will be posted on the Special Events Calendar on our website. Please attach an additional sheet if necessary.

Street Closure Please indicate all street closures on your map.

Street Name: _____	Cross Streets _____
Closure Start Date: _____ Time: _____	Closure End Date: _____ Time: _____
Street Name: _____	Cross Streets _____
Closure Start Date: _____ Time: _____	Closure End Date: _____ Time: _____
Street Name: _____	Cross Streets _____
Closure Start Date: _____ Time: _____	Closure End Date: _____ Time: _____
Street Name: _____	Cross Streets _____
Closure Start Date: _____ Time: _____	Closure End Date: _____ Time: _____
Street Name: _____	Cross Streets _____
Closure Start Date: _____ Time: _____	Closure End Date: _____ Time: _____

City Resources Requests

Not all resources may be available at your requested site.

Please be specific and list any additional information or requests. Such requests might include assistance from the Police Department, Fire Department, Parks and Recreation Department, Public Works Department, etc. Attach additional pages, if needed.

- Electrical Power:** Indicate electrical requirements: _____
 Amount of electrical wattage needed: _____ Amount of plug ins: _____
 Locations of where plugs are needed: _____
****All electrical lines MUST be covered to limit tripping hazards. ****
- Water Needs:** Indicate water requirements: _____
 Amount of water needed: _____ Locations of where water is needed: _____
- Food/Vendors:** Indicate vendors requirements: _____
 Amount of electrical wattage needed: _____ Amount of plug ins: _____
 Locations of where plugs are needed: _____ Number of vendors: _____
- Alcohol Sales:** (If yes attach liquor license and liquor liability insurance) Partnering with Ella Sharp Museum
 Start Time: _____ End Time: _____
- Amusement or Carnival Rides:** If yes indicate electrical requirements: _____
 Amount of electrical wattage needed: _____ Amount of plug ins: _____
 Locations of where plugs are needed: _____
- Fireworks:** If yes indicate electrical requirements: _____
 Amount of electrical wattage needed: _____ Amount of plug ins: _____
 Locations of where plugs are needed: _____
- Traffic Cones Mobile Stage (please circle **15-foot** or **25-foot** version)
- Other: _____

Insurance

Please request the following documentation from your insurance carrier.

Insurance Type	Requirements
Certificate of Liability Insurance <i>(MUST also be provided by all vendors)</i>	<ul style="list-style-type: none"> Showing a liability coverage of at least \$1,000,000 Identifying "City of Jackson" & "Jackson Downtown Development Authority" as additional insured
Liquor Liability Insurance <i>(if needed)</i>	<ul style="list-style-type: none"> Identifying "City of Jackson" & "Jackson Downtown Development Authority" as additional insured
XCU Fireworks Liability Insurance <i>(if needed; required for all fireworks displays)</i>	<ul style="list-style-type: none"> Identifying "City of Jackson" & "Jackson Downtown Development Authority" as additional insured

- I am a Level I Special Event (low resources), and would like to be considered for eligibility to enter a Hold Harmless Agreement with The City of Jackson in lieu of providing the above-required insurance documentation.

Event Map *Details of all event activities MUST be included.*

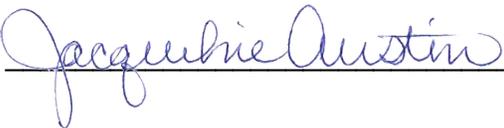
- | | | |
|---|--|---|
| <input type="checkbox"/> Route Plan | <input type="checkbox"/> Emergency Vehicle Access | <input type="checkbox"/> Restroom Locations |
| <input type="checkbox"/> Vendor Locations | <input type="checkbox"/> Dispersal Locations | <input type="checkbox"/> Tables |
| <input type="checkbox"/> Tent Locations | <input type="checkbox"/> Trash Receptacles | <input type="checkbox"/> Requested Reserved Parking |
| <input type="checkbox"/> Assembly Locations | <input type="checkbox"/> Requested Street Closures | <input type="checkbox"/> Electrical Wires & Outlets |

*If these details change, a revised map must be provided seven days prior to event.
 Revised maps cannot include any additional street use, reserved parking, or additional space reservations.*

Special Event Application

Certification & Signature

1. I am the person with authority to act on behalf of the sponsoring organization.
2. I have submitted all required documents in support of the Special Event application
3. A Special Event Application Fee is submitted along with this application.
4. Only the activities listed on the application will be permitted at the event. If additional activities are added, I will immediately contact the City of Jackson. I understand that the approval of my application may be withdrawn or additional action required.
5. All food vendors must be approved by the Jackson County Health Department and each food and other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson and the Downtown Development Authority as additional insured parties on the policy.
6. Fire Department permit and approval is required for events including display fireworks. Extreme Close-Up (XCU) fireworks liability insurance is required for all fireworks display.
7. The approval of this special event may include additional requirements, limitations, or fees based on the City's review of the application.
8. If I, or my organization, fail to clean up and repair damages to the event area, my organization may be billed for City services, and that failure to clean up and repair damage will be considered for future applications.
9. As the duly authorized agent of the sponsoring organization applying for approval of the Special Event, I affirm the above understandings and agree that my sponsoring organization will comply with the terms of the written confirmation of approval and all City requirements, ordinances and other laws which apply to this Special Event.
10. By signing this Special Event Application, I declare I am 21 years of age or older.
11. If required to provide liability insurance, the sponsoring organization will add the City of Jackson and the Downtown Development Authority as additional insured parties on the sponsoring organization's liability policy.
12. On behalf of the sponsoring organization, I agree that the sponsoring organization will defend, indemnify, and hold harmless the City of Jackson, its officers, employees and agents from and against any claim, demand, suit, loss, cost or expense, or any damage, which may be asserted, claimed, or recovered against or from the City of Jackson, its officers, employees, and agent, by reason of any damage to property, bodily injury, or death, sustained by any person whomsoever, and which damage, injury, or death arises out of or is incident to or in any way connected with or related to this Special Event.
13. The City of Jackson reserves the right to waive any requirements of this policy in the interests of the health, safety, and welfare of the citizens of Jackson.

Signature: 

Date: _____

Office Use ONLY
Application Received:
Date:
Time:
By:
Application Fee Received:

Application Requirements
Application MUST be submitted 60 days PRIOR to event ***NO EXCEPTIONS***
Application MUST be submitted along with all required attachments to: City of Jackson Downtown Development Authority Office 161 W Michigan Ave, 5 th Floor Jackson Michigan, MI 49201 or cmays@cityofjackson.org (517) 768-6410
Prohibited Items
<i>Additional fees may apply if policies are not followed</i> No ground stakes No confetti or glitter No use of outlets without prior approval

Covid 19 Contingency Plan

In response to the current Covid-19 pandemic, and in consideration of any current/pending Executive Orders, federal/state/local guidelines, or other world health organization or other community health agency recommendations, please provide a Covid-19 contingency plan with your completed Special Event Application. Responses to the following questions are required, and we encourage you to submit additional documentation outlining your plan should you feel a more detailed plan is necessary.

Please provide a description of any necessary safety measures (both for attendees and event organizers) you plan to enact:

Please provide an outline of your procedures for handling sick attendees and volunteers, and a description of your chain of command for notifying interested parties regarding possible infection:

Please provide an explanation of your plans to strictly adhere to any current executive orders or other federal/state/local guidelines:

JACKSON
HOTAIR
JUBILEE



Special Event Application 2022 Additional Requests

Letter for Use of Parking Lot: As part of the application for the liquor license, the state will require a letter from the City of Jackson stating that Ella Sharp Museum is permitted to use the Parking Lot adjacent to the south of the lot owned by the museum (marked as “Beer Tent” on the map). A letter was issued in 2021 and we request this letter be issued for 2022 concurrent with the approval of the Special Event Application.

Refueling Field: We would like to request use of the field on Park Rd. across Stonewall Rd., West of the Oakwood entrance for our propane refueling station. As part of this request, we would also request that for safety purposes, the field gets mowed a few times in the weeks leading up to festival to ensure that the grass is short and that there isn't a large amount of cut grass laying on the ground during the festival. The refueling station will be setup during the setup days in our application.

Golf Carts: As in previous years, we would like to request the use of approximately 10 golf carts from Ella Sharp Golf. These will be used by our event staff and police during the event as well as during setup and tear down of the event.

Barriers: We would request 2 “Road Closed” Barriers at each of the closed roads indicated on the map (orange markings). This will allow our parking attendants to close the roads as needed. 2-3 cones at each of these locations would also be helpful. 10 additional cones could be used at the north end of the event parking.

Bleachers: Is it possible to move any of the bleachers from around Ella Sharp Park and place them overlooking the launch field?

Police Presence: We will work with the police department directly to determine the appropriate amount of police presence for the event.

Insurance: We will provide insurance policies as we get closer to the event as we have in previous years.

Note about Ella Sharp Museum: We are working directly with Ella Sharp Museum staff for access to their parking lots, building and other collaborations.



FESTIVAL ENTRANCE

PERMIT ENTRANCE

PERMIT ENTRANCE

Public Parking

VIP Parking

Helicopter Rides

Car Show

Launch Field

Steam Engines

Vendors

Refueling

Ella Sharp Park Learning Center

Ella Sharp Museum

Peter F. Hurst Planetarium

Ella Sharp Park

Sharp Park Academy

Pavilion

Food

Beer Tent

Band

Hot Air Balloons

Med Tent

Corp Tents

Merch

Kid's Kingdom

Diane's BBQ

Handicap Parking

Launch field access

Ella Sharp Park Lighted Softball Fields

Car Show Exit

Maplewood Dr

Birchwood Dr

Stonewall Rd

Horton Rd

Park Rd

W Hickory Ave

S Oakwood Dr

Emdale Dr

Sevenoaks Dr

Maplewood Dr

Birchwood Dr

MEMO TO: Mayor and City Council Members
FROM: Jonathan Greene, City Manager
DATE: October 26, 2021
SUBJECT: Special Event Application: Downtown Jackson Christmas Parade

Recommendation:

Approve a request from the Christmas parade committee to host the Downtown Jackson Christmas Parade on November 19, 2021 in downtown Jackson.

Attached is a memo and supporting paperwork from Cory Mays regarding the Special Event Application for the Downtown Jackson Christmas Parade.

I recommend approval of the special event application for the Downtown Jackson Christmas Parade. Your consideration and concurrence is appreciated.

JG

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager

FROM: Cory L. Mays, Executive Director, DDA

DATE: October 26, 2021

RECOMMENDATION: Approve a request from the Christmas parade committee to host the Downtown Jackson Christmas Parade on November 19, 2021 in downtown Jackson

SUMMARY: Annual Christmas Parade featuring marching bands, floats, walkers, and Santa Claus/Mrs. Claus

DEPARTMENTAL APPROVAL SUMMARY

Approvals noted below by each department indicate they have been made aware of the request and the capacity of their department has been met. Conditions of their approval and special considerations are noted.

<u>DEPARTMENT</u>	<u>APPROVAL</u>	<u>DENIAL</u>	<u>ECONOMIC IMPACT</u>
DDA	X		\$0.00
Engineering	X		\$0.00
Fire	X		\$0.00
Neighborhood & Economic Operations	X		\$0.00
Parks & Recreation	X		\$0.00
Police	X		\$1,500.00
Public Works	X		\$1,500.00
		<i>TOTAL</i>	<i>\$3,000.00</i>

CONDITIONS & CONSIDERATIONS

Police Escort, road closures

INSURANCE STATUS

Included as part of the DDA/City of Jackson liability insurance policy

ATTACHMENTS: Special Event Application: Downtown Christmas Parade



City of Jackson Downtown Development Authority
 161 W Michigan Ave, Jackson Michigan, MI 49201
 Contact for questions at 517-768-6410 or cmays@cityofjackson.org

SPECIAL EVENT APPLICATION

Application must be submitted 60 days PRIOR to event

Application Attachments

- | | |
|---|--|
| <input checked="" type="checkbox"/> \$50 Application Fee | <input type="checkbox"/> Liquor License & Liquor Liability Insurance (if applicable) |
| <input type="checkbox"/> \$25 Late/Rush Fee | <input type="checkbox"/> Carnival Ride Permit (if applicable) |
| <input type="checkbox"/> Insurance documentation for sponsoring organization | <input type="checkbox"/> Insurance documentation for all vendors (if applicable) |
| <input checked="" type="checkbox"/> Event Map - Please indicate the location of all items | |

Make checks payable to "Downtown Development Authority"

Special Event Application Policy

Additional charges may occur if policies are broken.

- The applicant or representative of any business, group, or organization that seeks approval to conduct a special event must be 21 years of age or older.
- No ground stakes are allowed on City property. Tents and inflatables must be weighted down.
- Glitter and confetti are prohibited at all events.
- No plugging into outlets without prior approval.
- For events utilizing street space, all fixtures (tents, vehicles, trucks, etc.) must be placed near the curbs to allow for emergency vehicle access.
- No alcoholic beverages allowed unless proper paperwork is provided along with City Council approval. Alcoholic beverages must be consumed within the area in which they are served. No containers, open or closed, may leave the event area unless approval is granted.
- Only a removable medium, such as chalk and/or tape, can be used to mark event area or routes. No paint of any kind is permitted. Tape must be removed once event is over.

Applicant Information

Sponsoring Organization Legal Name: <u>Downtown Jackson Christmas Parade</u>		Phone: <u>(517) 262-4422</u>
Address: <u>3600 Greentree Rd Jackson MI 49208</u>		
Tax ID#: <u>N/A</u>	Website: <u>Downtown Jackson Christmas Parade</u>	
Contact Name: <u>Edward Hatfield</u>	Phone: <u>517-262-4422</u>	Email: <u>ehat59@gmail.com</u>
Contact Name: <u>Rose Trip</u>	Phone: <u>517-740-7980</u>	Email: <u>KuKu2626@yahoo.com</u>
Contact Name During Event: <u>Edward Hatfield</u>	Phone: <u>(517) 262-4422</u>	

Event Information

Event Name: <u>Downtown Jackson Christmas Parade</u>				
Event Date(s):	Event Set up Time:	Event Start Time:	Event End Time:	Event Tear Down Time:
<u>11-19-2021</u>	<u>4:45 pm</u>	<u>6:00 pm</u>	<u>7:30 pm</u>	<u>8:00 pm</u>

Has this event occurred before? Yes, (if yes, how many previous years? 29 years) No

Do you expect this event to occur again next year? Yes What is the expected attendance for this event? 10,000+

Type of Event (please check all that apply)

Walk/Run Festival March/Parade Other: _____

Event Location – Choose any of the following that apply. For parks, include a map of the area being used.

- Horace Blackman Park GrandRiver Farmers Market Pavilion
 Bucky Harris Park CP Federal City Square (Stage)
 Ella Sharp Park (requires Ella Sharp Board approval) MLK Equality Trail
 Other Location: _____
 Streets: See below
 Other Park: _____

Brief description of Event

This description will be posted on the Special Events Calendar on our website. Please attach an additional sheet if necessary.

Annual Christmas Parade complete with marching bands, floats, hundreds of walkers, Santa + Mrs Claus through downtown Jackson along Michigan Avenue.

Street Closure– Please indicate all street closures on your map.

Street Name: Michigan Ave Cross Streets Steward to Louis Clark
Closure Start Date: 11-19-2021 Time: 5:15pm Closure End Date: 11-19-2021 Time: 7:45pm
Street Name: First Street Cross Streets Washington to Wildwood
Closure Start Date: 11-19-2021 Time: 5:30pm Closure End Date: 11-19-2021 Time: 7:15pm
Street Name: Wildwood Ave Cross Streets Michigan Ave to Louis Clark
Closure Start Date: 11-19-2021 Time: 5:30pm Closure End Date: 11-19-2021 Time: 7:15pm
Street Name: Cortland Cross Streets First Street to MLK (Francis)
Closure Start Date: 11-19-2021 Time: 5:15pm Closure End Date: 11-19-2021 Time: 7:15pm
Street Name: MLK (Francis) Cross Streets Washington Ave to Michigan
Closure Start Date: 11-19-2021 Time: 5:15pm Closure End Date: 11-19-2021 Time: 7:15pm
Street Name: Blackstone, Jackson, Mechanic Cross Streets Washington Ave to Pearl Street
Closure Start Date: 11-19-2021 Time: 5:15pm Closure End Date: 11-19-2021 Time: 7:15pm

City Resources Requests

Not all resources may be available at your requested site.

Please be specific and list any additional information or requests. Such requests might include assistance from the Police Department, Fire Department, Parks and Recreation Department, Public Works Department, etc. Attach additional pages, if needed.

- Electrical Power:** Indicate electrical requirements: N/A
 Amount of electrical wattage needed: _____ Amount of plug ins: _____
 Locations of where plugs are needed: _____
****All electrical lines MUST be covered to limit tripping hazards. ****
- Water Needs:** Indicate water requirements: N/A
 Amount of water needed: _____ Locations of where water is needed: _____
- Food/Vendors:** Indicate vendors requirements: N/A
 Amount of electrical wattage needed: _____ Amount of plug ins: _____
 Locations of where plugs are needed: _____ Number of vendors: _____
- Alcohol Sales:** (If yes attach liquor license and liquor liability insurance) N/A
 Start Time: _____ End Time: _____
- Amusement or Carnival Rides:** If yes indicate electrical requirements: N/A
 Amount of electrical wattage needed: _____ Amount of plug ins: _____
 Locations of where plugs are needed: _____
- Fireworks:** If yes indicate electrical requirements: N/A
 Amount of electrical wattage needed: _____ Amount of plug ins: _____
 Locations of where plugs are needed: _____

- Traffic Cones
- Mobile Stage (please circle 15-foot or 25-foot version)

Other: Police escort of Santa float from 409 S. Cooper to Michigan ave follow float down parade route + escort back to 409 S. Cooper after glow

Insurance

Please request the following documentation from your insurance carrier.

Insurance Type	Requirements
Certificate of Liability Insurance (MUST also be provided by all vendors) <u>N/A</u>	<ul style="list-style-type: none"> Showing a liability coverage of at least \$1,000,000 Identifying "City of Jackson" & "Jackson Downtown Development Authority as additional insured"
Liquor Liability Insurance (if needed) <u>N/A</u>	<ul style="list-style-type: none"> Identifying "City of Jackson" & "Jackson Downtown Development Authority" as additional insured
XCU Fireworks Liability Insurance (if needed; required for all fireworks displays) <u>N/A</u>	<ul style="list-style-type: none"> Identifying "City of Jackson" & "Jackson Downtown Development Authority" as additional insured

I am a Level 1 Special Event (low resources), and would like to be considered for eligibility to enter a Hold Harmless Agreement with The City of Jackson in lieu of providing the above-required insurance documentation.

Event Map Details of all event activities MUST be included.

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Route Plan | <input type="checkbox"/> Emergency Vehicle Access | <input type="checkbox"/> Restroom Locations |
| <input type="checkbox"/> Vendor Locations | <input type="checkbox"/> Dispersal Locations | <input type="checkbox"/> Tables |
| <input type="checkbox"/> Tent Locations | <input type="checkbox"/> Trash Receptacles | <input type="checkbox"/> Requested Reserved Parking |
| <input type="checkbox"/> Assembly Locations | <input checked="" type="checkbox"/> Requested Street Closures | <input type="checkbox"/> Electrical Wires & Outlets |

If these details change, a revised map must be provided seven days prior to event.
 Revised maps cannot include any additional street use, reserved parking, or additional space reservations.

Special Event Application

Certification & Signature

1. I am the person with authority to act on behalf of the sponsoring organization.
2. I have submitted all required documents in support of the Special Event application
3. A Special Event Application Fee is submitted along with this application.
4. Only the activities listed on the application will be permitted at the event. If additional activities are added, I will immediately contact the City of Jackson. I understand that the approval of my application may be withdrawn or additional action required.
5. All food vendors must be approved by the Jackson County Health Department and each food and other vendor must provide the City of Jackson with a Certificate of Insurance which names the City of Jackson and the Downtown Development Authority as additional insured parties on the policy.
6. Fire Department permit and approval is required for events including display fireworks. Extreme Close-Up (XCU) fireworks liability insurance is required for all fireworks display.
7. The approval of this special event may include additional requirements, limitations, or fees based on the City's review of the application.
8. If I, or my organization, fail to clean up and repair damages to the event area, my organization may be billed for City services, and that failure to clean up and repair damage will be considered for future applications.
9. As the duly authorized agent of the sponsoring organization applying for approval of the Special Event, I affirm the above understandings and agree that my sponsoring organization will comply with the terms of the written confirmation of approval and all City requirements, ordinances and other laws which apply to this Special Event.
10. By signing this Special Event Application, I declare I am 21 years of age or older.
11. If required to provide liability insurance, the sponsoring organization will add the City of Jackson and the Downtown Development Authority as additional insured parties on the sponsoring organization's liability policy.
12. On behalf of the sponsoring organization, I agree that the sponsoring organization will defend, indemnify, and hold harmless the City of Jackson, its officers, employees and agents from and against any claim, demand, suit, loss, cost or expense, or any damage, which may be asserted, claimed, or recovered against or from the City of Jackson, its officers, employees, and agent, by reason of any damage to property, bodily injury, or death, sustained by any person whomsoever, and which damage, injury, or death arises out of or is incident to or in any way connected with or related to this Special Event.
13. The City of Jackson reserves the right to waive any requirements of this policy in the interests of the health, safety, and welfare of the citizens of Jackson.

Signature: Edward Hatfield

Date: 9.28.2021

Office Use ONLY	
Application Received:	9/30/21
Date:	
Time:	10:32am
By:	
Application Fee Received:	N/A

Application Requirements

Application **MUST** be submitted 60 days **PRIOR** to event
*****NO EXCEPTIONS*****

Application **MUST** be submitted along with all required attachments to:

City of Jackson Downtown Development Authority
Office
161 W Michigan Ave, 5th Floor
Jackson Michigan, MI 49201 or cmays@cityofjackson.org
(517) 768-6410

Prohibited Items

Additional fees may apply if policies are not followed

No ground stakes
No confetti or glitter
No use of outlets without prior approval

Covid-19 Contingency Plan

In response to the current Covid-19 pandemic, and in consideration of any current/pending Executive Orders, federal/state/local guidelines, or other world health organization or other community health agency recommendations, please provide a Covid-19 contingency plan with your completed Special Event Application. Responses to the following questions are required, and we encourage you to submit additional documentation outlining your plan should you feel a more detailed plan is necessary.

Please provide a description of any necessary safety measures (both for attendees and event organizers) you plan to enact:

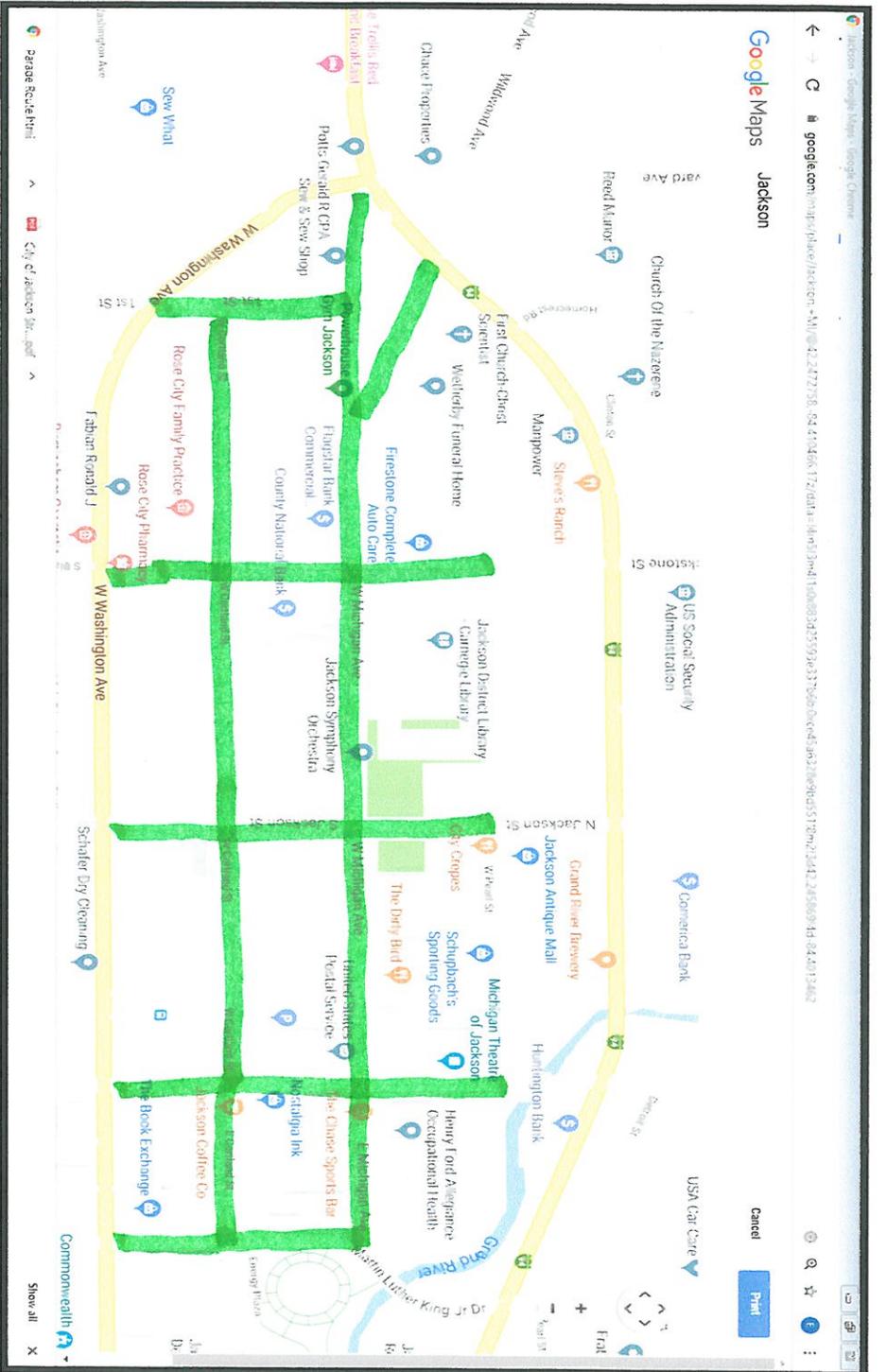
Social Distancing as applicable

Please provide an outline of your procedures for handling sick attendees and volunteers, and a description of your chain of command for notifying interested parties regarding possible infection:

Each Committee member will monitor their health with home health screening practices

Please provide an explanation of your plans to strictly adhere to any current executive orders or other federal/state/local guidelines:

We will follow CDC guidelines at the time of the event



Christmas Parade: November 22, 2019, 4:45 p.m. – 8:00 p.m.:

- Michigan Ave (Steward Ave to Louis Glick Hwy)
- First St (Washington Ave to Wildwood Ave)
- Wildwood Ave (Michigan Ave to Louis Glick Hwy)
- Cortland St (First St to Francis St)
- Blackstone St (Washington Ave to Pearl St)
- Jackson St (Washington Ave to Pearl St)
- Mechanic St (Washington Ave to Pearl St)
- Francis St (Washington Ave to Michigan Ave)

MEMORANDUM

TO: City Councilmembers, City Manager
FROM: Mayor Derek Dobies
DATE: September 28, 2021
SUBJECT: Electric Vehicle Charging Ordinances

Recommendation: Move to adopt first reading and advance to second reading, and final adoption, two ordinances amending Section 28-5 and Section 28-100 of Chapter 28 of the Code of Ordinances of the City of Jackson, Michigan to create standards for electrical vehicle charging stations and bicycle parking in new developments.

With the planned migration of the federal fleet to electric vehicles, and the private sector transitioning it's supply towards the same, it is incumbent that cities too prepare for this transition and recognize the competitive advantage that EV charging stations will give to cities like Jackson on major interstate corridors.

We must ensure our site planning is conducive to the mass adoption of electric vehicles if our city hopes to remain economically competitive — businesses don't want consumers driving past Jackson to spend their money elsewhere. This policy not only builds a cleaner and greener future, but plans for new energy tech in a way that supports a vibrant economy and saves on long-term infrastructure costs. This policy would support the deployment of electric vehicles by making some sites EV capable or EV ready, and installing charging stations at others.

The race for EV charging has already started, and that communities like Traverse City and Ann Arbor are incorporating electric vehicle charging stations into their broader economic development and tourism strategies. This policy borrows from policy developed in Ann Arbor, and with conversations with Consumers Energy and EV charging companies like Blink.

Consumers Energy began installing free, unmetered charging stations at city-owned parking garages in 2011, and since then has installed more outside its downtown Innovation Center and in the city's parking lot behind city hall. Earlier this year, Consumers Energy announced plans to power 200 fast-charging stations for EVs, and 2,000 chargers at homes and businesses, in the next three years. The utility company plans to use its PowerMIDrive program, which offers various rebates for chargers. Public fast chargers can get up to \$70,000 in rebates.

About 1.5 million electric vehicles were sold in the U.S. in the last decade, and the Edison Electric Institute forecasts over 18 million electric vehicles will be on U.S. roads by 2030. The time to enact a policy like this is now. Businesses will be able to slowly install these charging stations at a lower cost as they develop/redevelop sites, rather than spending tenfold in costs to retrofit existing infrastructure.

The Planning Commission recommended this policy unanimously. Your consideration is greatly appreciated.

ORDINANCE NO. 2021-##

An Ordinance amending Sections 28-100 of Chapter 28 of the Code of Ordinances of the City of Jackson, Michigan to create parking standards for the electrical vehicle and parking requirements.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

CHAPTER 28 - ZONING

Sec. 28-100. Off-street parking, loading, and access design standards.

(a) *General provisions for off-street parking.*

- (1) The regulations of this article must be met in all districts whenever any uses are established or any building or structure is erected, enlarged, or increased in capacity.
 - a. *Electrical Vehicle and Bicycle Parking Requirements.* Electrical Vehicle and Bicycle Parking must be provided in accordance with subsection (c) whenever any building or structure is erected, enlarged, or increased in capacity or when it has been determined by the Zoning Administrator and Chief Building Official that a structure has lost its legal nonconforming status, but not as a result of a change of use.
 - (2) Plans and specifications showing required off-street parking spaces, including the means of access, ingress, egress, drainage and circulation must be submitted to the zoning administrator (or designee) for review on or before the time of application for a building permit for the erection or enlargement of a building or at the time spaces are added or altered, unless a site plan is required under section 28-135 (site plan review procedures and requirements), in which case this requirement does not apply.
 - a. *Modification of standards.* The zoning administrator (or designee) will perform an independent site review analysis and may allow the applicant to deviate from zoning regulations if unique or restrictive circumstances exist.
 - (3) No parking area or parking space which exists at the time this section becomes effective, or which subsequently thereto is provided for the purpose of complying with the provisions of this section, may thereafter be relinquished or reduced in any manner below the requirements established by this section.
 - (4) *Residential parking.*
-

- a. One-family residential off-street parking spaces must consist of a parking strip, driveway, garage, or combination thereof, and must be located on the premises they are intended to serve.
- b. No parking is permitted on lawns or other unpaved areas on residential lots.
- c. Parking areas in a front yard are limited to a drive or driveway and may not exceed thirty-five (35) percent of the front yard area.
- d. Parking in a front yard is prohibited except in an approved driveway which:
 - 1. Must be paved in accordance with subsection (g)(3) of this section.
 - 2. Cannot be more than twenty (20) feet wide, extending from the curb cut, unless otherwise approved by the zoning administrator (or designee).
- e. Carports and garages will be calculated as parking spaces on a one-to-one basis. Carports must be enclosed or obscured at least twenty-five (25) percent along all sides visible from public streets, residential districts or vehicular drives within the site.

(5) *Location.*

- a. The parking of vehicles will not be permitted except in an area that has been designated and improved to provide for such vehicle parking in accordance with the provisions of this article.
 - b. Off-street parking for uses other than one- or two-family dwellings in the R-3, R-4, and R-6 zoning districts must be located only in the side and rear yards and must meet the setbacks of subsection (a)(6) of this section. The zoning administrator (or designee) may allow parking in the front yard in consideration of site characteristics such as lot size, configuration, site circulation, number of spaces required, topography, existing structures, parking arrangement on adjacent sites, views, uses across the street and similar features.
 - c. Off-street parking for uses other than one- or two-family dwellings in the C-1, C-2, C-3, C-4, I-1, and I-2 zoning districts must meet the setbacks of subsection (a)(6) of this section.
 - d. Off-street parking for all multiple-family and nonresidential uses must be either on the same lot or within lots under the same ownership and control as the lot or use being served, except where provided in subsection (a)(5)e., below.
 - e. Required parking may be provided off-site, on a lot or lots where there is a lease or shared parking agreement to accommodate parking, provided such arrangement is approved by the zoning administrator (or designee). Any lease or shared parking agreement must include a provision that requires notification to the zoning administrator (or designee) of any change in the terms or expiration. The zoning administrator (or designee) may allow modifications to parking agreements where parking compliance is achieved in some other manner or the zoning board of appeals grants a variance.
 - f. All off-street parking required to meet the requirements of this section must be within a convenient walking distance of the building entrances, as determined by the zoning administrator (or designee), except that valet parking may be provided elsewhere.
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- g. Parking is prohibited in the lawn extensions and/or terraces or on sidewalks within public rights-of-way, on lawn areas or otherwise outside of designated parking spaces.
- (6) *Parking lot setbacks for uses other than one- or two-family dwellings.* Parking lots, including drives and maneuvering aisles, but excluding driveways, must maintain a minimum of a five (5) foot setback from the abutting right-of-way(s) and abutting property lines. Where two (2) unlike zoning districts abut, a minimum of an eight (8) foot setback shall be maintained. However, front yard setbacks for warehousing and marijuana transporter establishments shall be equal to the established front yard building line of the subject parcel. The zoning administrator (or designee) may waive this requirement where a shared access driveway, connected parking lots, or rear service drive is provided, or where landscaping, a wall or a fence is provided to screen views and headlight glare. Required parking lot setback areas must be landscaped according to the standards of section 28-105 of this chapter.
- (7) *Change in use or intensity.*
- a. Whenever the use of a building or lot is changed, parking facilities must be provided as required by this section for the new use.
 - b. When an existing use changes employment, operations or activities that may produce parking demand in excess of available spaces, the city will require documentation showing adequate parking is provided or will be expanded to meet the requirements of this section.
 - c. If any building, structure, or lot is increased through the addition of dwelling units, increased floor area, increased seating capacity, or through other means, additional off-street parking must be provided to bring the use or site into compliance with this section.
 - d. Any area once designated as required off-street parking must not be altered unless and until equal facilities meeting the standards of this section are provided elsewhere, or the parking requirements of the site change as determined by the zoning administrator (or designee).
 - e. Off-street parking existing at the effective date of this section, in connection with the operation of an existing building or use, may not be reduced to an amount less than required for a similar new building or new use.
- (8) *Storage and repair.* The use of required parking and loading areas for any other purpose is expressly prohibited.
- (9) *Shared parking.* The shared provision of off-street parking for two (2) or more buildings or uses is permitted where the locational requirements of subsection (a)(5) of this section are met, and a notarized agreement submitted on behalf of all pertinent parties is approved by the zoning administrator (or designee). In such cases, the total number of spaces provided collectively must not be less than the sum of spaces required for each separate use. However, the zoning administrator (or designee) may reduce the total number of spaces by up to thirty (30) percent if it is determined that the operating hours of the buildings or uses do not overlap.
- (10) *Construction parking.* During construction, gravel surfacing may be permitted for such temporary parking as determined by the zoning administrator (or designee).
- (11) *Deferred parking spaces.*
- a. The zoning administrator (or designee) may approve a lesser amount of parking, based upon demonstration by the property owner and applicant (if different) that the required amount of parking is greater than the intended use will generate. In order to meet the parking space
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requirements of this section, the area in which the deferred parking would be located must be retained as open space in the event additional parking is required. The site plan must note the area where parking is being deferred, including dimensions and a dotted parking lot layout. Any required landscaping placed within the "banked" parking area must be replaced by the owner/applicant if the parking area is expanded. The owner must agree to construct the additional parking, based on observed use, within six (6) months of being informed of such request by the city.

- b. Design of the stormwater management facilities for the entire potential parking area (i.e., including the "banked" parking area) must be carried out at the time of the approval of the lesser amount of parking by the zoning administrator (or designee). Only the construction of stormwater management facilities needed to serve the portion of the parking to be built may be required. In such cases, however, the property owner must agree to construct the additional stormwater management facilities when the additional parking is constructed. The site plan must note the area where the deferred stormwater management facilities will be constructed.

(b) *Rules for calculating required number of parking spaces.*

(1) *Usable floor area and gross floor area.*

- a. Where useable floor area (UFA) or gross floor area (GFA), is the unit for determining the required number of off-street parking spaces, determination of the floor area must be based upon a floor plan submitted as part of the site plan review application (see section 28-5 of this chapter for definitions).
- b. Where the UFA cannot be established at the time of site plan review, it will be considered to be eighty-five (85) percent of the gross floor area.

- (2) *Bench seating.* In stadiums, sports arenas, churches, and other places of assembly in which those in attendance occupy benches, pews, or similar seating facilities, each twenty-four (24) inches of such seating will be counted as one (1) seat. In cases where a place of assembly has both fixed seats and an open assembly area(s), requirements will be computed separately for each type and added together.
 - (3) *Employees.* For requirements stated in terms of employees, the calculation will be based upon the maximum number of employees likely to be on the premises at one time and may include overlap of employees during shift changes.
 - (4) *Capacity.* For requirements stated in terms of capacity or permitted occupancy, the number will be determined on the basis of the largest ratings by the building, fire or health codes of the city, county, or state.
 - (5) *Partial spaces.* When the number of required parking spaces results in a partial space, any portion of a space up to and including one-quarter (0.25) will be disregarded and portions of a space over one quarter (0.25) will be counted as one (1) additional required space.
 - (6) *Public parking is available.* Where a common municipal parking area is in existence, the off-street parking requirements can be waived or reduced if:
 - (a) sidewalks are provided between the parking area and the use and
 - (b) the parking area is no more than a five hundred-foot distance, as measured along the sidewalks from the entrance of the establishment concerned. A notarized letter or memo containing this information must be submitted to the zoning administrator (or designee). Any change in tenancy or use will be judged as sufficient cause for review by the zoning administrator (or designee) for the purpose of determining off-street parking requirements.
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- (7) *Two (2) or more uses proposed.* The number of parking spaces required for land or buildings used for two (2) or more purposes will be the sum of the requirements for the various uses computed in accordance with this subsection.

If a parking lot serves two (2) or more uses where the operating hours of the uses do not overlap, the total number of required spaces may be less than the sum of requirements for each use. In no case, however, may the number of spaces required be less than the sum of the largest number of spaces required for one use plus one-half (½) of the required spaces for each additional use. A notarized agreement must be submitted to the zoning administrator (or designee) which identifies (1) the hours of operation for each use and (2) the use with the largest parking requirement as the primary use. The zoning administrator (or designee) will determine the conditions of overlapping requirements and the amount of reductions in the required number of spaces which will be permitted, in accordance with this subsection.

- (8) *Similar uses.* Where a use is not specifically listed in the table of off-street parking space requirements, the parking requirements of a similar use will apply. The zoning administrator (or designee) will make the interpretation. The zoning administrator (or designee) may also refer to national parking generation studies in determining the required parking calculation.

- (9) *Reduction or modification of required spaces.* The required number of spaces in the tables that follow may be reduced or modified by the zoning administrator (or designee) under the following circumstances:

- a. A shared parking agreement or leased parking is provided as noted in this section.
 - b. Convenient municipal off-street parking is available to meet peak time parking demands of the use. The city council may require payment to offset acquisition, construction and maintenance costs.
 - c. The number of required spaces may be reduced in consideration of available curbside spaces within a convenient walking distance, but not those located fronting a residential use.
 - d. Where the applicant has provided a parking study, conducted by a qualified traffic engineer, which demonstrates that another standard based on actual number of employees, expected level of customer traffic or actual counts at a similar establishment would be more appropriate.
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(c) *Off-street parking space requirements.*

- (1) *General off-street parking requirements.* The requirements in this subsection apply to uses outside of the downtown. Please refer to subsection (c) (2) of this section for the off-street parking requirements which apply in the C-3 district.

Table of General Off-Street Parking Space Requirements					
Use	Range of Parking Spaces				
	Min.	Max.	Measurement	Minimum EV Parking Spaces (percentage of required)	Minimum Bicycle Parking Spaces
<i>Dwellings and other residential uses</i>					
One-family dwellings	2.00	4.00	spaces for each dwelling unit	100% EV-R [1][2]	None
Two-family dwellings	2.00	3.00	spaces for each dwelling unit	100% EV-R [1][2]	None
Multiple-family dwellings	1.00	1.50	spaces for each dwelling unit; plus	65% EV-C 25% EV-R 10% EV-I [1][2]	1 per 5 units
	0.50	0.55	spaces per dwelling unit for visitor parking		
Manufactured housing communities	2.00	2.00	spaces per dwelling unit (per the Mich. Admin. Code r. 125.1925); plus	100% EV-C	None
	1.00	1.10	spaces per every 3 dwelling units for visitor parking (per the Mich. Admin. Code r. 125.1926)		
Buildings converted to dwellings outside of the C-3 District	1.0	1.1	spaces per dwelling unit	65% EV-C 25% EV-R 10% EV-I [1][2]	1 per 5 units
Elderly housing dwelling units	1.00	1.10	spaces for each 2 dwelling units; plus	25% EV-C 15% EV-R 10% EV-I	1 per 5 units

	1.00	1.10	spaces per employee on maximum shift		
Apartment hotels, dormitories, and fraternity and sorority houses, including work release (halfway) houses	1.00	1.10	spaces per room or resident (whichever is greater)	65% EV-C 25% EV-R 10% EV-I	1 per 2 beds
Rooming and boarding houses	1.00	1.10	spaces per room or resident (whichever is greater)	65% EV-C 25% EV-R 10% EV-I [1][2]	1 per 5 beds
Adult and child group home facilities	1.00	1.10	spaces for each employee on site at any one time as well as the required spaces for the dwelling	65% EV-C 25% EV-R 10% EV-I	none
Assisted living facilities, convalescent homes, nursing homes, and children's homes	1.00	1.10	spaces for each 4 beds; plus	25% EV-C 15% EV-R 10% EV-I	None
	1.00	1.10	spaces for each 2 employees on maximum shift		
Bed and breakfast inns	2.00	2.00	spaces for the owner(s) of the bed and breakfast;	100% EV-R	1 per 5 beds
	1.00	1.10	spaces for each guest room		
<i>Institutional uses</i>					
Adult and child day care facilities	2.00	2.20	spaces; plus	15% EV-C 10% EV-R 10% EV-I	None
	1.00	1.10	spaces per 8 adults or children of licensed authorized capacity; and		

	1.00	1.10	drop-off spaces per 8 adults or children of licensed authorized capacity		
Churches, temples and similar places of worship and related establishments	1.00	1.10	spaces for each 4 seats of capacity	15% EV-C 10% EV-R 10% EV-I	1 per 50 seats or 1 per 100 ft of pew
Essential public services	1.00	1.10	spaces per 100 square feet of UFA	25% EV-C 15% EV-R 10% EV-I	None
Hospitals	1.75	2.00	spaces per bed; plus the spaces required per 1,000 square feet of UFA devoted to office, research or other related uses; or the required spaces for outpatient care centers	25% EV-C 15% EV-R 10% EV-I	1 per 60 beds
Medical and dental offices and clinics	4.00	4.40	spaces per 1,000 square feet of UFA	15% EV-C 10% EV-R 10% EV-I	1 per 1,500 sf of floor area
Outpatient care centers, urgent care facilities or other similar uses	2.00	2.20	spaces per exam or outpatient procedure/operating room; plus	25% EV-C 15% EV-R 10% EV-I	1 per 1,500 sf of floor area
	1.00	1.10	spaces per room for employee parking		
Private clubs and lodge halls	1.00	1.10	spaces for each 3 persons of maximum capacity	15% EV-C 10% EV-R 10% EV-I	1 per 1,000 sf of floor area
Public and quasi-public institutional buildings, structures and uses	0.50	0.75	spaces per 3 seats of permitted capacity with fixed seats (e.g., arenas, auditoriums, and stadiums) ; or	15% EV-C 10% EV-R 10% EV-I	1 per 3,000 sf of floor area

	1.00	1.10	spaces per 300 square feet of UFA without fixed seats (e.g., community centers)		
Schools: Elementary and middle schools	1.00	1.10	spaces for each employee on maximum shift; plus	25% EV-C 15% EV-R 10% EV-I	As required by the state
	50%	55%	of spaces required for any assembly, auditorium and/or outdoor arena areas; and		
	10.00	11.00	pick-up/drop-off spaces as well as any necessary waiting or loading area for buses		
Schools: High schools	1.00	1.10	spaces for each employee on maximum shift plus	25% EV-C 15% EV-R 10% EV-I	As required by the state
	1.00	1.10	spaces for each 20 students of capacity; and		
	50%	55%	of spaces required for any assembly, auditorium, and/or outdoor arena areas; and		
	10.00	11.00	pick-up/drop-off spaces as well as any necessary waiting or loading area for buses		
Schools: Colleges and business, vocational, and trade schools	1.00	1.10	spaces for each employee plus	25% EV-C 15% EV-R 10% EV-I	None
	1.00	1.10	spaces for each ten students of capacity; and		

	50%	55%	of spaces required for any assembly, auditorium, and/or outdoor arena areas		
Libraries, museums, art galleries and centers, and other cultural facilities	1.00	1.10	spaces per 300 square feet of UFA	15% EV-C 10% EV-R 10% EV-I	1 per 3,000 sf of floor area
Commercial uses					
Automobile: Gasoline stations and repair establishments	1.00	1.10	spaces for each gasoline pump; plus	15% EV-C 10% EV-R 10% EV-I	1 space
	2.00	2.20	spaces for each service bay; and		
	1.00	1.10	spaces for each employee on maximum shift; and		
	1.00	1.10	spaces per 200 square feet of UFA for retail sales; and		
	1.00	1.00	spaces per 4 seats for restaurants; and		
	5.00	11.00	stacking spaces per drive-through lane		
Automobile: New and used dealerships and other types of vehicle dealers (e.g., recreational vehicles, tractors, commercial trucks, etc.)	1.00	1.50	spaces for each 300 square feet of interior sales area in addition to the spaces dedicated for vehicle sales (refer to section 28-115, site design standards); plus	15% EV-C 10% EV-R 10% EV-I	1 per 3,000 sf of floor area
	1.00	1.10	spaces for each service bay; and		
	1.00	1.10	spaces for each 2 employees on maximum shift		

Automobile: Wash establishments (automatic)	1.00	1.10	spaces per employee during peak shift; plus	10% EV-R 10% EV-I	1 space
	12.00	14.00	stacking spaces for the initial car wash bay; and		
	5.00	7.00	stacking spaces for each additional car wash bay; or		
	6.00	7.00	stacking spaces when accessory to a gas station		
Automobile: Wash establishments (manual)	2.00	2.20	spaces; plus	none	1 space
	1.00	1.10	spaces per each employee on maximum shift; and		
	2.00	2.20	stacking spaces per bay		
Automobile: Oil change establishments	3.00	3.30	spaces; plus	10% EV-R 10% EV-I	1 space
	2.00	2.20	stacking spaces per service bay		
Banquet facilities	1.00	1.10	spaces per 2 persons of capacity authorized by the building code; or	15% EV-C 10% EV-R 10% EV-I	1 per 1,000 sf of floor area
	1.00	1.10	spaces per 300 square feet of UFA (whichever is greater)		
Barber shops and beauty salons, including day spas	2.00	2.20	spaces for each chair; plus		1 per 750 sf of floor area
	1.00	1.10	spaces for each employee on maximum shift	10% EV-R 10% EV-I	
Conference centers, exhibit halls and similar uses	1.00	1.10	spaces per two persons of capacity authorized by the Building Code; or	15% EV-C 10% EV-R 10% EV-I	1 per 1,000 sf of floor area
	10.00	11.00	spaces per 1,000 square feet of UFA, (whichever is greater)		

Convenience stores, medical marihuana provisioning centers, and marihuana retail establishments (including temporary marihuana events)	1.00	2.00	spaces per 150 square feet of GFA, and	10% EV-R 10% EV-I	1 per 3,000 sf of floor area
	1.00	1.00	space for each 2.5 seats of on-site seating, and		
	1.00	1.00	space per each employee based upon the peak shift		
	5.00	5.00	spaces; and		
Dry cleaners, jewelry stores, repair shops, and similar uses	5.00	5.55	spaces for the initial 1,000 square feet; plus	10% EV-R 10% EV-I	1 per 3,000 sf of floor area
	1.00	1.10	spaces for each additional 1,000 square feet; and		
	1.00	1.10	spaces per employee on maximum shift		
Funeral homes and mortuary establishments	1.00	1.10	spaces for each 50 square feet of UFA in service parlors, chapels and receptions areas; plus	None	None
	1.00	1.10	spaces for each fleet vehicle		
Furniture, appliance, and household equipment stores	1.00	1.10	spaces for each 1,000 square feet of UFA; plus	15% EV-C 10% EV-R 10% EV-I	1 per 3,000 sf of floor area
	1.00	1.10	spaces for each employee on maximum shift		
Gas station with or without a mini-mart	1.00	2.00	spaces per 150 square feet of GFA, and	15% EV-C 10% EV-R 10% EV-I	1 space

	1.00	1.50	stacking spaces per each fueling station, and		
	1.00	1.00	space for each 6 seats of on-site seating, and		
	1.00	1.00	space per each employee based upon the peak shift, and		
	2.00	3.00	spaces per each service bay		
General commercial and retail sales establishments (excluding convenience stores and liquor stores, medical marihuana provisioning centers, and marihuana retail establishments)	1.00	1.50	spaces per 1,000 square feet of UFA for stores up to 25,000 square feet of GFA; and	10% EV-R 10% EV-I	1 space per 3,000 sf of floor area
	0.50	1.75	spaces per each additional 1,000 square feet of UFA for stores greater than 25,000 square feet of GFA such as shopping centers, discount stores, club warehouses, home improvements centers and grocery stores; and	10% EV-R 10% EV-I	
	0.00	0.25	spaces per 1,000 square feet of UFA of outdoor display and sales areas		
	1.00	1.10	spaces per employee on maximum shift		
Hotels and motels	1.00	1.10	spaces per guest room; plus	25% EV-C 50% EV-R 25% EV-I	1 per 30 rooms

	10.00	11.00	spaces per 1,000 square feet of UFA of lounge, restaurant, conference, banquet rooms or exhibit space (if the majority of the patrons are expected to be hotel/motel guests) or the individual standards		
Kennels or boarding areas	5.00	5.50	spaces; plus	10% EV-R 10% EV-I	1 per 3,000 sf of floor area
	1.00	1.10	spaces per employee on maximum shift		
Liquor stores (sale by package)	1.00	2.00	spaces per 150 square feet of GFA, and	15% EV-C 10% EV-R 10% EV-I	1 per 3,000 sf of floor area
	1.00	1.00	space per each employee based upon the peak shift		
Lumberyards/stores	3.00	3.30	spaces per 1,000 square feet of UFA	15% EV-C 10% EV-R 10% EV-I	1 per 3,000 sf of floor area
	0.00	0.25	spaces per 1,000 square feet of UFA of outdoor display and sales areas		
Mini-self-storage warehouse	3.00	3.30	spaces; plus	10% EV-R 10% EV-I	
	1.00	1.10	spaces per employee on maximum shift		
Restaurants: Bars, taverns, and lounges	10.00	12.00	spaces per 1,000 square feet of UFA; plus	15% EV-C 10% EV-R 10% EV-I	1 per 750 sf of floor area

	1.00	1.10	spaces per employee on maximum shift		
Restaurants: Fast food, drive-through, and drive-in	15.00	16.50	spaces per 1,000 square feet of UFA, excluding the areas used for food preparation; plus	15% EV-C 10% EV-R 10% EV-I	1 per 750 sf of floor area
	5.00	7.00	stacking spaces per lane from the location where orders are placed		
	1.00	1.10	spaces per employee on maximum shift		
Restaurant: Standard	20.00	25.00	spaces per 1,000 square feet of UFA, excluding the areas used for food preparation; plus	15% EV-C 10% EV-R 10% EV-I	1 per 750 sf of floor area
	1.00	1.10	spaces per employee on maximum shift and the spaces required for bars, taverns, or lounges and/or banquet or meeting rooms		
Restaurant: Carry-out and open front window	6.00	6.60	spaces; plus	15% EV-C 10% EV-R 10% EV-I	1 per 750 sf of floor area
	1.00	1.10	spaces per employee on maximum shift		
Restaurant: Coffee, tea, and "Wi-Fi" cafes	1.50	2.00	spaces per 125 square feet of UFA	15% EV-C 10% EV-R 10% EV-I	1 per 750 sf of floor area
	1.00	1.10	spaces per employee on maximum shift		
Self-serve laundry (laundromat)	1.00	1.10	spaces for each 2 machines	10% EV-R 10% EV-I	1 per 3,000 sf of floor area

Studios for photography, dance, music, art and similar uses	3.00	3.30	spaces per 1,000 square feet of UFA; plus	10% EV-R 10% EV-I	1 per 6,000 sf of floor area
	1.00	1.10	spaces per employee		
Theaters, cinemas, and auditoriums	1.00	1.10	spaces per three seats	15% EV-C 10% EV-R 10% EV-I	1 per 150 seats
Video arcade	1.00	1.10	spaces per 100 square feet of UFA; or	10% EV-R 10% EV-I	1 per 3,000 sf of floor area
	6.00	6.60	spaces (whichever is greater)		
Video rental stores	10.00	11.00	spaces per 1,000 square feet of UFA	10% EV-R 10% EV-I	1 per 3,000 sf of floor area
Office: General	4.00	10.00	spaces per 1,000 square feet of UFA	25% EV-C 15% EV-R 10% EV-I	1 per 3,000 sf of floor area
Office: Professional	5.00	5.50	spaces per 1,000 square feet of UFA	10% EV-R 10% EV-I	1 per 3,000 sf of floor area
Banks, credit unions, and similar financial establishments	1.00	1.10	spaces per 200 square feet of UFA; plus	10% EV-R 10% EV-I	1 per 2,000 sf of floor area
	1.00	1.10	stacking spaces for each drive-up teller and each ATM; and		
	4.00	5.00	spaces per employee on maximum shift		
Banking centers separate from a financial establishment (including ATM's)	4.00	4.40	parking spaces for walk-up banking centers; or	10% EV-R 10% EV-I	1 per 3,000 sf of floor area
	4.00	4.40	stacking spaces per lane for drive-through banking centers		

Veterinary offices, clinics and hospitals	4.00	4.40	spaces per 1,000 square feet of UFA, plus the required spaces for kennels or boarding areas	10% EV-R 10% EV-I	1 per 3,000 sf of floor area
Industrial uses					
Light and general manufacturing, research establishments, testing labs, development centers, marihuana grower with or without a processor (excluding registered primary caregiver), marihuana safety compliance facility, and marihuana microbusiness	2.00	5.00	spaces; plus	25% EV-C 15% EV-R 10% EV-I	1 per 25,000 sf of floor area
	1.00	1.10	spaces per employee on maximum shift; and the spaces required for any office or sales area		
Utility substations, including wireless telecommunication facilities	2.00	2.00	spaces for each substation	None	None
Warehousing and marihuana secure transporter establishments	2.00	5.00	spaces; plus	None	1 per 30,000 sf of floor area
	1.00	1.10	spaces per employee on maximum shift; and		
	1.00	1.10	spaces for each vehicle to be stored on the premises		
Recreational uses					
Batting cages	3.00	3.30	spaces per batting cage	15% EV-C 10% EV-R 10% EV-I	1 per 2,000 of floor area

Bowling alleys	4.00	5.00	spaces for each alley; plus the parking for accessory uses as provided herein	15% EV-C 10% EV-R 10% EV-I	1 per 5 alleys
Fitness centers and health clubs	5.00	5.50	spaces per 1,000 square feet of UFA; plus the required parking spaces for swimming pools, courts, restaurants and other uses	15% EV-C 10% EV-R 10% EV-I	1 per 1,000 sf of floor area
Golf driving ranges	1.00	1.10	spaces per 2 tees plus the parking required for other uses on the site	15% EV-C 10% EV-R 10% EV-I	1 per 1,000 of floor area
Golf courses (public or private)	6.00	6.60	spaces for each golf hole; plus	15% EV-C 10% EV-R 10% EV-I	1 per 1,000 of floor area
	1.00	1.10	spaces for each employee; and the spaces required for each accessory use, such as a restaurant		
Miniature golf courses	2.00	2.20	spaces for each golf hole; plus	15% EV-C 10% EV-R 10% EV-I	1 per 1,000 of floor area
	1.00	1.10	spaces for each employee; and the spaces required for each accessory use, such as a restaurant		
Municipal recreation centers	5.00	8.00	spaces per 1,000 square feet of UFA; plus the spaces required for outdoor courts, field and facilities	15% EV-C 10% EV-R 10% EV-I	1 per 1,000 sf of floor area
Racquetball/tennis courts	2.00	3.00	spaces per court	15% EV-C 10% EV-R 10% EV-I	1 per 1,000 sf of floor area

Stadiums, sports arenas, and rolling or ice skating rinks	1.00	1.10	spaces per 3 persons of capacity authorized by the Building Code	none	1 space per 100 seats or 200 feet of bench
Swimming pools	1.00	1.10	spaces per 3 persons of capacity authorized by the Building Code	15% EV-C 10% EV-R 10% EV-I	1 per 1,000 sf of floor area
Swimming pool clubs, tennis clubs, and similar uses privately operated	1.00	1.10	spaces for each 2 member families; plus spaces as required for each accessory use, such as restaurant	15% EV-C 10% EV-R 10% EV-I	1 per 1,000 sf of floor area

Notes:

[1] The total number of required EV-C, EV-R, and EV-I Parking Spaces shall be equal to the total number of Dwelling Units. If the total number of Parking Spaces is less than the total number of Dwelling Units, the total number of EV-C, EV-R, and EV-I Parking Spaces shall be equal to the total number of Parking Spaces.

[2] Where required Parking Spaces are in 1 or 2-car garages are part of the proposed parking those garages shall have at least one EV-R space per garage; the requirements in this table for Dwelling Multiple-Family shall apply to the remainder of the proposed parking.

[3] Where the provisions in Sec. 28-100 (c)(1) require EV-I Parking Spaces, at least one EV-I charging station shall be adjacent to and accessible from a Parking Space that meets Michigan’s requirements for barrier free design. EV-I facilities for Barrier Free spaces that are installed in accordance with Table 5:19-3, count toward the total number of EV-I spaces required in Parking Table 5:19-1.

(2) *Downtown off-street parking requirements.*

- a. The requirements in this subsection apply to uses in the downtown, which are reduced requirements in recognition of the opportunities for shared parking and trips in the C-3 district and the proximity to residential areas and public parking areas. Please refer to subsection (c)(1) of this section for the general off-street parking requirements.

Table of Downtown Off-Street Parking Space Requirements			
Use	Range of Parking Spaces		
	Min.	Max.	Measurement

Commercial and retail sales establishments	30%	50%	of the spaces required in the Table of General Off-Street Parking Space Standards
Restaurants: Bars, taverns, lounges	50%	70%	of the spaces required in the Table of General Off-Street Parking Space Standards
Restaurants: Fast food, excluding drive-through or drive-in	50%	70%	of the spaces required in the Table of General Off-Street Parking Space Standards
Restaurant: Standard	50%	70%	of the spaces required in the Table of General Off-Street Parking Space Standards
Restaurant: Standard with bars, taverns, lounges	50%	70%	of the spaces required in the Table of General Off-Street Parking Space Standards
Restaurant: Carry-out and open front window	50%	70%	of the spaces required in the Table of General Off-Street Parking Space Standards
Restaurant: Coffee, tea, and "Wi-Fi" cafes	50%	70%	of the spaces required in the Table of General Off-Street Parking Space Standards
Personal service establishments and offices	50%	70%	of the spaces required in the Table of General Off-Street Parking Space Standards
New multiple-family dwellings and existing buildings converted to dwellings	0.00	1.00	spaces for each dwelling unit in buildings with 4 units or less
	1.00	1.10	spaces for each dwelling unit in buildings with 5 to 20 units
	0.50	0.55	spaces for each dwelling unit in buildings with 20 units or more

b. If the required spaces above are obtained by participating in the city's meterless parking system, notarized and signed documentation must be provided to the zoning administrator (or designee).

c. When vehicular parking is provided on-site pursuant to this section, the EV Parking regulations for Multiple Family Housing shall apply.

(d) *Storage of recreational vehicles and equipment.*

(1) *Recreation vehicles and equipment.* Recreational vehicles and equipment includes, but are not limited to: boats and boat trailers; snowmobiles; trail cycles; all-terrain vehicles; travel trailers; camp trailers; tent trailers; motor homes; utility trailers; floats, rafts and similar equipment; trailers; cases and boxes used for transporting recreational equipment; and all equipment designed to be used for a temporary dwelling for travel, recreation and vacation use or periodical and occasional family recreational and vacation use.

(2) *Standards in residential districts.* The following standards will apply in all residential districts:

- a. Except as otherwise permitted in this section, recreational vehicles and equipment greater than eight (8) feet in width, twenty-two (22) feet in length, and seven (7) feet in height cannot be parked or stored on any lot or parcel in any residential district, and/or parcel used for residential purposes, unless all of the following applies:
 1. The lot/parcel is located adjacent to a property zoned for commercial use.
 2. The vehicle/equipment is parked adjacent to the commercial use and behind the rear corner of the home.
 3. The front and side yard setbacks are satisfied.
 - b. Recreational vehicles and equipment eight (8) feet in width, twenty-two (22) feet in length, and seven (7) feet in height or less may be parked and stored in the rear yard, behind the back building line, on any lot or parcel in any residential district, and/or parcel used for residential purposes, providing the following is satisfied:
 1. No less than a five-foot side yard setback is maintained.
 2. No less than a ten-foot setback is maintained from the adjacent home unless abutting the garage in which case only the five-foot side yard setback will apply.
 3. No less than three (3) feet shall be maintained between the on-site home and the vehicle/equipment.
 4. On a corner lot, vehicles and equipment must be stored behind the established front yards as defined in section 28-5 of this chapter.
 - c. No more than one (1) unit can be parked outside of a garage or similar structure. For purpose of this limitation, a unit will be recreational equipment used in conjunction with other recreational equipment (i.e. a recreational vehicle mounted on a trailer shall be considered one (1) unit).
 - d. For the purposes of loading and unloading, recreational vehicles and equipment may be parked anywhere in a driveway or parking area on a residential premises for a period not to exceed forty-eight (48) hours, for the purposes of loading and unloading. Parking of self-propelled (i.e. motorized) vehicles (as defined in the motor vehicle code) within the public street shall also be acceptable for the same period, contingent upon other on-street parking regulations contained in this Code.
 - e. Such equipment cannot be used for living or sleeping purposes when parked or stored on a residential lot, or in any location not approved for such use, other than as follows:
 1. The location must be in accordance with the above noted provisions, and can never be within the public right-of-way.
 2. Duration cannot exceed two (2) weeks per year.
 - f. Recreational vehicles and equipment cannot be parked or stored on any public right-of-way other than as noted above in subsection (d)(2)e. of this section.
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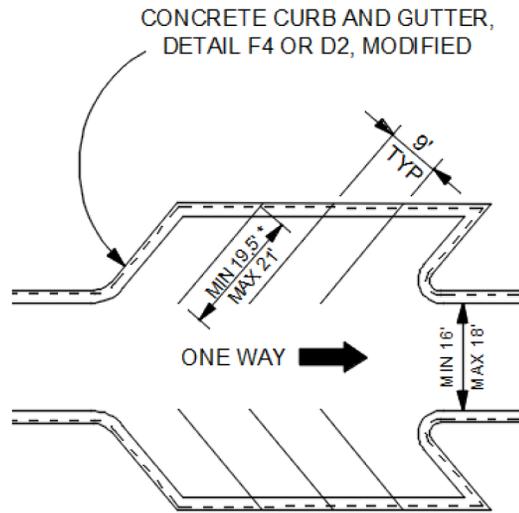
- g. Stored recreational vehicles must have a current license plate and be registered to an occupant of the dwelling unit on the parcel(s) on which it is stored.
 - h. The following shall apply to all recreation equipment:
 - 1. Unmounted camper enclosures or boats are not permitted in the front or side yard or driveway and must be stored on a paved surface approved by the zoning administrator (or designee) and stabilized.
 - 2. Open top utility trailers may not be used to store any material other than recreational equipment.
 - 3. All boats must be covered.
 - 4. Refer to subsection (f) of this section for commercial vehicle parking and storage regulations.
 - (3) No recreational vehicles or equipment are allowed in multiple family development or manufactured housing communities.
 - (4) *Repairs in residential districts.* Recreational vehicles and equipment may not be stored or parked in residential districts for the purpose of making major repairs (i.e. engine rebuilding, reconditioning of motor vehicles, body work, etc.), refurbishing, or reconstruction of the recreational vehicle or equipment.
 - (5) *Nonresidential districts.* The storage of recreational vehicles, equipment, and any other motorized or non-motorized (excluding bicycles) in nonresidential districts when it is not associated with the business of the property, must provide proper screening (i.e. no less than eight-foot evergreens and/or an eight-foot high solid fence, as approved by the zoning administrator (or designee)) so that it is not visible from the street and abutting residential areas. All such areas must also be maintained in accordance with of chapter 26, article III (grass and noxious weeds) of this Code.
 - (e) *Repair of vehicles.* The carrying out of repair, restoration and maintenance procedures or projects on vehicles in any residential zoning district, when such work is not conducted entirely within the interior of the vehicle, is subject to the following limitations:
 - (1) Procedures exceeding forty-eight (48) hours in duration or which require the vehicle to be immobile or inoperable in excess of forty-eight (48) hours must be carried out within an enclosed building.
 - (2) Inoperable vehicles and vehicle parts must be stored inside an enclosed building.
 - (f) *Commercial vehicle parking and storage.*
 - (1) Commercial vehicles cannot be considered as an accessory use to a residential dwelling except as permitted below:
 - a. The vehicle is used as the principal means of transportation for a resident in the conduct of such resident's employment or profession.
 - b. The vehicle cannot be a utility trailer, dump truck, stake truck, flat-bed truck, wrecker or semi-tractor.
 - c. No part of the vehicle may exceed seven (7) feet in overall height, measured from grade.
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- d. The vehicle cannot have outside brackets or holders for ladders, tools, pipes or other similar equipment.
 - e. The vehicle cannot have more than four (4) rear wheels.
 - f. The vehicle cannot exceed twelve thousand (12,000) pounds gross weight.
- (2) The parking or storage of essential public service vehicles, such as a police vehicle, fire department or vehicle of a public agency where the vehicle is operated by the homeowner or the occupant is exempt from these provisions provided that the vehicle does not exceed the height and weight standards contained in subsection (f)(1) of this section.
- (3) Commercial vehicles which are employed in conjunction with the permitted use of a lot, parcel or any premises must be parked or stored in compliance with the following provisions:
- a. For sites with a site plan approved subsequent to the effective date of this subsection, such vehicles must be parked or stored in parking or loading spaces designated for that purpose on the site plan.
 - b. For situations not covered under subsection (f)(3)a. of this section, such vehicles cannot be parked while the commercial establishment is closed to the public or stored in any parking space adjacent to the public right-of-way except when the number of commercial vehicles under control of the owner and/or occupant exceeds the number of available parking spaces.
- (4) Commercial vehicles intended to be used as signs are prohibited. No commercial vehicle may be parked on a business premises or an industrial lot for a time period exceeding forty-eight (48) hours for the intended purpose, as determined by the zoning administrator (or designee), of advertising a product or serving as a business sign.
- (5) In any multiple-family residential district, the property owner or the controlling authority must provide a designated area, approved by the zoning administrator (or designee), to park or store commercial vehicles. Required parking spaces shall not be used for the parking or storage of commercial vehicles and must be hard surfaced, as approved by the zoning administrator (or designee).
- (6) The parking or storage of commercial vehicles and/or for residential, office or storage purposes shall not be permitted, except as allowed in subsection (f)(1) of this section.
- (7) No vehicles used by secured transporters may contain any medical or adult use marihuana when a driver or passenger is not present in the vehicle.
- (g) *Off-street parking space layout standards, construction and maintenance.* Wherever a parking lot is built, such parking lot must be laid out, constructed and maintained in accordance with the following standards:
- (1) *Aisle lane widths, parking space widths and parking space length.* Aisle lane widths, parking space widths and parking space lengths are to be provided as shown in the table of off-street parking layout standards and the figure of off-street parking layout standards, unless otherwise approved by the zoning administrator (or designee). All spaces must have adequate access by means of aisles or lanes. Aisles for access to all parking spaces on two-way aisles must be designed and clearly marked for two-way movement. Aisles for angle parking spaces must have one-way movement only and must be clearly marked for one-way movement.
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Table of Off-Street Parking Space Layout Standards

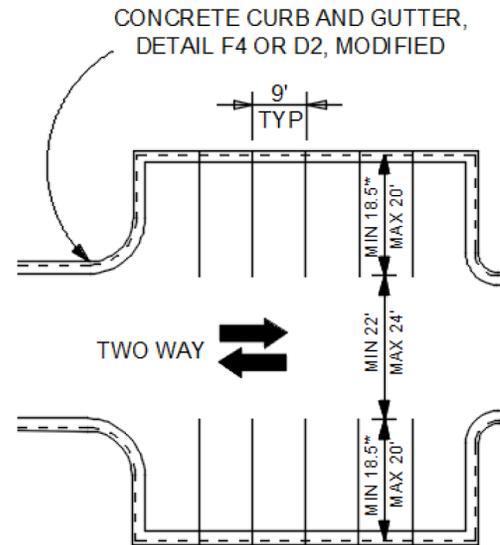
Parking Space Angle	Traffic Direction	Aisle Lane Width	Parking Space Width	Parking Space Length
30 to 74 degrees	One-way	Min. 16 feet Max. 18 feet	9 feet	Min. 19.5 feet Max. 21 feet*
75 to 90 degrees	Two-way	Min. 22 feet Max. 24 feet	9 feet	Min. 18.5 feet Max. 20 feet*
Parallel	One-way	12 feet	9 feet with a minimum 4-foot wide maneuvering area between each space	25 feet
	Two-way	Min. 22 feet Max. 24 feet		

*See subsection 9 of this chapter.



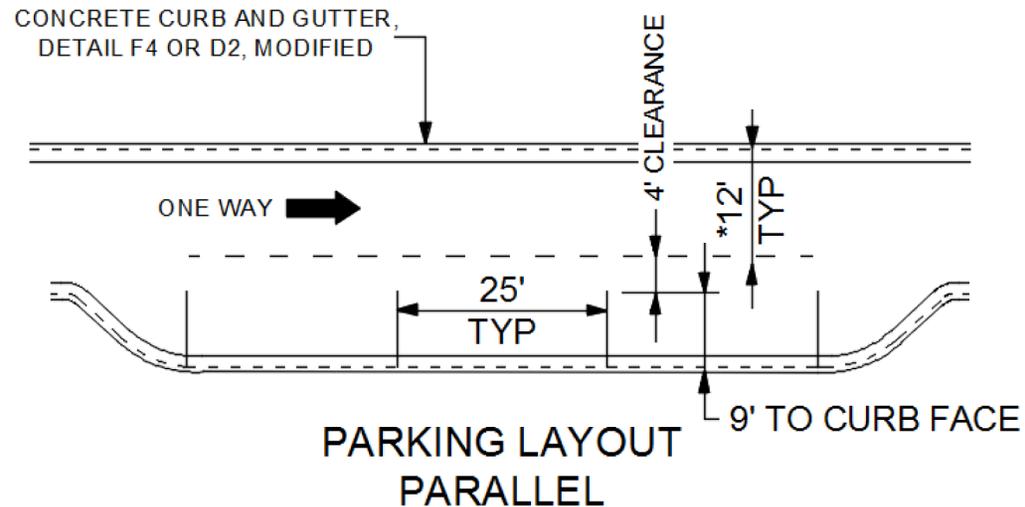
**PARKING LAYOUT
30 TO 74 DEGREE**

* DIMENSION IS TO FACE OF CURB
OR EDGE OF ASPHALT FOR
PERIMETER PARKING SPACES



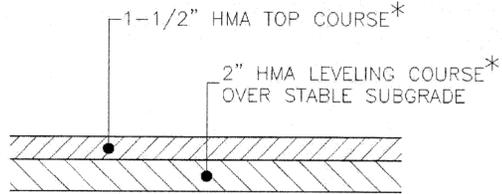
**PARKING LAYOUT
75 TO 90 DEGREE**

* DIMENSION IS TO FACE OF CURB
OR EDGE OF ASPHALT FOR
PERIMETER PARKING SPACES



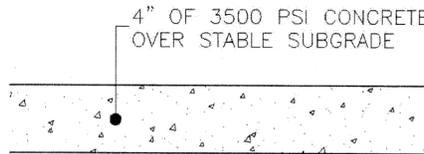
*24' AISLE WIDTH FOR TWO-WAY TRAFFIC

- (2) *Stormwater drainage.* All off-street parking areas must drain into the appropriate facilities for handling stormwater run-off (per the requirements of the stormwater utility ordinance (section 27-180 et seq.)), and must be directed to prevent direct drainage onto abutting properties, toward buildings, or onto public rights-of-way.
- (3) *Surface treatment.* Surfaces of parking areas or drives must be constructed over an approved and inspected base and maintained in the following manner with concrete or asphalt surfaces and curb and gutters in accordance with city standards. The entire parking lot includes maneuvering lanes, while alternate standards apply for one- and two-family driveways excluding the approach as outlined in subsection (7).
 - a. *One-and two-family residential.* The depth of pavement and base must meet one of the following standards, or as otherwise approved by the city engineer (or designee):
 1. Three and a half (3½) inches of asphalt placed in two (2) lifts; or
 2. Four (4) inches of concrete (does not need to extend the full width of the driveway, can be installed as two (2) tire-width strips of pavement); or
 3. Pavers (full width or two (2) tire-width strips) with no less than the manufacturers specified base.

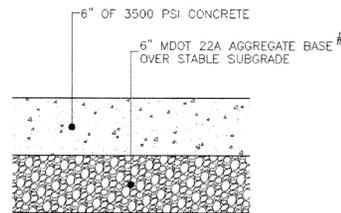


MINIMUM HMA PAVEMENT SECTION
FOR 1 & 2 FAMILY PROPERTIES

*COMPACTED TO 92-96%
THEORETICAL MAXIMUM DENSITY

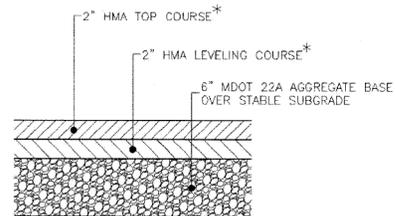


MINIMUM CONCRETE PAVEMENT SECTION
FOR 1 & 2 FAMILY PROPERTIES



MINIMUM CONCRETE PAVEMENT SECTION
FOR COMMERCIAL AND OTHER
RESIDENTIAL PROPERTIES

COMPACTED TO 96% STANDARD PROCTOR



MINIMUM HMA PAVEMENT SECTION
FOR COMMERCIAL AND OTHER
RESIDENTIAL PROPERTIES

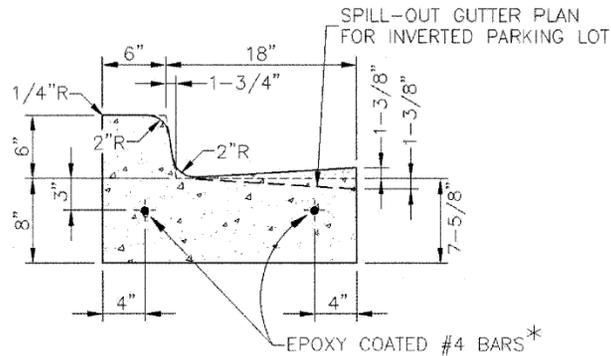
*COMPACTED TO 92-96%
THEORETICAL MAXIMUM DENSITY

COMPACTED TO 96% STANDARD PROCTOR

- b. *Other residential and commercial.* The depth of pavement and base must meet one of the following standards, or as otherwise approved by the city engineer (or designee):

1. Four (4) inches of asphalt placed in two (2) lifts with six (6) inches of base comprised of MDOT 22a aggregate compacted to ninety-eight (98) percent proctor for parking spaces and six (6) inches of asphalt placed in two (2) lifts with six (6) inches of base comprised of MDOT 22a aggregate compacted to ninety-eight (98) proctor for maneuvering lanes and loading areas for commercial vehicles; or
 2. Six (6) inches of concrete.
- c. *Industrial.* The depth of pavement and base must meet one (1) of the following standards, or as otherwise approved by the City Engineer (or designee):
1. Four (4) inches of asphalt placed in two (2) lifts with six (6) inches of base comprised of MDOT 22a aggregate compacted to ninety-eight (98) proctor for parking spaces and six (6) inches of asphalt placed in a minimum of two (2) lifts with six (6) inches of base comprised of MDOT 22a aggregate compacted to ninety-eight (98) proctor for maneuvering lanes and loading areas used for commercial and industrial vehicles.
 2. Six (6) inches of concrete with six (6) inches of base comprised of MDOT 22a aggregate compacted to ninety-eight (98) proctor.
- (4) *Curbs.* A raised or rolled concrete curb and gutter at least six (6) inches in height shall be installed. All curbing shall be installed per the concrete curb and gutter detail illustration below. Parking bumpers or stops, of any material, are strictly prohibited in any zoning district.
- a. *New industrial use.*
1. *Corner lots:* Curbing shall be required in all addressed and non-addressed front yards and designated side yards;
 2. *Interior lots:* Curbing shall be required for all parking areas located along public rights-of-way. No curbing shall be required for parking areas located in the designated rear yard; and
 3. *All lots:* All interior islands and access aisles shall be curbed.
- b. *New commercial use.*
1. *Corner lots:* Curbing shall be required in all addressed and non-addressed front yards and designated side yards;
 2. *Interior lots:* Curbing shall be required for all parking areas located along public rights-of-way and the designated side yards. At the discretion of the zoning administrator (or designee) curbing may be required for parking areas located in the designated rear yard; and
 3. *All lots:* All interior islands and access aisles shall be curbed.
- c. *Existing commercial and industrial use.* If the use of property has been vacant, abandoned or discontinued for a period of nine (9) consecutive months or more, or, if the damage, repair, alteration or improvement costs to the structure meets or exceeds one hundred (100) percent of the taxable value, then;
1. *Corner lots:* Curbing shall be required in all addressed and non-addressed front yards and designated side yards;
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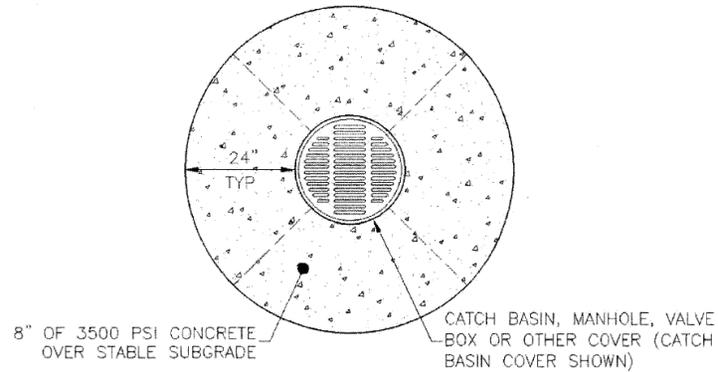
2. *Interior lots:* Curbing shall be required for all parking areas located in the designated front yard and along public rights-of-way. At the discretion of the zoning administrator (or designee) curbing may be required for parking areas located in the designated side yard and rear yard based on the abutting or adjoining property use or condition;
3. *All lots:* All interior islands and access aisles shall be curbed.



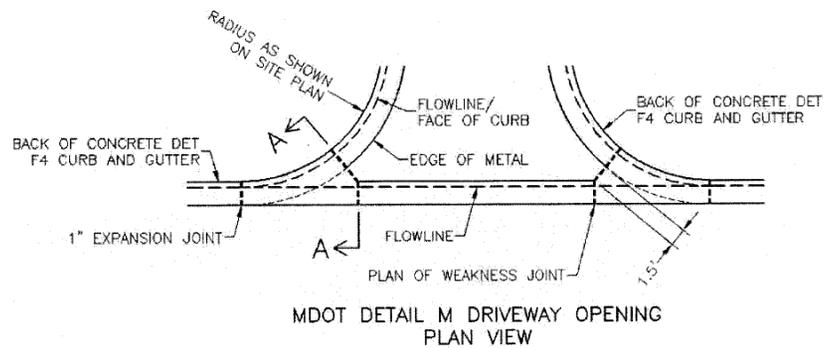
CONCRETE CURB & GUTTER
 DETAIL F4
 NOT TO SCALE
 (1.65 SFT PER LF)

*BARS NOT APPLICABLE OUTSIDE
 OF PUBLIC RIGHT-OF-WAY

- (5) *Pavement structures.* All catch basins, manhole covers, valve boxes, and similar structures must be encased in eight-inch thick concrete (as illustrated in the figure of pavement structure standards) with a minimum two-foot diameter outside of the structure, or as approved by the city engineer (or designee).



- (6) *Maneuvering lanes.* All off-street parking areas that make it necessary or possible for vehicles to back directly into a public street are prohibited provided that this prohibition does not apply to off-street parking areas of one-family or two-family dwellings.
- (7) *Ingress and egress.* Ingress and egress to parking lots must be provided for all vehicles by means of clearly limited and defined drives. One-way driveways must be twelve (12) feet wide and two-way driveways must be twenty-four (24) feet wide to the front building line of a principal structure.
- a. The zoning administrator (or designee) retains the authority to approve or deny the existing ingress and egress based on criteria such as, but not limited to, the following:
1. Condition of the surface treatment material in place;
 2. If the width meets the minimum allowable dimension per this chapter;
 3. If the design meets general engineering standards and is approved by the city engineer (or designee). As determined by the city engineer (or designee) the Type M standard shown below may not be applicable for all situations.



MDOT DETAIL M DRIVEWAY OPENING
SECTION A - A

- (8) *Small vehicles.* A limited number of spaces in each parking lot may be provided for parking of smaller vehicles. The number of such spaces must not exceed ten (10) percent of the required spaces. The spaces must be clearly identified through the use of signs and/or pavement markings as being for small vehicles. Small vehicle parking spaces must be a minimum of seven and a half (7.5) feet wide and a minimum of eight (8) feet long.
- (9) *Parking overhang of curbs abutting sidewalks or landscape areas.* The required length of a parking space can be reduced by one and a half (1½) feet if either of the following applies:
- The useable (net) width of the sidewalk is no less than five (5.5) feet, once the one and a half-foot vehicle overhangs are accounted for; or
 - The landscape area is deep enough to accommodate both the one and a half-foot vehicle overhang and the mature widths of any proposed/required shrubbery.

- (10) *Stacking spaces.* Stacking spaces must be nine (9) feet wide and twenty-five (25) feet long. Stacking spaces must be illustrated on the site plan and must not block driveways, parking aisles or circulation around a building or restrict access to waste receptacles and loading areas.
- (11) *Pavement markings.* All parking and loading spaces must be delineated with pavement markings. The visibility of pavement markings delineating parking and loading spaces and directional control must be maintained.
- (12) *Electric Vehicles. Design of Electric Vehicle Parking Spaces.* Electric Vehicle Parking Spaces shall comply with the following design standards.
- a. *Facility Standards.* When EV Parking Spaces are required by this chapter, the total number of spaces shall be provided by one or a combination of the following three classifications of EV facilities in accordance with Section 28-100 (c)(1). If a fractional space is required, the number of spaces shall be rounded up to the next whole number.
 1. *EV-C – Electric Vehicle Capable.* EV-C Parking Spaces shall have an installed electrical panel capacity with a dedicated branch circuits(s) and cable/raceway that is capped for future EV Parking Space(s). The dedicated branch circuit panel space shall be stenciled or marked legibly with the following text: Future Electric Vehicle Charging Circuit.
 2. *EV-R – Electric Vehicle Ready.* EV-R Parking Spaces shall have an installed electrical panel capacity with a dedicated branch circuit(s) including conductor in a raceway or direct buried, terminated in an approved method in a junction box, for an EV Parking Space(s). The junction box shall be clearly marked and labeled with the following text: EV Ready Circuit.
 3. *EV-I – Electric Vehicle Installed.* EV-I Parking Spaces shall have an installed electrical panel capacity with a dedicated branch circuit(s) including conductor in a raceway or direct buried, and an Electric Vehicle Charging Station (EVCS) capable of providing charge energy to an EV Parking Space(s). EV-I Parking Spaces shall include signage indicating the space is to be exclusively used for EVs.
 - a. Signs shall be placed at each EV-I Parking Space indicating it is to be exclusively used for EVs .
 - b. Installation of any EVCS shall not encumber the required size of Parking Spaces.
 - c. A free-standing EVCS shall have bollards or raised curbs to protect the system.
 - d. An EVCS shall not impede any pedestrian walkway in a manner that results in less than 4 feet of width for the walkway.
 - e. An EVCS shall be wall mounted, or located to accommodate the charging of more than one Parking Stall.
 - f. Charging stations shall not be located in any required interior landscape islands, right-of-way screening or conflicting land use buffers.
 - b. Placement of any EVCS shall not create a trip hazard or violation of the accessible path of travel when the cord is connected to an EV. Placement of EV charging infrastructure shall not allow for any violation of the Michigan’s requirements for barrier free design
- (13) *Barrier-free parking.*
-

- a. Off-street parking facilities required for buildings under separate ordinances or zoning laws must be provided in accordance with the provisions of the Americans with Disabilities Act of 1989, as amended.
- b. In no case may that parking be less than the following:
 - 1. Each reserved parking space must be not less than eight (8) feet wide and adjacent to an access aisle not less than five (5) feet wide.
 - 2. Where a curb exists between a parking lot surface and a sidewalk surface, an inclined approach or a curb cut with a gradient of not more than one (1) foot in twelve (12) feet, a width of not less than four (4) feet, and a six-foot taper along the sidewalk must be provided for wheelchair access.
- c. Parking spaces for the physically handicapped must be located as close as possible to walkways and entrances. There must be a barrier-free route of travel from the parking space to the front entrance of the building. Where possible this route must not cross parking lot maneuvering lanes. Signs must be provided when necessary indicating the direction of travel to an accessible entrance.

Table of Michigan Barrier-Free Parking Requirements	
Total Number of Spaces in the Parking Lot	Required Number of Handicap Accessible Spaces
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	8
301 to 400	12
Over 400	12; plus 2 for every 250 or fraction thereof over 400

(h) *Off-street loading facilities.*

- (1) *Applicability.* In connection with every building or part thereof hereafter erected, except one- and two-family dwellings, off-street loading and unloading spaces for uses which customarily receive or distribute material or merchandise by vehicles must be provided on the same lot with such buildings. Off-street loading spaces are hereby required in order to avoid interference with public use of streets and parking areas.
- (2) *Required parking.* Loading areas cannot be included in calculations for off-street parking space requirements.
- (3) *Review required.* Plans and specifications showing required loading and unloading spaces and the means of ingress and egress and internal circulation must be submitted to the zoning administrator (or designee) and any appropriate state or county agency for review at the time of application for a building permit for the erection or enlargement of a use of a building or structure or at the time such spaces are added or altered, except as required in section 28-135 (site plan review procedures and requirements), in which case this requirement will not apply.
- (4) *Size of spaces.* The size of all required loading/unloading spaces must be at least ten (10) feet by fifty (50) feet (five hundred (500) square feet) for office uses and at least ten (10) feet by seventy (70) feet (seven hundred (700) square feet) in areas for commercial and industrial uses, with a clearance of at least fourteen (14) feet in height.
- (5) *Number of spaces.* The minimum number of loading spaces in all zoning districts must be provided in accordance with the following table. The zoning administrator (or designee) may modify these requirements upon making the determination that another standard would be more appropriate because of the number or type of deliveries experienced by a particular business or use.

Table of Off-Street Loading Facility Requirements	
Usable Floor Area in Square Feet	Loading and Unloading Space Required in Terms of Square Feet of Useable Floor Area
0—5,000	None
5,001—20,000	One (1) space
20,001—100,000	One (1) space; plus one (1) additional space for each 20,000 square feet in excess of 20,001 square feet
100,001—500,000	Five (5) spaces; plus one (1) additional space for each 40,000 square feet in excess of 100,001 square feet
500,001 and over	Fifteen (15) spaces; plus one (1) additional space for each 80,000 square feet in excess of 500,001 square feet

- (6) *Location.* Loading spaces must meet the following location requirements:
 - a. Loading spaces must be provided off-street in the rear or side yard behind the front building line of the principal structure and will not be permitted in the front yard or where visible from a street or residential district.
 - b. Loading spaces must meet the parking space setback requirements of subsection (a)(6) of this section.
 - c. Loading spaces must not be closer than twenty-five (25) feet to any residential district property line, unless otherwise approved by the zoning administrator (or designee), upon the installation of additional landscaping and/or a barrier.
 - d. Where the loading space requires an overhead door on the building elevation, the overhead doors cannot be visible from the street.
 - e. In accordance with section 28-105, the zoning administrator (or designee) has the discretion to require additional screening in order to provide adequate screening of loading areas from abutting properties.
 - (7) *Access and vehicular movement.* Site plans must illustrate expected vehicular path and turning radii of loading/unloading vehicles in order to demonstrate there are no conflicts with internal circulation, parking and accessory structures. Off-street loading facilities that make it necessary or possible to back directly into a public street are prohibited. All maneuvering of trucks and other vehicles must take place on the site and not within a public right-of-way.
 - (8) *Surface.* Loading dock approaches and loading spaces must be surfaced with asphalt or concrete paving in order to provide a permanent, durable, and dustless surface with a base sufficient to accommodate expected vehicle weight.
 - (9) *Stormwater drainage.* Loading areas must be graded and drained consistent with the stormwater drainage standards for parking lots described in subsection (g)(2) of this section.
 - (10) *Storage and repair.* The storage of merchandise, sale of motor vehicles, storage of inoperable vehicles, or repair of vehicles is prohibited in required loading spaces.
 - (11) *Change in use or intensity.*
 - a. Whenever the use of a building or lot is changed, loading facilities must be provided as required by this section for the new use.
 - b. If any building, structure or lot is increased in floor area or through other means, additional loading must be provided to bring the site into compliance with this section.
 - c. Any area designated for required loading must not be changed to any other use unless and until equal facilities meeting the standards of this section are provided elsewhere, or the loading requirements of the site change as determined by the zoning administrator (or designee).
 - d. Loading facilities, existing at the effective date of this section, in connection with the operation of an existing building or use, cannot be reduced to an amount less than required for a similar new building or new use.
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e. When changes in activity occur that may produce loading demand in excess of available loading facilities, the city will require documentation showing adequate loading facilities will be provided or will be expanded to meet anticipated needs.

(i) *Site access location and design (access management)*. The standards of this section are intended to preserve the capacity of the street system and to minimize the potential for traffic collisions, in balance with the need to provide reasonable access to properties.

- (1) *Location in general*. Driveways must be located to minimize interference with the free movement of traffic, to provide adequate sight distance, and to provide the most favorable driveway grade. Driveways (including the radii but not including right turn lanes, passing lanes, and tapers) must be located entirely within the right-of-way frontage, unless otherwise approved by the city and upon written certification from the adjacent property owner agreeing to such encroachment.
- (2) *Number of driveways*. The number of commercial driveways (not including driveways for two-family dwelling units or unmanned public utility uses) must be the minimum necessary to provide reasonable access for regular traffic and emergency vehicles, while preserving traffic operations and safety along streets.
- (3) *Driveway spacing from an intersection*. Minimum spacing requirements between a proposed driveway and an intersection (either adjacent or on the opposite side of the street) may be set on a case-by-case basis but in no instance may not be less than the distances listed in the table of minimum commercial driveway spacing from street intersections, unless approved by the zoning administrator (or designee) in consultation with the city engineer (or designee). The following measurements are from the near edge of the proposed driveway (measured at the throat perpendicular to the street) to the near lane edge of the intersecting street or pavement edge for uncurbed sections.

Table of Minimum Commercial Driveway Spacing From Street Intersections		
Location of Driveway	Minimum Spacing for a Full Movement Driveway	Minimum Spacing for a Driveway Restricting Left Turns
Along State Trunkline and City Major Streets, intersecting street is a State Trunkline or City Major Streets	250 feet	125 feet
Along State Trunkline and City Major Streets, intersecting street is a Local Street	200 feet	125 feet
Along Local Streets	75 feet	50 feet

(4) *Minimum spacing between driveways*. Minimum spacing between two commercial driveways is determined based upon posted speed limits along the parcel frontage. The minimum spacing indicated in the table of minimum spacing between commercial driveways are measured from centerline to centerline, and may only be deviated from upon the approval of the zoning administrator (or designee) in consultation with the city engineer (or designee).

Table of Minimum Spacing Between Commercial Driveways	
Posted Speed Limit	Minimum Driveway Spacing
25 MPH	130 feet
30 MPH	185 feet
35 MPH	245 feet
40 MPH	300 feet
45 MPH or higher	350 feet

- (5) *Offset.* To reduce left-turn conflicts, commercial driveways must be aligned with driveways or streets on the opposite side of the roadway where possible. If alignment is not possible, driveways should be offset based upon the posted speed limit along the parcel frontage. The minimum spacing indicated below are measured from centerline to centerline.

Table of Minimum Offsets Between Commercial Driveways	
Posted Speed Limit	Minimum Driveway Spacing
25 MPH	255 feet
30 MPH	325 feet
35 MPH	425 feet
40 MPH	525 feet
45 MPH or higher	630 feet

- (6) *Modification of standards.* Given the existing built conditions through much of the city, the standards above may be modified by the zoning administrator (or designee) on a case-by-case basis depending upon analysis of existing and expected traffic operations, and restrictions imposed by current development or site conditions. The zoning administrator (or designee) may require preparation by the applicant of a traffic study and/or a review by the city engineer (or designee) to assist in their decision. In no case, however, can the minimum distance between driveways be less than

sixty (60) feet. The zoning administrator (or designee) may require a shared access system as described in subsection (i)(7) of this section (see below).

- (7) *Shared access system.* The zoning administrator (or designee) may require a shared access system where it is determined to have a beneficial impact on traffic operations and safety. This determination will be based on the expected traffic patterns, existing traffic conditions and the feasibility for shared access. This shared access system may involve a shared driveway, connections of parking lots or a drive connecting two (2) or more lots or uses, access from a side street, a shared driveway or service road connecting two (2) or more properties or uses. In such cases a shared access agreement must be provided to the city.
- (8) *Changes in use.* When a use is proposed to change or expand the zoning administrator (or designee) may require the removal or redesign of access points to bring the site closer to conformity with this section.

(Ord. No. 2012.16, § 5, 7-17-12; Ord. No. 2012.17, § 2, 7-17-12; Ord. No. 2015.12, § 2, 4-14-15; Ord. No. 2016.04, § 3, 3-15-16; Ord. No. 2018-14, § 2, 12-11-18; Ord. No. 2019-14, § 2, 10-15-19; Ord. No. 2020-16, § 2, 10-13-20; Ord. No. 2020-19, § 2, 10-27-20; Ord. No. 2020-21, § 2, 12-8-20)

ORDINANCE NO. 2021-##

An Ordinance amending Sections 28-100 of Chapter 28 of the Code of Ordinances of the City of Jackson, Michigan to add definitions for electric vehicles and electric vehicle charging stations within our zoning code.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

CHAPTER 28 - ZONING

Sec. 28-5. Definitions.

Unless context indicates otherwise, the following words and phrases used in this chapter have these meanings:

Abandoned sign means any sign that is still on a residential property for six (6) months, a commercial property for nine (9) months or industrial property for fifteen (15) months after a business no longer operates at the location (see section 28-260(h)).

Accessory use or structure means a use or structure customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building, including alternative energy source structures such as solar panels, wind turbines, and back-up generators.

Adult arcade means an establishment where one or more motion picture projectors, slide projectors, television screens, DVDs, VCRs, or similar machines display for viewing by five (5) or fewer persons each films, motion pictures, video cassettes, slides, digital videos, or other photographic reproductions which are characterized by an emphasis upon the depiction or description of "specified anatomical areas" or of "specified sexual activities.

Adult bookstore means an establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals, pictures or films depicting, describing, or relating to "specified sexual activities," or which are characterized by their emphasis on matter depicting, describing or relating to "specified anatomical areas." In determining whether certain materials constitute a substantial or significant portion of the total stock in trade of an establishment, the following may be considered, together with all other relevant factors:

- (1) If the materials in question are located or displayed on the main traffic aisles or in close proximity to the public entrances or exits of the establishment, it shall indicate that the materials are a significant or substantial portion of the stock in trade.
- (2) If the general stock in trade of the establishment is available for observation and inspection by and/or sale to the general public, while the material in question is available for inspection and observation by and for sale to only a limited segment of the public, it shall indicate that the materials are an insignificant and insubstantial portion of the total stock in trade.
- (3) If the material in question or its subject matter or the general subject emphasis of its product line is advertised to the general public by signs, posters, or any other means (including, but not limited to, the name of the establishment), which are either visible from the exterior of the establishment or published for public consumption in the press or electronic media or billboards or hand fliers or any

other means whatsoever, then it shall be presumed that the material in question constitutes a significant portion of the total stock in trade.

Adult entertainment enterprise means adult bookstore, adult arcade, adult live entertainment establishment, or adult theater.

Adult live entertainment establishment means an establishment, which features dancers, waiters, waitresses, employees, patrons, exotic dancers, strippers, or similar entertainers who expose any or all of the "specified anatomical areas" to view by less than fully opaque covering.

Adult theater means an indoor or outdoor theater used for presenting by film, tape, or other means, material depicting, describing, or relating to "specified sexual activities" or which is characterized by its emphasis on matter depicting, describing, or relating to "specified anatomical areas" for observation by patrons therein.

Adult Use Marihuana Establishments, Emergency Rules, or Rules, means rules promulgated under the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328, by the department in consultation with the board to implement this act.

Agency means the Michigan Marijuana Regulatory Agency, a division of the Michigan Department of Licensing and Regulatory Affairs.

Alley means a public or private way of not more than thirty-three (33) feet wide which affords only a secondary means of access to abutting property.

Alter means to make any structural change in the supporting or load bearing member of a building, such as bearing walls, columns, beams, girders or floor joists.

Arcade means an establishment wherein the operation of coin-operated amusement devices as defined in chapter 16 of this Code is conducted as the principal business thereof. For "video arcade" please see the definition within this section.

Automobile repair, major, means general repair, rebuilding or reconditioning of engines, motor vehicles, or trailers, collision service, including body repair and frame straightening; painting and upholstering; vehicle steam cleaning and undercoating.

Automobile repair, minor, means minor repairs, incidental replacement of parts and motor service to passenger automobiles and trucks not exceeding one and one-half (1½) tons capacity, but not including any operation specified under "automobile repair-major."

Automobile service station or gasoline station means a place where gasoline, kerosene or any other motor fuel or lubricating oil or grease for operating vehicles is offered for sale to the public and deliveries made directly into motor vehicles, including greasing and oiling on the premises.

Automobile wrecking means the dismantling or disassembling of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles, or their parts.

Awning means a fixed or retractable shelter constructed of non-rigid materials on a supporting framework which projects from the exterior wall of a building.

Awning sign means a sign affixed flat against the surface of an awning or inscribed on an awning (see section 28-253(a)).

Banners, balloons, pennants, festoons, spinners, or streamers shall include all removable fabric, cloth, paper or other non-rigid material suspended or hung from light poles, buildings or other site amenities (see section 28-260(o)).

Basic manufacture means the first operation or operations which transform a material from its raw state to a form suitable for fabrication.

Bed and breakfast establishments. See "tourist home."

Billboard means a sign for the display of information in public places, such as alongside highways (see section 28-253(b)).

Block building line, front or rear, means the average setback of the principal structures on one (1) side of the street in any one (1) block.

Board means the zoning board of appeals.

Building means any covered structure intended for the shelter, housing or enclosure of any person, animal or chattel.

Building height means the vertical distance measured from the average grade level of the building to the highest point of the roof.

Clinic, dental or medical, means a building in which three (3) or more physicians, dentists and allied professional assistants are associated for the purpose of carrying out their profession. The clinic may include a medical or dental laboratory. It shall not include in-patient care.

Co-location of one (1) medical and one (1) adult use marihuana facilities means that comparable medical and adult uses may be combined in the same suite and not considered a secondary license as regulated in section 28-140 of the Code. If not comparable, only up to two (2) such uses may be located on the same parcel provided the ownership structure is identical for both and each is considered a separate license.

Conditional use means a use, permitted within certain zoning districts, of such a nature that the public has reserved the right to approve its exact location, subject to conditions stated in the chapter and to any special conditions imposed by the city planning commission to protect uses by right of other properties in the neighborhood.

Conforming sign means a sign that is allowable under section 28-253.

Construction site sign means a sign erected on a construction site.

Cyber school means a full time instructional program of virtual courses for pupils that may or may not require attendance at a physical school location.

Day care facility means a facility for the care of children under eighteen (18) years of age, as licensed and regulated by the state under Act No. 116 of the Public Acts of Michigan of 1973 (MCL 722.111 et seq.), as amended, and the associated rules of the state department of social services. Such organizations are further defined as follows:

- (1) *Family day care home* means a private home in which one (1) but not more than six (6) minor children are received for care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than four (4) weeks during a calendar year.
- (2) *Group day care home* means a private home in which more than six (6) but not more than twelve (12) children are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. It includes a home that gives care to an unrelated child for more than four (4) weeks during a calendar year.
- (3) *Child care center* means a facility, other than a private residence, receiving more than six (6) preschool or school age children for group care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day.

The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. "Child care center" does not include a Sunday school conducted by a religious institution or a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.

Designated consumption establishment means a commercial space that is licensed by the agency and authorized to permit adults twenty-one (21) years of age or older to consume marijuana product at the location indicated on the state license.

Drive-thru board means a sign located within ten (10) feet of either side of a drive-thru lane.

Driveway means any extension of an approved curb cut on private property that extends into the side yard of the same property. Circle driveways are permitted if curb cuts are provided for the driveway on the same lot. All driveways must be surfaced with gravel, asphalt or concrete and provide ingress and egress to vehicles for the purpose of parking.

Driveway approach means any extension of an approved curb cut located between the street and property line used for approaching the driveway.

Dumpster means a waste receptacle having a capacity of at least one (1) cubic yard and utilized for the temporary storage of refuse pending collection.

Dwelling group means a group of three (3) or more detached dwellings located on a parcel of land in one (1) ownership and having any yard or court in common.

Dwelling, multiple-family, means a building designated for or occupied by three (3) or more families living independently of each other with separate housekeeping and cooking facilities for each.

Dwelling, single-family, means one (1) or more rooms with independent cooking facilities designed as a unit for residence by only one (1) family and complying with the following standards:

- (1) The dwelling shall have a minimum living area of seven hundred twenty (720) square feet.
- (2) The dwelling shall be firmly attached to a solid foundation construction on the site in accordance with the city's building code. No exposed wheels, towing mechanisms, undercarriage or chassis shall be permitted and no storage shall be allowed in any crawl space or skirted area which is not a standard basement.
- (3) The dwelling must contain storage area either in a basement located under such dwelling, in an attic area, in closet areas, or in a separate fully enclosed structure on the site of standard construction similar to or better quality than the principal dwelling, which space shall not be less than fifteen (15) percent of the interior living area of the dwelling.
- (4) The dwelling must contain no additions of rooms or other areas which are not constructed with similar materials and with similar quality of workmanship as in the original structure, including an appropriate foundation and permanent attachment to the principal structure.
- (5) The dwelling shall be in conformity with all applicable city building, plumbing, electrical codes and other applicable code ordinances.
- (6) The dwelling must be aesthetically compatible in design and appearance to conventionally constructed homes, with not less than two (2) exterior doors with one being in the front of the home, and the other being in either the rear or side of the home, and roof drainage systems concentrating roof drainage and avoiding drainage along the sides of the dwelling.
- (7) The foregoing standards shall not apply to a mobile home located in a licensed mobile home park or a licensed mobile home subdivision except to the extent required by state law or otherwise specifically required in an ordinance of the city.

Dwelling, two-family, means a building designed for or occupied by two (2) families only, with separate housekeeping and cooking facilities for each.

Electric Vehicle (EV), An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, powered, in part, by one or more electric motors that may be charged by on-board electric energy sources such as batteries, solar panels and electric generators, and/or are plugged into, or charged via an off-vehicle electrical energy supply source.

Electric Vehicle Charging Station (EVCS), A system of components, software, and communications protocols that provide an electrical current output, meeting a minimum industry Level 2 requirement, with a minimum of 20 amps per plug, that is supplied to a vehicle for the purpose of recharging Electric Vehicle storage batteries.

Electronic and other changeable message board means the portion of a sign on which copy is changed either manually or electronically (see section 28-253(d)).

Enclosed locked facility means a closet, room, or other comparable, stationary, and fully enclosed area equipped with secured locks or other functioning security devices. Marihuana plants grown outdoors are considered to be in an enclosed, locked facility if they are not visible to the unaided eye from an adjacent property when viewed by an individual at ground level or from a permanent structure and are grown within a stationary structure that is enclosed on all sides, except for the base, by chain-link fencing, wooden slats, or a similar material that prevents access by the general public and that is anchored, attached, or affixed to the ground and as defined in the MMMA. If this definition is amended by state law, the amended definition shall apply.

Equivalent licenses means any of the following held by a single licensee:

- (a) A marihuana grower license, of any class, issued under the act and a grower license, of any class issued under the MMFLA.
- (b) A marihuana retailer license issued under the act and a provisioning center license issued under the MMFLA.
- (c) A marihuana secure transporter license issued under the act and a secure transporter license issued under the MMFLA.
- (d) A marihuana safety compliance facility license issued under the act and a safety compliance facility license issued under the MMFLA.

Fabrication means manufacturing, excluding the refining or other initial processing of basic raw materials such as metal ores or rubber. Fabrication relates to stamping, cutting or otherwise shaping the processed materials into useful objects.

Family means either of the following:

- (1) *A domestic family*. One (1) or more persons living together and related by the bonds of consanguinity, marriage or adoption, together with servants of the principal occupants and not more than one (1) additional unrelated persons, with all of such individuals being domiciled together as a single, domestic, housekeeping unit in the dwelling.
- (2) *The functional equivalent of the domestic family*. Persons living together in a dwelling unit whose relationship is of a permanent and distinct character and is the functional equivalent of a domestic family, with a demonstrable and recognizable bond which constitutes the functional equivalent of the bonds which render the domestic family a cohesive unit. All persons of the functional equivalent of the domestic family must be cooking and otherwise housekeeping as a single, nonprofit unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization or group where the common living arrangement and/or the basis for the establishment of the functional equivalency of the domestic family is likely or contemplated to exist for a limited or temporary duration. There shall be a rebuttable presumption enforceable by the zoning administrator in the first

instance that the number of persons who may reside as a functional equivalent family shall be limited to six (6). Such presumption may be rebutted by application to the planning commission for a conditional use based upon the applicable standards in this chapter.

Fence or wall means any artificially constructed barrier which is used to enclose, separate, or screen areas of land or as a means of protection. For the purposes of this chapter a fence or wall is considered a structure and must be constructed of materials that are all weather and zero maintenance. Treated wood must meet the American Wood Protection Association's UC4B standard for ground contact (heavy duty).

- (1) Privacy fences or walls are eighty (80) percent or more opaque and of sufficient height to provide a visual buffer.
- (2) Non-privacy fences or walls are less than eighty (80) percent opaque or of insufficient height to provide a visual buffer.

Fenestration includes all window and other exterior openings within a structure, specifically the clear glass contained therein.

Filling means the depositing or dumping of any matter onto, or into the ground, except common household gardening and general farm care.

Flags means fabric, canvas or other similar material that is mounted to a pole or a building at one or more edges.

Floor area means total gross area on all floors as measured to the outside surface of exterior walls, excluding crawl spaces, garages, carports, open porches balconies and terraces (see "floor area terminology" diagram following this section).

- (1) *Useable floor area (UFA)* means that area to be used for sale of merchandise or services, or to serve patrons, clients or customers. Usable floor area must be measured from the interior faces of the exterior walls, and total usable floor area for a building must include the sum of the usable floor for all floors of a building. Floor area used (or intended to be used) principally for incidental services, storage, installations of mechanical equipment, heating systems, sanitary facilities, and similar uses are excluded from the computation.
- (2) *Gross floor area (GFA)* means the sum of all gross horizontal areas of all floors of a building or buildings, measured from the outside dimensions of the outside face of the outside wall. Unenclosed courtyards or patios are not considered to be part of the gross area, except where they are utilized for commercial purposes such as the outdoor sale of merchandise or dining.

Frontage means the portion of a lot abutting on a street or way and ordinarily regarded as the front of the lot.

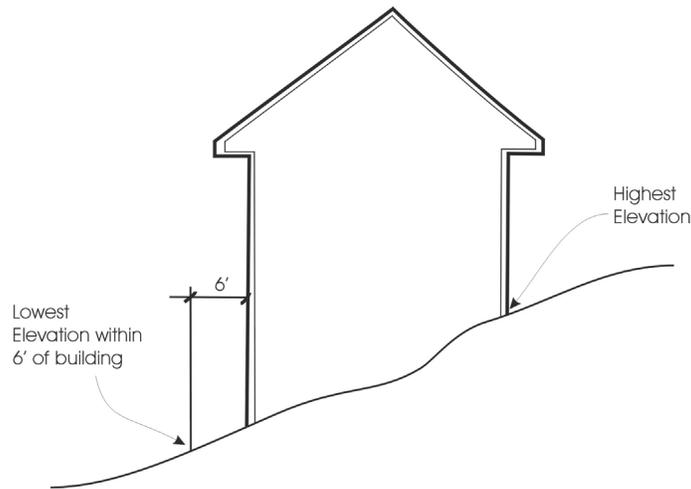
Garage, public, means a building or part of a building used for the storage, sale, hire, care, repair or refinishing of motor vehicles.

Gas station canopy sign means a sign located at a gas station attached directly to the elevated canopy that covers pump islands.

Grade.

- (1) Average grade means the arithmetic average of the finished grade and highest elevation in an area within six (6) feet of the foundation line of a building or structure.
- (2) Existing grade means the elevation of the ground surface in its natural state, before construction begins.

- (3) Finished grade means the lowest point of elevation between the exterior wall of the structure and a line within six (6) feet from the exterior wall of the structure.



Grower means a licensee that is a commercial entity located in this state that cultivates, dries, trims, or cures and packages marihuana for sale to a processor, provisioning center, or another grower.

Home occupation means an incidental and secondary use of a dwelling unit for business purposes (see subsections 28-71 and 28-145(d)(10)).

Hotel means a building containing guest rooms in which lodging is provided with or without meals for compensation and which is open to transient or permanent guests, or both, and where no provision is made for cooking in any guestroom.

Incidental sign means a small sign, emblem, or decal located on an entry door or window that accompanies other signs (see section 28-257(c)).

Inflatables mean any size, shape or style of inflatable that requires air or helium to remain permanently or intermittently inflated (see section 28-260(p)).

Ingress/egress sign means a sign located within ten (10) feet outside of the site clearance triangle (see section 28-126, visibility at intersections) that is formed at the corner intersection of two (2) public rights-of-way and/or the intersection of a driveway and a public right-of-way.

Institution means an established or organized society or corporation; an establishment, especially one of a public character; a foundation; as, a charitable institution; also, the building or buildings used by such organization. It may be private in its character, designed for profit to those composing the organization, or public and charitable in its purposes.

Interior signs means signs located inside a building and are not reasonably intended to be visible from outside the building.

Junkyard means a place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including wrecked motor vehicles, used building materials, structural steel materials and equipment and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition.

kennel means any lot or premises on which more than three (3) dogs or more than three (3) cats, or any combination of dogs and cats totaling more than three (3), are confined either permanently or temporarily. This does not include dogs and cats less than four (4) months old.

Laboratory, experimental, means a building or part of a building devoted to the testing and analysis of any product or animal.

Laboratory, medical or dental, means a laboratory which provides analytical or diagnostic services to physicians and dentists. No fabrication is conducted on the premises except the custom fabrication of dentures or surgical supports.

Landscaping means the treatment of the ground surface with live plant materials such as, but not limited to, turf grass (i.e., lawns), ground covers, trees, shrubs, and other live plant material. In addition, a landscape design may include other decorative natural materials, as well as various types of mulch. Structural features such as fountains, pools, statues and benches shall also be considered a part of landscaping if provided in combination with live plant material. The following are applicable definitions related to landscaping:

- (1) *Buffer zone* means a strip of land required between certain zoning districts reserved for plant material, berms, walls or fencing singularly or in combination to serve as a visual and noise barrier.
- (2) *Caliper* means the diameter of a tree trunk in inches measured at diameter breast height (dbh) (i.e., four and one-half (4½) feet above the existing grade).
- (3) *Deciduous* means a tree or shrub that sheds its foliage at the end of the growing season.
- (4) *Drip line* means an imaginary vertical line that extends downward from the outermost tips of tree or shrub branches to the ground.
- (5) *Evergreen* means a tree or shrub with persistent foliage (i.e., needles or broadleaves) that remains green throughout the year.
- (6) *Greenbelt* means the land abutting a public street, private street or access drive that shall be reserved as a landscaped area to serve as an obscuring screen, noise abatement and visual enhancement along roadway corridors in accordance with section 28-105, landscape standards.
- (7) *Ground covers* mean low-growing plants, including various types of:
 - a. Woody plants and vines (e.g., myrtle, pachysandra, ivy) planted to become dense after one (1) complete growing season and prevent weeds and soil erosion;
 - b. Perennials (i.e., flowers, herbs, ornamental grasses and other plants) which die back at the end of each growing season and regenerate at the beginning of the next growing season (including bulbs), planted to become dense after one (1) complete growing season and prevent weeds and soil erosion.
 - c. Annuals (i.e., flowers, herbs, ornamental grasses and other plants) which die at the end of each growing season in USDA Plant Hardiness Zone 6a, planted at sufficient density to prevent weeds and soil erosion.
- (8) *Landscape features* mean various manmade items typically found in the landscape including, but not limited to, outdoor furniture (e.g., benches, tables, and chairs, etc.), statuary, and birdbaths.
- (9) *Mulch* means processed pervious organic (e.g., shredded bark, wood chips, etc.) and inorganic (e.g., pea gravel, larger stones and rocks, etc.) materials utilized in planting areas to prevent weeds and soil erosion and retain soil moisture.
- (10) *Plant schedule* means a listing of the plants proposed as part of a landscape design which is keyed to the landscape plan as includes the following information: quantity (i.e., number of plants), common

name, botanical name (i.e., genus, species, and variety (if applicable)) type (as defined in this chapter), size (at time of installation), and root ball (i.e., ball and burlap (B&B), bare root, or container). Please see the plant schedule example.

Plant Schedule Example

Key	Quant.	Common Name	Botanical Name	Type of Plant	Size	Root Ball
AE	4	Celebration® Maple	Acer x freemanii 'Celzam'	Canopy Tree	3-in Cal	B&B
CF	1	Flowering Dogwood	Gorans florida	Ornamental Tree	6-ft height	B&B
EA	5	Dwarf Burning Bush	Euonymiis alatus 'Compacta'	Large Deciduous Shrub	3-ft height	Container
SJ	9	Little Princess Spirea	Spiraea japoniea 'Little Princess'	Small Deciduous Shrub	2-ft height	Container
CO	3	Hinoki Femspray Cypress	Cliamaecyparis obtusa 'Filicoides'	Upright Evergreen Shrub	2-ft height	Container
TD	5	Densi Yew	Taxus densiformis 'Densi'	Spreading Evergreen Shrub	2-ft spread	Container
HH	80	Baltic Ivy	Hedera helix 'Baltica'	Ground Cover	N/A	Container

(11) *Shrub* means a deciduous or evergreen plant which at maturity is less than thirteen (13) feet in height with multiple stems and having a general bushy appearance or maintained as a hedge.

- a. Small means a mature (or maintained) height of thirty (30) inches or less.
- b. Large means a mature height between thirty (30) inches and thirteen (13) feet.
- c. Upright form means taller than its width at maturity.
- d. Spreading form means shorter than its width at maturity.

(12) *Tree* means a woody plant which at maturity is thirteen (13) feet or more in height with a perennial trunk and having a definite crown of foliage.

- a. Canopy tree means a deciduous tree which has a height of twenty-five (25) feet or more and a single trunk with at least five (5) feet of clear stem at maturity.
- b. Ornamental tree means a deciduous or evergreen tree that is typically grown because of its shape, flowering characteristics or other attractive features (e.g., exfoliating bark, multiple-stems, fruit, etc.) and typically grows to a mature height of twenty-five (25) feet or less.

(13) *Turf grass* means any family of plants with narrow leaves normally grown as permanent lawns (i.e., turf) in southern Michigan.

LARA means the State of Michigan Licensing and Regulatory Affairs division which is charged with administration and enforcement of the Michigan Medical Marihuana Act and the Michigan Medical Marihuana Facilities Licensing Act.

Lawn extension and/or terrace means the area between the road curb and sidewalk (or the property line if no sidewalk exists).

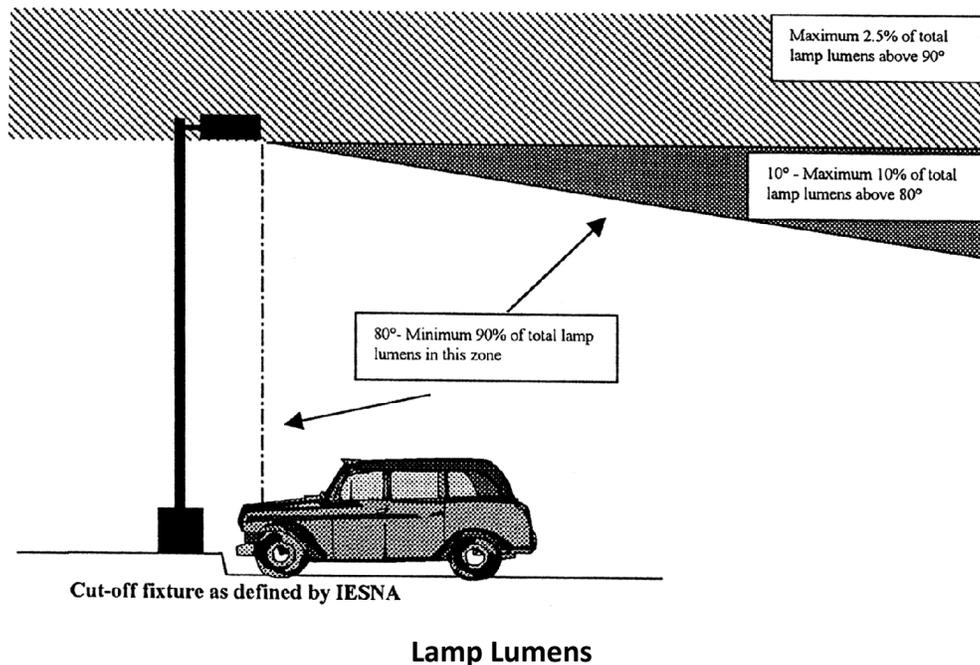
License means a person holding a state operating license and a City of Jackson license to operate a medical marihuana facility.

Licensee means a person holding a state operating license and a City of Jackson license to operate a medical marihuana facility.

Lighting means:

- (1) *Average illumination* means the overall average of all points on the surface of the illuminated area including the brightest and dimmest points.
- (2) *Canopy structure* means any overhead protective structure, which is constructed in a manner to allow pedestrians/vehicles to pass under.
- (3) *Flood light* means a fixture designed to "flood" a well-defined area with light.
- (4) *Footcandle (fc)* means a unit of illumination produced on a surface all points of which are one (1) foot from a uniform point source equivalent to one candle in brightness of illumination.
- (5) *Glare* means the sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility (e.g., blinding light). The magnitude of glare depends on factors such as the size, position, brightness of the source, and on the brightness level to which the eyes are adapted.
- (6) *Lamp* means the component of the luminaire that produces the actual light including luminous tube lighting.
- (7) *Lamp lumen depreciation (LLD)* means a factor (i.e., between 0.0 and 1.0) used to describe how the lamp output changes with time compared to the initial output. Typical LLD factors (depending principally on lamp type) for outdoor lighting types are as follows: metal halide: 0.84, compact fluorescent: 0.85, high pressure sodium: 0.91 and mercury vapor: 0.79.
- (8) *Light loss factor (LLF)* means a factor (i.e., between 0.0 and 1.0) describing light output of a luminaire after losses due to dirt accumulation (i.e., luminaire dirt depreciation (LDD)) and lamp lumen depreciation (LLD), relative to the output when the lamp and luminaire are new (i.e., $LLF = LDD \times LLD$).
- (9) *Light fixture* means the assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens. A light fixture also includes the assembly for luminous tube and fluorescent lighting.
- (10) *Light pollution* means artificial light which causes a detrimental effect on the environment, enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent properties.
- (11) *Light trespass* means the shining of light produced by a luminaire beyond the boundaries of the property on which it is located.
- (12) *Luminaire* means the complete lighting system including the lamp and light fixture.
- (13) *Luminaire dirt depreciation (LDD)* means a factor (i.e., between 0.0 and 1.0) used to describe how much light produced by the lamp is lost to dirt accumulation and other changes in the optical characteristics of the luminaire, relative to the value when the luminaire is new, depending on the quality of the luminaire, materials used, maintenance, and environment.
- (14) *Mounting height* means the vertical distance between the surface to be illuminated and the bottom of the light source.
- (15) *Outdoor light fixtures* mean outdoor artificial illuminating devices, outdoor fixtures, lamps and other similar devices, permanently installed or portable, used for flood lighting, general illumination or advertisement.

- (16) *Shielded fixture* means outdoor light fixtures constructed so that light rays emitted by the fixture are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted (i.e. a shoebox-type fixture or a cutoff fixture as defined by the Illuminating Engineering Society of North America). The fixtures almost always have a flat, horizontally oriented lens and opaque (usually metal) sides. A luminaire mounted in a recessed fashion under a canopy or other structure so that the surrounding structure effectively shields the light in the same manner is also considered fully shielded for the purposes of this section.
- (17) *Spot light* means a lighting assembly designed to direct the output of a contained lamp in a specific tightly focused direction (a beam) with a reflector located external to the lamp.
- (18) *Uniformity* means a measure indicating how evenly light is distributed across a surface. Typically the measure is expressed as a ratio of one value to another, such as average to minimum, or maximum to minimum. Using ratios, perfect uniformity would be 1:1.



Lot means a piece or parcel of land under the same ownership occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings, or used for a principal use and uses accessory thereto, together with such open spaces as required by this chapter, and having frontage on a public street but that is not divided by any public street or alley. (See "corner, interior and double frontage lots" diagram following this section). A lot shall satisfy this chapter with respect to area, size, dimensions and frontage as required in the district in which the lot is located. A lot may not necessarily coincide with a lot of record as filed with the county register of deeds, but may include one (1) or more lots of record.

- (1) *Lot, corner*, means a lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees. The corner is the point of intersection of the street lines. In the case of corner lots, there shall be no rear yard. (See "corner, interior and double frontage lots" diagram following this section.)

- (2) *Lot, double frontage*, means an interior lot which has a pair of opposite lot lines along two (2) substantially parallel, nonintersecting streets. On a double frontage lot, both street lots lines shall be deemed front lot lines (see "corner, interior and double frontage lots" diagram following this section).
- (3) *Lot, interior*, means a lot other than a corner lot (see "corner, interior and double frontage lots" diagram following this section).
- (4) *Lot, key*, means an interior lot with one (1) lot line, or portion thereof, contiguous to the lot line opposite the frontage of a corner lot.
- (5) *Lot, reverse frontage corner*, means a corner lot on which the frontage is located along the longest dimension of the lot. In the case of reversed frontage corner lots, there will be no rear yard. (See "corner, interior and double frontage lots" diagram following this section).
- (6) *Lot, width*, means the horizontal straight line distance between the side lot lines, measured between the two (2) points where the front setback line intersects the side lot lines. (See "lot lines" diagram following this section.)

Lot, formal combination of, means the official combination of lots by the city assessor, including the generation of a legal description for the new lot of record.

Lot lines means the lines bounding a lot as defined herein (see "lot lines" diagram following this section):

- (1) *Lot line, front*, means in the case of an interior lot, the line separating said lot from the street right-of-way. In the case of a corner lot or double frontage lot, it is that line separating said lot from either street right-of-way.
- (2) *Lot line, rear*, means the lot line opposite the front lone [lot] line (except for reversed frontage corner lots or double frontage lots). In the case of a lot converging toward the rear by intersecting side lot lines, the rear lot shall be an imaginary line parallel to the front lot line, not less than ten (10) feet long lying farthest from the front lot line and wholly within the lot.
- (3) *Lot line, side*, means any lot line other than the front lot line or rear lot line.

Lot of record means a lot which exists in a subdivision plat as shown on the records of the county register of deeds, or a lot or parcel described by metes and bounds, the description of which has been recorded.

Manufacturing means all operations required to produce a material or product suitable for use.

Marihuana means that term as defined in section 7106 of the Public Health Code, 1978 PA 368, MCL 333.7106, and does not include industrial hemp as defined in the Industrial Hemp Research and Development Act.

Marihuana plant means any plant of the species *Cannabis sativa* L.

Marihuana establishments means a marihuana grower with or without a processor, marihuana safety compliance facility, marihuana microbusiness, marihuana provisioning center, marihuana retailer, marihuana secure transporter or any other type of marihuana-related business licensed to operate by the agency under the Michigan Medical Marihuana Facilities Licensing Act, Michigan Regulation and Taxation of Marihuana Act and their associated rules and regulations.

Marihuana event organizer means a person licensed to apply for a temporary marihuana event license under the associated rules.

Marihuana microbusiness means a combined operation including the cultivation of up to one hundred fifty (150) plants, processing and packaging of on-site grown marihuana, retail sale or transfer of said marihuana to individuals over twenty-one (21) years of age, and transfer of marihuana to a safety compliance facility for testing, but not to other adult-use marihuana establishments.

Medical marihuana facility means a grower, processor, provisioning center, safety compliance facility or secured transporter as defined herein and as defined in the Michigan Medical Marihuana Facilities Licensing Act and its rules and regulations, as amended that has a current license to operate from both the State of Michigan and the City of Jackson.

Michigan Medical Marihuana Act or *MMMA* means the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCL 333.26421 et seq., as amended.

Michigan Medical Marihuana Facilities Licensing Act or *MMMFLA* means the Michigan Medical Marihuana Facilities Licensing Act, Act 281 of 2016, MCL 333.2701 et seq., as amended.

Michigan Regulation and Taxation of Marihuana Act or *MRTMA* means the Act passed by the voters of the State of Michigan at the November 6, 2018 election which is expected to be referred to as Initiative Law 1 of 2018.

Medical Marihuana Rules, Emergency Rules, or Rules, means rules promulgated under the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328, by the department in consultation with the board to implement this act.

Mobile home means any vehicle or building without motive power designed functionally as a dwelling unit and for periodic movement upon a highway as defined and regulated by Act No. 299 of the Public Acts of Michigan of 1986 (MCL 125.1104 et seq.), as amended. This term shall include those vehicles commonly referred to as a trailer, house trailer, or trailer coach or manufactured housing.

Monument (ground) sign means a sign attached to a permanent foundation of at least equal length to the sign structure and not attached to a building, pole, posts, or similar uprights (see section 28-253(f)).

Motel means a building or group of buildings on the same lot, whether detached or in connected rows containing sleeping or dwelling units which may or may not be independently accessible from the outside with a garage or parking space located on the lot, and designed for, or occupied by automobile travelers. The term shall include any buildings or building groups designated as motor lodges, motor inns or by any other title intended to identify them as providing lodging, with or without meals, for compensation.

Multiple-family residential complex means a multiple-family residential building or buildings with six (6) or more dwellings, which triggers the need for site plan review before the city planning commission.

Mural means a painting or similar graphic medium on or attached to a wall (see section 28-253(g)).

Nonconforming lot means any lot or parcel of land which does not meet the land area or dimensional requirements of this chapter.

Nonconforming sign means a sign that was lawfully permitted at the time it was erected, but is not permitted under current ordinance.

Nonconforming structure means a structure that does not conform to the limitations on building size and location for the use to which such building is being put.

Nonconforming use means a use of land that does not conform to the use provisions of the zoning district in which the use is located, but which complied with applicable regulations at the time the use was established.

Off premises sign means a sign located on property not owned by the sign owner.

Ordinary repair/maintenance means repairs to a structure due to day-to-day wear and tear that are required to maintain the structure's functionality but does not increase the value of the structure or perpetuate the legal nonconforming use.

Outdoor grow means a fully enclosed outdoor area that is shielded from public view and is not visible without the use of binoculars, aircraft, or other optical aids, and is equipped with secure locks and other functioning security devices to prevent entry into the area by unauthorized persons.

Park means an area of land used for the enjoyment of the public, having facilities for rest and recreation.

Parking area, space, lot, means an off-street open area, the principal use of which is for the parking of automobiles, whether for compensation or not, or as an accommodation to clients, customers, visitors or employees.

Parking lot sign means a sign located within a public or private - parking lot.

Person means an individual human being.

Playground means any outdoor facility (including parking lots appurtenant thereto) intended for recreation open to the public, and with any portion thereof containing three (3) or more separate apparatus for the recreation of children including, but not limited to, slides, swing sets, and teeterboards.

Portable sign means a free-standing sign not permanently anchored or secured to the ground or to a building.

Primary caregiver or caregiver means a person who is at least twenty-one (21) years old and who has agreed to assist with a patient's medical use of marihuana and who has not been convicted of any felony within the past ten (10) years and has never been convicted of a felony involving illegal drugs or a felony that is an assaultive crime as defined in section 9a of chapter X of the Code of Criminal Procedure, Act 175 of 1927, MCL 770.9a.

Process or Processing means to separate or otherwise prepare parts of the marihuana plant and to compound, blend, extract, infuse, or otherwise make or prepare marihuana concentrate or marihuana-infused products.

Projecting sign means a sign which projects from and is supported by a building wall, any part of which extends more than fifteen (15) inches beyond the building face or ends of the building wall (see section 28-253(h)).

Proposed marihuana establishment means a location at which an applicant plans to operate a marihuana establishment under the act and the associated rules if the applicant is issued a state license.

Provisioning center means a licensee that is a commercial entity located in this state that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through LARA'S marihuana registration process in accordance with the Michigan Medical Marihuana Act is not a provisioning center for purposes of this act.

Public building means any building held, used, or controlled primarily for public purposes by any department or branch of government; state, county, or municipal, without reference to the ownership of the building or of the realty upon which it is situated.

Public utility means any person, firm, corporation, municipal department or board duly authorized to furnish and furnishing under federal, state or municipal regulations, to the public, electricity, gas, steam, communications, telegraph, transportation or water.

Qualifying patient or patient means a person who has been diagnosed by a physician as having a debilitating medical condition alleviated by the use of medical marihuana, and who is registered through LARA to grow and consume marihuana.

Registered primary caregiver means a primary caregiver who has been issued a current registry identification card under the Michigan Medical Marihuana Act.

Registered qualifying patient means a qualifying patient who has been issued a current registry identification card under the Michigan medical marihuana act or a visiting qualifying patient as that term is defined in section 3 of the Michigan Medical Marihuana Act, MCL 333.26423.

Registry identification card means that term as defined in section 3 of the Michigan Medical Marihuana Act.

Restaurant/delicatessen means any business located in a building permanently affixed to real property which serves customers prepared food or beverages for consumption either on or off the premises.

Roof sign means any sign that extends above the top of the facade or eave line, and is exclusively mounted to the roof of the building or is incorporated into the material which clad a building roof (see section 28-260(q)).

Rooming and/or boarding house means a building containing rooms for guests in which lodging is provided with or without meals for compensation or on a short-term basis in response to a family crisis, and where no provision is made for cooking in any guestroom.

Safety compliance facility means a licensee that is a commercial entity that takes marihuana from a marihuana facility or receives marihuana from a registered primary caregiver, tests the marihuana for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the marihuana establishment.

Sandwich board sign means a temporary A-frame design sign that is freestanding, (see section 28-253(i)).

School means a public or private licensed pre-school, or a public, private, or charter elementary, middle, junior high, or high school, vocational school, secondary school, community college, or other institution of higher education.

Secure transporter means a licensee that is a commercial entity located in this state that stores marihuana and transports marihuana between marihuana facilities for a fee.

Setback means the minimum distance a building must be placed back from a lot line or right-of-way.

Shingled roof sign means a sign that consists of words or images in a pattern and color different to the any abutting shingle or other roofing material intended to advertise or draw the public's attention (see section 28-260(r)).

Sign means a name, identification, description, display, or illustration which is affixed to, or painted, or represented directly or indirectly upon a building, structure, or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization, or business and which is visible from any public street, right-of-way, sidewalk, alley, park, or other public place.

Soil removal means the removal of any kind of soil or earth matter, including top soil, sand, gravel, clay, or similar materials, or combination thereof, except common household gardening and general farm care.

Special license means a state license described under section 8 of the MRTMA and issued pursuant to section 9 of the same act, MCL 333.27958 and 333.27959.

Specified anatomical areas means:

- (1) Less than completely and opaquely covered male or female human genitalia; or
- (2) Human male or female anal orifices; or
- (3) Human male genitals in a discernibly turgid state even if completely and opaquely covered; or
- (4) An individual's female breast below the point immediately above the top of the areola.

Specified sexual activities means:

- (1) Human genitals in a state of sexual stimulation or arousal; or
- (2) Acts of human masturbation, sexual intercourse, oral sex, bestiality or sodomy; or
- (3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Stacking space means the average length of a vehicle (i.e., twenty (20) feet), as it applies to the required number of vehicle lengths that must be provided for vehicles cueing per drive-through lane/facility.

State operating license or, unless the context requires a different meaning, *license* means a license that is issued under this act that allows the licensee to operate as one (1) of the following, specified in the license:

- (i) A grower (Class A only for Medical, Classes A and B for Adult Use, may include research and development component) with or without a processing facility;
- (ii) A safety compliance facility;
- (iii) A provisioning center;
- (iv) A retailer;
- (v) A microbusiness; or
- (vi) A secure transporter; or
- (vii) One (1) co-located grower and processor (maximum number of stacked MMFLA Class C grower licenses, the maximum number of stacked MRTMA Class C grower licenses and up to one (1) each MMFLA and MRTMA processor licenses). Licensee may also operate up to two (2) separate co-located retailers at a separate address in the City of Jackson.

Structure means anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground, to include, but not be limited to driveways, parking lots, in-ground and above-ground swimming pools, and similar recreational facilities.

Swinging sign means a sign suspended from a horizontal or near horizontal support or arch.

Taxable value means the value of the property listed on the city's assessment role for the purpose of taxation, as confirmed by the last board of review.

Temporary banner means a sign of lightweight fabric or similar material that is temporarily mounted or attached to a pole or a building.

Temporary event sign means a temporary or portable sign concerning a special event.

Temporary freestanding commercial/industrial yard sign means a sign located in the front or side yard and constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and appears to be intended to be displayed for a limited period of time.

Temporary freestanding residential yard sign means a sign located in the front or side yard and constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and appears to be intended to be displayed for a limited period of time.

Temporary marijuana event license means a state license held by a marijuana event organizer for an event where the onsite sale is authorized at the location indicated on the state license during the dates indicated on the state license.

Temporary use or structure means a structure or use permitted by the zoning administrator (or designee) to exist during periods of construction of the main use or for special sales or other events. See section 28-111 of this chapter for the various types of temporary uses and structures allowed and their standards.

Tourist home means a building where lodging is provided by a resident family in its home for compensation, mainly for transients. A tourist home may be called a "bed and breakfast establishment." A tourist home is not a hotel, motel or boardinghouse.

Use by right means any use which is listed as a use by right in any given zoning district in this chapter. Uses by right are not required to show need for their location.

Uses by temporary permit means listed uses which may be permitted in any given zoning district provided that need for the use in the district can be established to the satisfaction of the zoning inspector.

Use, conditional. See "conditional use."

Use, nonconforming. See "nonconforming use."

Use, transitional, means a use permitted on certain lots abutting zoning boundary lines.

Variance means a modification of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this chapter would result in practical difficulties and unnecessary hardship. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or adjoining zoning districts.

Video arcade facility means any facility legally accessible to person under eighteen (18) years of age, intended primarily for the use of pinball and video machines for amusement containing a minimum of ten (10) pinball and/or video machines.

Virtual course means a course of study that is capable of generating a credit or a grade and that is provided in an interactive learning environment in which the majority of the curriculum is delivered using the internet and in which pupils are separated from their instructor or teacher of record by time or location, or both.

Wall. Please see "fence" or "wall".

Wall sign means a sign attached to, painted on, or otherwise placed upon an exterior building wall (see section 28-253(l)).

Warning sign means a sign that warrants of a potential danger, hazard or health risk.

Watercourse shall mean any waterway including a river, stream, lake, pond or any body of surface water having definite banks, a bed, and visible evidence of a continued flow or continued occurrence of water.

Window signs mean signs affixed to the interior or exterior glass surfaces of windows or doors and are visible from outside the structure.

Wireless communication facilities means all structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to radio towers, television towers, telephone devices and exchanges, microwave relay towers, telephone transmission equipment buildings and commercial mobile radio service facilities. Not included within this definition are citizen band radio facilities; short wave facilities; ham, amateur radio facilities; satellite dishes; and, governmental facilities that are subject to state or federal law or regulations that preempt municipal regulatory authority.

- (1) *Antenna.* Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.
- (2) *Attached wireless communications facilities (antennae).* Wireless communication facilities that are affixed to existing structures, such as existing buildings, towers, water tanks, utility poles, and the like. A wireless communication support structure proposed to be newly established shall not be included within this definition.
- (3) *Base station.* A structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined herein or any equipment associated with a tower. Base station includes, without limitation:

- a. Equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
- b. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems ("DAS") and small-cell networks).
- c. Any structure other than a tower that, at the time the relevant application is filed with the City of Jackson under this section, supports or houses equipment described herein that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing that support.

The term does not include any structure that, at the time the relevant application is filed with the City of Jackson under this section, does not support or house equipment described above.

- (4) *Collocation.* The location by two or more wireless communication providers of wireless communication facilities on a common structure, tower, or building, with the view toward reducing the overall number of structures required to support wireless communication antennae within the city.
- (5) *Eligible facilities request.* Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:
 - a. Collocation of new transmission equipment;
 - b. Removal of transmission equipment; or
 - c. Replacement of transmission equipment.
- (6) *Eligible support structure.* Any tower or base station, as defined in this section, provided that it is existing at the time the relevant application is filed with the City of Jackson under this section.
- (7) *Existing.* A constructed tower or base station is existing for purposes of this section if it has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, provided that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this section.
- (8) *New facility.* A new wireless communication support structure.
- (9) *Site.* For towers other than towers in the public rights-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground.
- (10) *Substantial change.* A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:
 - a. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than ten (10) percent or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than ten (10) percent or more than ten feet, whichever is greater
 - b. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty (20) feet, or more than the width of the Tower structure at the level of the appurtenance, whichever is

greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six (6) feet;

- c. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four (4) cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than ten (10) percent larger in height or overall volume than any other ground cabinets associated with the structure;
 - d. It entails any excavation or deployment outside the current site or increases an existing equipment compound to greater than two thousand five hundred (2,500) square feet;
 - e. It would defeat the concealment elements of the eligible support structure;
 - f. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in paragraphs (10)a., e. of this section.
 - g. Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act (2012).
- (11) *Tower*: Any structure for the sole or primary purpose of supporting any FCC authorized antennas and associated facilities.
- (12) *Wireless communication support structures*. Structures erected or modified to support wireless communication antennae. Support structures within this definition include, but shall not be limited to, monopoles, lattice towers, light poles, wood poles and guyed towers, buildings or other similar structures.

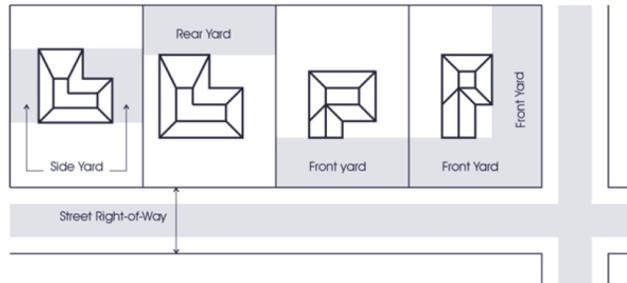
Wireless telecommunication facility means the following equipment:

- (1) *Wireless telecommunication antenna* means an antenna and associated equipment mounted to a building or other structure for the purpose of broadcasting wireless telecommunication transmissions.
- (2) *Wireless telecommunication tower* means a separate structure fastened to an independent foundation, not mounted to a building or structure, for the sole purpose of mounting wireless telecommunication antennas, excluding non-commercial radio and television antennas.

Work release (halfway) house means a residential building used to help recently released inmates to matriculate back into the community while they are still on partial supervision with a state or county facility.

Yard means a required open space of prescribed width or depth on the same land with a building or group of buildings, which open space lies between the building or group of buildings and the nearest lot line and is unoccupied and unobstructed by a principal structure or portion of a structure from the ground upward, except as provided otherwise in this chapter.

Yard Example



- (1) *Front yard* means a yard extending the full width of a lot and situated between a street line and a front building line parallel to the street line. The depth of the front yard shall be measured at right angles to a straight line joining the foremost points of the side lot lines in the case of rounded property corners at street intersections. Where the radius of the curve is thirty (30) feet or less, the foremost point of the side lot line shall be assumed to be the point at which the side and front lot lines would have met without such rounding. If the radius of such curve exceeds thirty (30) feet, the yard shall be parallel to the street line. The front and rear yard lines shall be parallel.
 - a. *Addressed front yard* means all front yards will be considered the addressed (primary) front yards of the lot, excluding corner and double frontage lots.
 - b. *Non-addressed front yard* means that the non-addressed front yard will be considered the secondary front yard and regulated accordingly, for corner and double frontage lots.
- (2) *Rear yard* means a yard extending the full width of the lot between the interior side yard lines and situated between the rear lot line and the rear building line and parallel to the rear lot line. In the case of corner and double frontage lots, there shall be no rear yards but only front and side yards.
- (3) *Side yard* means a yard situated between the side building line and adjacent side lot line and situated between the rear yard and front yard. In the case of corner lots and double frontage lots it is the yard situated between the side building line and adjacent lot line situated between the front yards.

Youth center means any recreational facility and/or gymnasium (including any parking lots appurtenant thereto), intended primarily for use by person under eighteen (18) years of age, which regularly provides athletic, civic, or cultural activities.

Zoning administrator means the staff zoning administrator and includes any designee of the zoning administrator.

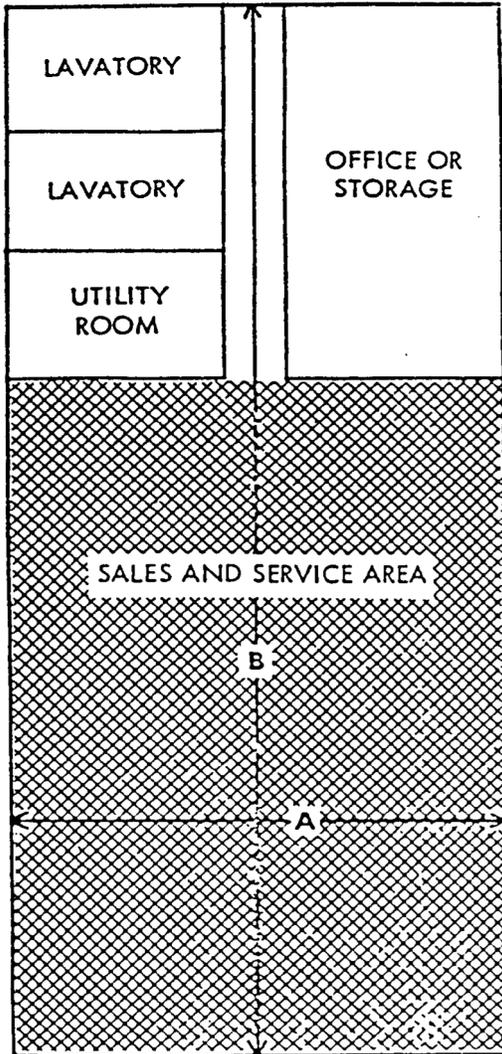
Zoning compliance certificate means a certificate issued by the zoning administrator which recognizes that the holder of a zoning permit has developed the intended use, building, or structure in full compliance with the requirements of this chapter at the time the certificate is issued.

Zoning permit means a permit issued by the zoning administrator which authorizes the recipient to use or occupy a tract of land or a structure; or to erect, alter or install a structure which fully meets the requirements of this chapter.

(Code 1977, §§ 5.6—5.13; Ord. No. 90-14, § 1, 7-31-90; Ord. No. 93-2, § 2, 1-5-93; Ord. No. 93-25, § 1, 11-9-93; Ord. No. 97-17, § 1, 9-2-97; Ord. No. 2003.17, § 1, 11-25-03; Ord. No. 2006.11, § 1, 7-18-06; Ord. No. 2010-04, § 1, 2-9-10; Ord. No. 2011.15, § 2, 8-16-11; Ord. No. 2012.5, § 3, 4-10-12; Ord. No. 2012.17, § 3, 7-17-12; Ord. No. 2012.19, § 2, 9-11-12; Ord. No. 2012.20, § 2, 9-11-12; Ord. No. 2012.23, § 2, 9-25-12; Ord. No. 2013.02, § 2, 3-12-13; Ord. No. 2013.06, § 2, 4-9-13; Ord. No. 2013.10, § 2, 4-23-13; Ord. No. 2016.07, § 2, 3-29-16; Ord. No. 2016-29, § 2, 11-15-16; Ord. No. 2017-06, § 2, 5-2-17; Ord. No. 2017-08, § 2, 6-13-17; Ord. No. 2017-12, § 2,

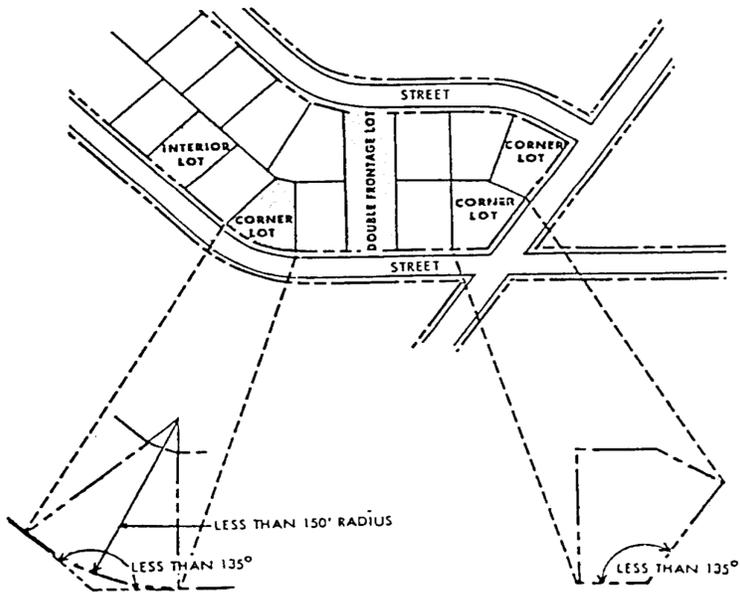
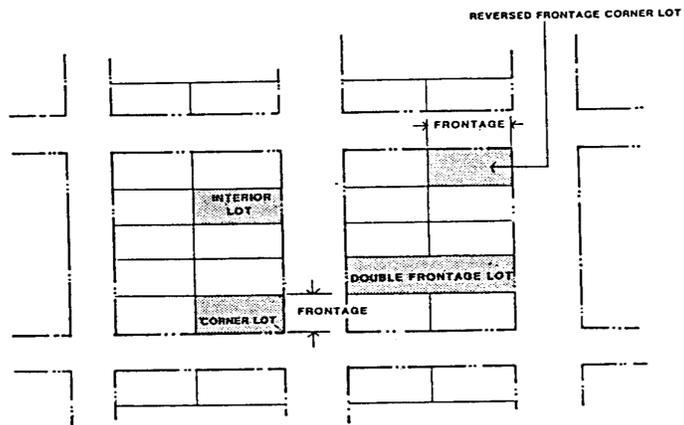
11-28-17; Ord. No. 2018-14, § 2, 12-11-18; Ord. No. 2019-14, § 2, 10-15-19; Ord. No. 2020-03, § 2, 4-14-20; Ord. No. 2020-06, § 2, 6-16-20; Ord. No. 2020-16, § 2, 10-13-20; Ord. No. 2020-21, § 2, 12-8-20)

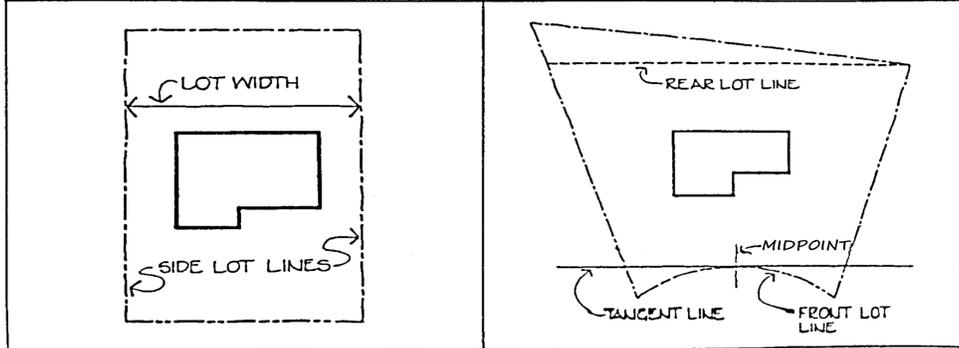
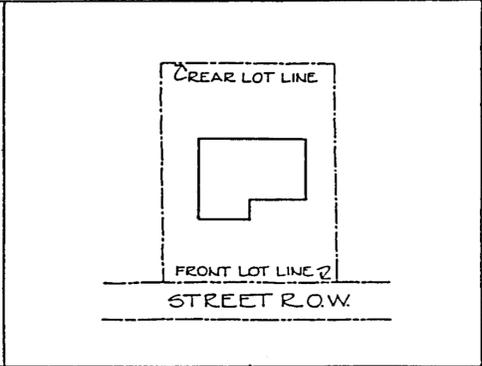
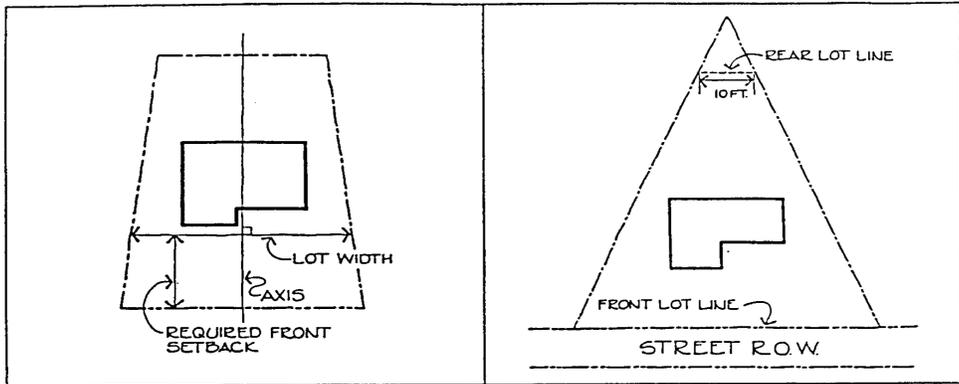
Cross reference(s)—Definitions and rules of construction generally, § 1-2Cross reference(s)—.

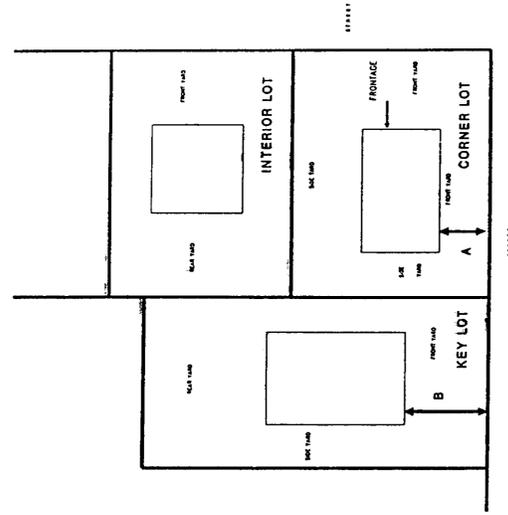


"A" X "B" = GROSS FLOOR AREA

 **USABLE FLOOR AREA**
(FOR PURPOSES OF COMPUTING PARKING)





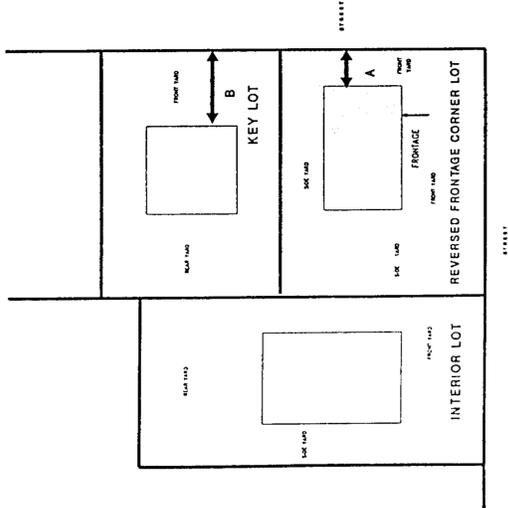


A • FRONT YARD MEASUREMENT FOR CORNER LOT ADJOINING KEY LOT

B • MINIMUM FRONT YARD MEASUREMENT (SETBACK REQUIREMENT)

FORMULA IS: $A = 1/2 B$

YARD REQUIREMENT FOR CORNER LOT ADJOINING KEY LOT

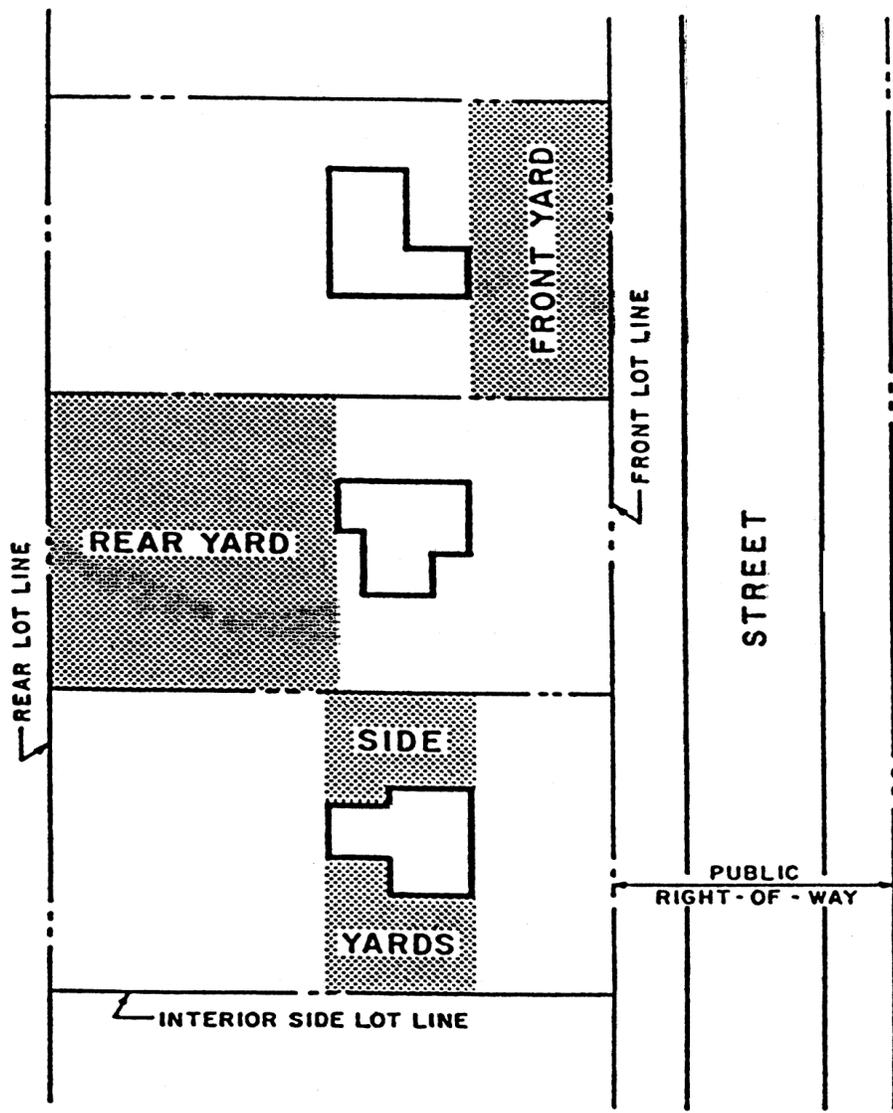


A • FRONT YARD MEASUREMENT FOR REVERSED FRONTAGE CORNER LOT ADJOINING KEY LOT

B • MINIMUM FRONT YARD MEASUREMENT (SETBACK REQUIREMENT)

FORMULA IS: $A = 1/2 B$

YARD REQUIREMENT FOR REVERSED FRONTAGE CORNER LOT ADJOINING KEY LOT



MEMORANDUM

TO: City Councilmembers, City Manager
FROM: Mayor Derek Dobies
DATE: September 28, 2021
SUBJECT: Consideration of a motion to adopt a Living Wage Ordinance.

Recommendation: Move first reading and advance to second reading, and final adoption, the proposed Living Wage Ordinance for the City of Jackson.

BACKGROUND

The decline of the minimum wage, relative to the cost of living, has contributed to the growth of income inequality and poverty over the past three decades. Working families in the City of Jackson are struggling and nearly 1 in 3 live under the federal poverty level. Even more are asset limited, and income constrained per the most recent United Way Financial Hardship Study.

As we continue to expend resources on behalf of the city, particularly with the receipt of \$32 million dollars in American Rescue Plan funds, we must do so in a way that does not continue a race to the bottom in wages that further exacerbates poverty across our city.

Since the early 1990s, more than 120 cities and counties across the country have passed living-wage ordinances, which set wage standards for city employees, government contractors, and companies receiving public subsidies, to ensure that public spending creates good family-supporting jobs. Workers deserve a living wage to raise their standard of living and restore economic power to working people.

Detroit City Council enacted a resolution in 2018 supporting a \$15 minimum wage. Ann Arbor passed a Living Wage Ordinance in 2015, stating that all city-contracted employers must pay their employees a "living wage," designated at \$12.70/hour if they provide health benefits, and \$14.18/hour if not. The provisions of their ordinance have now led to a rate of over \$15/hour.

Several other Michigan cities, townships, and counties have adopted living wage ordinances and policies. Contractors and other businesses who receive economic assistance from these cities, townships, and counties must pay their employees a "living wage." These ordinances vary, but they try to pay employees a wage that would allow them to live above the federal poverty level, and have those rates adjusted annually.

Based on my research, Michigan municipalities with some form of living wage ordinance include:

- Ann Arbor

- Eastpointe
- Ferndale
- Lansing
- Monroe
- Pittsfield Township
- Southgate
- Superior Township
- Taylor
- Warren
- Ypsilanti
- Ypsilanti Township
- Ingham County
- Macomb County
- Washtenaw County

Opponents of increasing local wage laws focus mainly on two erroneous arguments: first, that an increase to \$15 an hour will have a negative effect on productivity and the local economy; and second, that municipalities are prohibited from setting wage laws. However, recent studies have shown that significantly raising the minimum wage boosts local economies by expanding the consumption power of working people.

Further, it is correct that, in an effort led by Jackson’s then State Representative Earl Poleski, the state of Michigan banned local minimum wage increases (PA 105 of 2015) that outpace statewide minimum wage in 2015. That legislation, however, purposely carved out space in Section 15 to allow municipalities to set wage standards as it relates to their own contracting, grant making and financial incentives:

Sec. 15. Subject to sections 5 to 8 and 11, this act does not prohibit a local governmental body from adopting, enforcing, or administering an ordinance, local policy, or local resolution that provides for the terms and conditions of a voluntary agreement between an employer and the local governmental body in connection with the provision of services directly to the local governmental body or in connection with the receipt of a grant, tax abatement, or tax credit from the local governmental body.

It is clear that the state legislature wanted to preserve the right of municipalities to set their own terms and conditions as it relates to their service contracts, grants and other applicable expenditures. That’s what this proposed ordinance would do for the City of Jackson: it would set a living wage rate for those expenditures.

The \$15.68 living wage rate in this proposal is derived from a [Massachusetts Institute of Technology \(MIT\) model](#) for the living wage for two working adults with one child in the Jackson Metropolitan Statistical Area. The ordinance also provides for a covered employer that provides employee health care to its employees, that living wage shall be \$13.32 an hour, adjusted thereafter under Section 15-105(3). This is about 85% of the \$15.68 living wage for those employers who do not provide healthcare.

The MIT living wage calculation is further summarized in their [technical documentation](#):

It is a market-based approach that draws upon geographically specific expenditure data related to a family's likely minimum food, childcare, health insurance, housing, transportation, and other necessities (e.g., clothing, personal care items, etc.) costs. The living wage draws on these cost

elements and the rough effects of income and payroll taxes to determine the minimum employment earnings necessary to meet a family's basic needs while also maintaining self-sufficiency.

The living wage model exceeds the poverty level as measured by the poverty thresholds, but it is a modest 'step up,' which accounts for individual and family needs. The living wage model does not include funds for what the public considers the necessities enjoyed by many Americans. It does not incorporate funds for pre-prepared meals or those eaten in restaurants. It does not contain money for leisure time or unpaid vacations or holidays.

Lastly, it does not provide a financial means for planning for the future through savings and investment or for the purchase of capital assets (e.g., provisions for retirement or home purchases). The living wage is the minimum income standard that, if met, draws a fine line between the financial independence of the working poor and the need to seek out public assistance or suffer consistent and severe housing and food insecurity. In light of this fact, the living wage is perhaps better defined as a minimum wage covering necessary costs for persons living in the United States.

We need to grow an economy for everyone - one that prioritizes maximizing paychecks for working families, not profit for large corporations. In a consumer driven economy like our own, both workers and businesses benefit from having more money and resources in the hands of the consumers, our community members. A living wage would mean so much to hardworking Jackson citizens.

Considering recent conversations around panhandling we see downtown and across our community, this policy will help to ensure that we are not exacerbating, rather reversing, the poverty we see in our community. In passing this policy, the City can also raise the standards for what other private sector businesses and nonprofits pay their employees through competition and market forces.

I urge you to support this Living Wage Ordinance for the City of Jackson.

Your consideration is greatly appreciated.

ORDINANCE NO. 2021-##

An Ordinance creating Sections 15-101 through 15-125 of Article V, Chapter 15 of the Code of Ordinances of the City of Jackson, Michigan to create a Living Wage Ordinance for the City of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

CHAPTER 15 - DIVERSITY, EQUITY, AND INCLUSION

ARTICLE V. - LIVING WAGE ORDINANCE

Sec. 15-101. - Purposes.

The purposes of this article are (1) to increase the quality and reliability of services procured for the city or provided to city inhabitants by contractors, vendors, and grantees by promoting higher productivity and retention of employees working on city contracts and grants; (2) to use city spending to encourage the development of jobs paying wages above the poverty level; (3) to use city spending and procurement of services to require covered employers that provide services to the city or that receive certain other forms of financial assistance from the city for providing services to city inhabitants pay their employees a "living wage," that is, a wage sufficient to meet their employees' basic subsistence needs; (4) to raise the income of low-income working people and their families employed by covered employers on city contracts or grants; (5) to permit hardship exemptions for certain non-profit employers from the provisions of this article; (6) to provide incentives for covered employers to provide health insurance to their employees; (7) to monitor and enforce the requirements of this article; and (8) for other purposes.

Sec. 15-102. - Findings.

The City Council finds as follows:

- (1) The health and welfare of all Jackson citizens is benefited and advanced when Jackson workers are paid a wage which enables them to live above the poverty line;
- (2) The city awards many contracts to private sector employers to provide goods and services to the city in accordance with those contracts;
- (3) Many workers in Jackson and their families live at or below the poverty line. The payment of inadequate wages to those workers tends to negatively affect the quality of services provided to the city and its residents by fostering high turnover and instability in the workplace;
- (4) The use of city funds to promote the creation of a living wage will increase the ability of low wage workers to attain sustenance, decrease the amount of poverty and reduce the amount of taxpayer funded social services provided in the city of Jackson;

- (5) Some employers which provide contract services to the city do not provide health insurance benefits to their employees. This factor negatively affects worker performance and the quality of services delivered to the city and its residents, results in unwarranted employee absenteeism and negatively impacts local and State health programs. These problems can be ameliorated if employers provide reasonable health insurance benefits to their employees;
- (6) The expenditure of public funds for the procurement and provision of services is conducted most responsibly when the expenditure promotes a community economic standard intended to assure that city workers, including single parents, and their families can subsist above the poverty line; and
- (7) The use of city funds to encourage living wage jobs will decrease poverty, increase consumer income, and invigorate neighborhood businesses.

Sec. 15-103. - Definitions.

For purposes of this article, the following definitions shall apply:

- (1) *Contractor/vendor* is a person or entity that has a contract with the city primarily for the furnishing of services where the total amount of the contract or contracts with the city exceeds \$10,000.00 for any 12-month period. "Contractor/vendor" does not include:
 - (a) A person or entity that has a contract with the city primarily for the purchase of goods or property, or for the lease of goods or property to or from the city; or
- (2) *Covered employee* means a person employed by a covered employer to perform services which are covered or funded by the contract with or grant from the city; provided, however, that persons who are employed pursuant to federal, state or local laws relating to prevailing wages shall be exempt from this article.
- (3) *Covered employer* means a contractor/vendor or grantee that has not been granted an exemption from this article pursuant to Section 15-107.
- (4) *Employee* means an individual who provides personal services performed for wages under any contract calling for the performance of personal services, whether written or oral, express or implied. The term "employee" does not include any individual who volunteers to perform services for an employer if:
 - (a) The individual receives no compensation or is paid expenses, reasonable benefits, or a nominal fee to perform the services for which the individual volunteered; and
 - (b) Such services are not the same type of services which the individual is employed to perform for such an employer.
- (5) *Employee health benefits* or *health benefits* means providing health care benefits for employees (or employees and their dependents) at employer cost or making an employer contribution toward the purchase of such health care benefits for employees (or employees and their dependents), provided that the employer cost or contribution equals no less than \$1.00 an hour

for the average work week of such employee, and provided further that any employee payment or contribution toward health care shall not exceed 50 cents an hour for the average work week for such employee.

- (6) *Grant* means any form of financial assistance to a "grantee" as set forth and defined in Section 15-103(7). "Grant" does not include financial assistance used for the purchase or lease of property or other non-personnel costs.
- (7) *Grantee* is a person or entity that is a recipient of any financial assistance from the city in the form of any federal, state or local grant program administered by the city, revenue bond financing, tax increment financing, tax abatement, tax credit, direct grant, or any other form of financial assistance that exceeds \$10,000.00 for any 12-month period, including any contractors, subcontractors, or leaseholders of the grantee whose contract, subcontract or lease with the grantee exceeds \$10,000.00 for any 12-month period.
- (8) *Living wage* means a wage equal to the levels established in Section 15-105.
- (9) *Person* means any individual, copartnership, corporation, association, club, joint adventure, estate, trust, and any other group or combination acting as a unit, and the individuals constituting such group or unit.
- (10) *\$10,000.00 for any 12-month period* is computed by taking the total amount of the contract, grant or loan and dividing it by the number of months the contract, grant or loan covers.

Sec. 15-104. - Applicability.

- (1) This article shall apply to any person that is a contractor/vendor or grantee as defined in Section 15-103 that employs or contracts with 5 or more individuals; provided, however, that this article shall not apply to a non-profit contractor/vendor or non-profit grantee unless it employs or contracts with 10 or more individuals.
- (2) This article shall apply to any grant, contract, or subcontract or other form of financial assistance awarded to or entered into with a contractor/vendor or grantee after the effective date of this article and to the extension or renewal after the effective date of this article of any grant, contract, or subcontract or other form of financial assistance with a contractor/vendor or grantee.

Sec. 15-105. - Living wages required.

- (1) Every contractor/vendor or grantee, as defined in Section 15-103, shall pay its covered employees a living wage as established in this section:
 - (a) For a covered employer that provides employee health care to its employees, the living wage shall be \$13.32 an hour, or the adjusted amount hereafter established under Section 15-105(3).

- (b) For a covered employer that does not provide healthcare to its employees, the living wage shall be \$15.68 an hour, or the adjusted amount hereafter established under Section 15-105(3).
- (2) In order to qualify to pay the living wage rate for covered employers providing employee health care under Section 15-105(1)(a), a covered employer shall furnish proof of said healthcare coverage and payment therefore to the City Manager or his/her designee.
- (3) The amount of the living wage established in this section shall be adjusted upward no later than April 30, 2023, and every year thereafter by a percentage equal to the percentage increase, if any, in the federal poverty guidelines as published by the United States Department of Health and Human Services. Subsequent annual adjustments shall be based upon the percentage increase, if any, in the United States Department of Health and Human Services poverty guidelines when comparing the prior calendar year's poverty guidelines to the present calendar year's guidelines. The applicable percentage amount will be converted to an amount in cents by multiplying the existing wage under Section 15-105(1)(b) by said percentage, rounding upward to the next cent, and adding this amount of cents to the existing living wage levels established under Section 15-105(1)(a) and Section 15-105(1)(b). Prior to April 1 of each calendar year, the city will notify any covered employer of this adjustment by posting a written notice in a prominent place in City Hall, and, in the case of a covered employer that has provided an address of record to the city, by a written letter to each such covered employer.

Sec. 15-106. - Employees covered.

A covered employer shall pay each of its employees performing work on any covered contract or grant with the city no less than a living wage as defined in Section 15-105.

Sec. 15-107. - Exemptions.

Notwithstanding any other provisions in this article, the following exemptions shall apply:

- (1) Sweat equity contracts for home construction or rehabilitation grants will not subject the grantee to coverage under this article. Housing construction or rehabilitation grants or contracts that are passed through to a contractor in their entirety are exempt from the provisions of this article, even when the city participates in the selection of the contractor.
- (2) For any contract or grant, the City Council may grant a partial or complete exemption from the requirements of this article if it determines 1 of the following:
 - (a) To avoid any application of this article that would violate federal, state or local law(s); or
 - (b) The application of this article would cause demonstrated economic harm to an otherwise covered employer that is a non-profit organization, and the City Council finds that said harm outweighs the benefits of this article; provided further that the otherwise covered non-profit employer shall provide a written plan to fully comply with this article within a reasonable period of time, not to exceed 3 years, and the City Council then agrees that granting a partial or complete exemption is necessary to ameliorate the

harm and permit the non-profit organization sufficient time to reach full compliance with this article.

- (3) A loan shall be considered a grant under this ordinance only to the extent that a loan is provided at below market interest rates and then only the difference between the amount of the loan and the present value of the payments thereunder, discounted over the life of the loan, shall be treated as financial assistance under this ordinance.
- (4) A payment of funds for the purpose of purchasing services, property, or goods on behalf of individuals being assisted by a covered employer or potentially covered employer (sometimes known as a "pass through" grant) that is used for said purchases shall not be considered a grant; such funds shall be considered a grant only to the extent that any such funds are retained by the covered employer or potentially covered employer to provide financial assistance and support to its own operations.

Sec. 15-108. - Monitoring and enforcement.

- (1) Every covered employer shall agree to the payment of a living wage as a condition of entering into or renewing a covered contract or grant with the city, shall agree to post a notice regarding the applicability of this article in every workplace or other location in which employees or other persons contracted for employment are working, and shall agree to provide payroll records or other documentation as deemed necessary within 10 business days from the receipt of the city's request. All city contracts and grants covered by this article shall provide that a violation of the living wage requirements of this article shall be a material breach of the contract or grant. The Human Relations Commission of the city shall monitor the compliance of each contractor/vendor or grantee under procedures developed by the Department of Diversity, Equity and Inclusion and approved by the City Manager.
- (2) Each covered employer shall submit to the Department of Diversity, Equity and Inclusion of the City information regarding number of employees and applicable wage rates of its employees covered by this article in such manner as requested by that office. At the request of the Department of Diversity, Equity and Inclusion, any contractor/vendor or grantee shall provide satisfactory proof of compliance with the living wage provisions of this article.
- (3) Any person may submit a complaint or report of a violation of this article to the Human Relations Commission. Upon receipt of such a complaint or report, the Human Relations Commission shall investigate to determine if there has been a violation under procedures developed by the Department of Diversity, Equity and Inclusion and approved by the City Manager.

Sec. 15-109. - Penalties and enforcement.

- (1) A violation of any provision of this article is a civil infraction punishable by a fine of not more than \$500.00 plus all costs of the action. The court may issue and enforce any judgment, writ, or order necessary to enforce this article, including payment to the affected employee or employees of the difference between wages actually paid and the living wage that should have been paid, interest, and other relief deemed appropriate.

- (2) Each day upon which a violation occurs shall constitute a separate violation.
- (3) In addition to enforcement under subsections (1) and (2), the city shall have the right to modify, terminate, and/or seek specific performance of any contract or grant with an affected covered employer or to cancel, terminate or suspend the contract in whole or in part and/or to refuse any further payments under the contract or grant;
- (4) Nothing contained in this article shall be construed to limit in any way the remedies, legal or equitable, which are available to the city or any other person for the correction of violations of this article.

Sec. 15-110. - Private actions for damages or injunctive relief.

- (1) An employee or person contracted for employment by a covered employer who is denied payment of the applicable living wage in violation of this article may bring a civil action for appropriate injunctive relief or damages or both against the person(s) who acted in violation of this article. No employee or person shall bring a civil action alleging a violation of this article unless the employee or person has first provided a written allegation of the violation of this article to the Human Relations Commission and the covered employer no less than 90 days prior to filing said civil action. After at least 90 days have passed after the written allegation has been provided, the employee or person shall be free to proceed with a civil action. Any civil action under this section must be brought within 1 year of the last date of the violation. The last date of the violation shall be determined by the last paycheck received by the employee or person that did not contain the living wage.
- (2) As used in subsection (1), "damages" means restitution of the difference between amounts actually paid and the living wage that should have been paid, interest, and reasonable attorney fees and costs.
- (3) Private actions and remedies under this section shall be in addition to any actions for violations which the city may take.

Sec. 15-111. - Other provisions.

- (1) No affected covered employer shall reduce the compensation, wages, fringe benefits, or leave available to any covered employee or person contracted for employment in order to pay the living wage required by this article.
- (2) Nothing in this article shall be construed to require the city to take action which would conflict with, interfere with, and/or supersede any provision of a collective bargaining agreement with any union representing city employees, which deals with the provision of health care to city employees.
- (3) No employee covered by a federal, state or local law requiring the payment of prevailing wages shall be covered by this article.

- (4) This article shall not be construed to apply to any person or entity that is a tax exempt religious, educational or charitable organization under state or federal law, but is not a contractor/vendor or grantee as defined in Section 15-103.
- (5) This article shall not be applicable to the establishment and/or continuation of the following if developed specifically for youth, high school and/or college students:
 - (a) A bona fide training program;
 - (b) A non-profit summer program;
 - (c) A non-profit youth employment program;
 - (d) A work-study, volunteer/public service, or internship program.
- (6) The City Manager will submit a report to City Council two years after the effective date of this article, as first enacted, and every two years thereafter. The report will contain, for the two preceding years, information as to the amount of the increases required by Section 15-105(3), information as to the number of covered employers doing business with the city, and a summary report of all violations of this article.

Sec. 15-112. - Severability.

The terms, conditions, and provisions of this ordinance are hereby declared to be severable, and, should any portion, part or provision of this ordinance be found by a court of competent jurisdiction to be invalid, enforceable or unconstitutional, the City Council hereby declares its intent that the ordinance shall have been enacted without regard to the invalid, enforceable or unconstitutional portion, part or provision of this ordinance.

Sec. 15-113—5-125. - Reserved.

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Andrea Muray, City Clerk
DATE: October 26, 2021
SUBJECT: Second Reading and Final Adoption of Ordinance 2021-13

RECOMMENDATION:

Adopt Ordinance No. 2021-13 to amend Section 16-514 of Chapter 16 the City of Jackson Code of Ordinances to increase the number of Marihuana Facility Licenses permitted.

Attached is Ordinance No. 2021-13. Ordinance 2021-13 was considered for approval and moved for 2nd reading by the Council at the October 12, 2021 City Council Meeting.

Your consideration and concurrence is appreciated.

C: Jonathan Greene, City Manager

ORDINANCE NO. 2021-13

An ordinance amending Section 16-514, Chapter 16, Article XVIII, of the City of Jackson Code of Ordinances to increase the number of Marihuana Facility Licenses permitted.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN

Section 1. Purpose. The purpose of this ordinance is to amend the number of marihuana facility licenses allowable under the Code of Ordinances

Section 2. That Chapter 16, Article XVIII License allocation and fees, Section 16-514, of the City Code be amended to read as follows:

Sec. 16-514. License allocation and fees.

- (a) No person shall operate a provisioning center, retail establishment, grower facility, safety compliance facility, secure transporter facility, processor or microbusiness in the City of Jackson without first obtaining a license to do so from the city clerk and the State of Michigan.
- (b) The city clerk, after the approval from city council, shall issue no more than the following numbers and types of facility licenses. The term of each license shall be one (1) year. The following are the numbers and types of licenses:
 - (1) Two (2) Grower Licenses of Class A (maximum of one hundred (100) marihuana plants) or Class B (maximum of five hundred (500) marihuana plants) as defined in the MRTMA or Class A (maximum of five hundred (500) marihuana plants) as defined in the MMFLA, with or without a processing facility;
 - (2) Four (4) Class C Grower/Processor Licenses under the MMFLA (maximum of 1,500 medical marijuana plants) and four (4) Class C Grower/Processor Licenses under the MRTMA (maximum of 2,000 adult use plants);
 - (3) Three (3) provisioning center or retailer licenses;
 - (4) Two (2) safety compliance facility licenses;
 - (4) Two (2) secure transporter licenses;
 - (6) Two (2) marihuana microbusinesses; and
 - (7) One (1) co-located grower and processor operation comprised of up to the maximum number of stacked MMFLA Class C grower licenses, the maximum number of stacked MRTMA Class C grower licenses and up to one (1) each MMFLA and MRTMA processor licenses. A facility license issued under this subsection 6 will also allow the licensee to operate up to two (2) separate colocated retailers, consisting of a MMFLA provisioning center and a MRTMA retailer, located in the City of Jackson, in addition to the three (3) such operations authorized in section 16-514(b)(2) hereof.

A non-refundable fee for the application and license shall be submitted concurrent with the application. The non-refundable fee for a license shall be established by resolution of the city council and shall only license one (1) type of facility. However, all State social equity qualifiers shall receive a fifty percent (50%) reduction on said application fee.

- (c) Except as otherwise allowed in section 16-514(b)(6), a licensee may only hold one (1) license for each of the types of medical marihuana facilities, although a licensee may hold licenses for different types of medical marihuana facilities if all of the facilities are co-located in one (1) structure. For example, a licensee may not hold two (2) city provisioning center licenses but may hold one (1) city provisioning center license and one (1) city grower license if the provisioning center and the grow operation are located in the same structure. The fact that the licensee may have been issued two (2) state licenses for the same type of facility is irrelevant to the city's licensing process.

Section 3. Effective Date. This ordinance takes effect thirty (30) days from the date of adoption.

The foregoing Ordinance No. 2021-13 was adopted by the Jackson City Council on the 26th day of October, 2021 and a summary was published on October 31, 2021.

Andrea Muray, City Clerk

Derek J. Dobies, Mayor

Sec. 16-514. License allocation and fees.

- (a) No person shall operate a provisioning center, retail establishment, grower facility, safety compliance facility, secure transporter facility, processor or microbusiness in the City of Jackson without first obtaining a license to do so from the city clerk and the State of Michigan.
- (b) The city clerk, after the approval from city council, shall issue no more than the following numbers and types of facility licenses. The term of each license shall be one (1) year. The following are the numbers and types of licenses:
 - (1) Two (2) Grower Licenses of Class A (maximum of one hundred (100) marihuana plants) or Class B (maximum of five hundred (500) marihuana plants) as defined in the MRTMA or Class A (maximum of five hundred (500) marihuana plants) as defined in the MMFLA, with or without a processing facility; ~~which are not stackable;~~
 - (2) ~~Four (4) Class C Grower/Processor Licenses under the MMFLA (maximum of 1,500 medical marijuana plants) and four (4) Class C Grower/Processor Licenses under the MRTMA (maximum of 2,000 adult use plants);~~
 - (3) Three (3) provisioning center or retailer licenses;
 - (4) Two (2) safety compliance facility licenses;
 - (5) Two (2) secure transporter licenses;
 - (6) Two (2) marihuana microbusinesses; and
 - (7) One (1) co-located grower and processor operation comprised of up to the maximum number of stacked MMFLA Class C grower licenses, the maximum number of stacked MRTMA Class C grower licenses and up to one (1) each MMFLA and MRTMA processor licenses. A facility license issued under this subsection 6 will also allow the licensee to operate up to two (2) separate colocated retailers, consisting of a MMFLA provisioning center and a MRTMA retailer, located in the City of Jackson, in addition to the three (3) such operations authorized in section 16-514(b)(2) hereof.

~~Up to two (2) comparable medical and adult uses may co-locate under one (1) city license provided they are located within the same suite, are under the same ownership structure, and each complies with the respective zoning and licensing requirements as outlined in the applicable city and state laws/rules. If not comparable, then only up to two (2) use types may co-located on any one (1) parcel provided the ownership structure is identical for each and each will be considered as a separate city license.~~

A non-refundable fee for the application and license shall be submitted concurrent with the application. The non-refundable fee for a license shall be established by resolution of the city council and shall only license one (1) type of facility. However, all State social equity qualifiers shall receive a fifty percent (50%) reduction on said application fee.

- (c) Except as otherwise allowed in section 16-514(b)(6), a licensee may only hold one (1) license for each of the types of medical marihuana facilities, although a licensee may hold licenses for different types of medical marihuana facilities if all of the facilities are co-located in one (1) structure. For example, a licensee may not hold two (2) city provisioning center licenses but may hold one (1) city provisioning center license and one (1) city grower license if the provisioning center and the grow operation are located in the same structure. The fact that the licensee may have been issued two (2) state licenses for the same type of facility is irrelevant to the city's licensing process.

(Ord. No. 2019-13, § 2, 10-15-19; Ord. No. 2020-05, § 2, 5-26-20; Ord. No. 2020-15, § 2, 9-8-20; Ord. No. 2020-20, § 2, 12-8-20)

Commented [JG1]:

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: October 26, 2021
SUBJECT: Renewal of Training Consortium Agreement

Recommendation:

Approval of SMCJTC Agreement

Attached is a memorandum from Director Elmer Hitt regarding the renewal of the Southern Michigan Criminal Justice Training Consortium Agreement. This agreement has been renewed every 3 years since 2005 and is of great benefit to the City of Jackson Police Department.

I recommend approval of the renewal. Your consideration and concurrence is appreciated.

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager

FROM: Elmer J. Hitt, Director of Police and Fire Services 

DATE: October 26, 2021

RECOMMENDATION: Approval of Training Consortium Renewal

SUMMARY

The Jackson Police Department has participated with the Southern Michigan Criminal Justice Training Consortium (SMCJTC) since its inception in 2005. Every three years, the agreement must be renewed by each member agency. Jackson's last renewal occurred in 2018 and expires December 31, 2021.

BUDGETARY CONSIDERATIONS

Each member agency provides up to 50% of its PA302 funds to the SMCJTC for the purpose of providing training to member agencies' employees. These are funds provided by the State of Michigan and restricted for use only for law enforcement officer training.

HISTORY, BACKGROUND and DISCUSSION

In 2005, the Consortium was established as a voluntary, unincorporated association for the purpose of providing joint training in police methods and investigative techniques. Currently there are more than 20 member agencies. The Jackson Police Department serves as the Consortium's fiduciary agent.

DISCUSSION OF THE ISSUE

The Jackson Police Department's employees receive training at a much lower cost due to membership in the SMCJTC. This creates a more highly educated and trained police force, which results in safer citizens and employees.

The only changes made to the previous agreement are to update the dates of its effectiveness, the list of member agencies, and the signatories for the City of Jackson.

POSITION

I recommend approving the renewal and authorizing the mayor and city clerk to execute the agreement.

ATTACHMENT

SOUTHERN MICHIGAN CRIMINAL JUSTICE TRAINING CONSORTIUM AGREEMENT

This Agreement is made this 26th day of October, 2021 between the Agencies listed in Exhibit "A", or their controlling and governing bodies, all Michigan municipal corporations, (Municipalities) with reference to the following facts and circumstances:

- A. On a cooperative basis, the Municipalities seek to provide joint training in police methods and investigative techniques through an unincorporated association known as "Southern Michigan Criminal Justice Training Consortium," (Consortium).
- B. Jackson County Sheriff Office intends to provide the services of Coordinating Agency, in cooperation with the Municipalities, provided that the mutual responsibilities of the parties are established by agreement of the parties, as more fully set forth herein.
- C. The Municipalities, pursuant to authority granted under Michigan law or by charter, are authorized to enter into agreements for the provision of services such as that set forth herein, and are further authorized under the provisions of Act 35 of the Public Acts of 1951, as amended, MCLA 124.1 et seq., to arrange with other municipal corporations, by contract, or otherwise as may be permitted by law, for the ownership, operation, or performance, of any property, facility, or service which each would have the power to own, operate, or perform separately.
- D. Each signing Municipality desires to participate in the Consortium, in cooperation with the other participating Municipalities, and to provide funding for that participation.

NOW THEREFORE, as authorized by law, and in consideration of the mutual promises set forth herein, and for the other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows.

- 1. Duties of Coordinating Agency. Jackson County Sheriff Office, in cooperation with the participating Municipalities, will act as the Coordinating Agency for the Consortium for the purposes of establishing training programs and courses of instruction.
- 2. Duties of the Fiduciary Agency. The Jackson Police Department will act as the fiduciary for the Consortium for the purposes of providing financial services related to Consortium training.
- 3. Duties of Municipalities. The participating Municipalities, in return for the services to be provided under this Agreement, will use their best efforts to assist and facilitate the Consortium and to take part in the programs organized for the members.
- 4. Member Agency Fees. Each participating Municipality, in return for their services to be provided under this Agreement, agrees to member agency fees that are a percentage of each agency's annual PA 302 funding, according to the schedule and terms set forth in the attached Exhibit "B." The Consortium Board, with agreement of an affected municipality,

- may modify the payment schedule and terms. Changes in the percentage contribution in Exhibit "B" do not require execution of a new agreement with each member agency.
5. Suspension of PA 302 Disbursement Payments. The Board may suspend billing to member agencies in the event that the fund balance exceeds an amount desired by the Board. Suspension of payments shall be done by a majority vote of Board members.
 6. Adding New Member Agencies: New member agencies wishing to join the Consortium shall deliver a letter of intent to the Board. New member agencies shall be added by a majority vote of the Board, and their names shall be added to Exhibit "A". New member additions do not require execution of an new agreement with each member agency
 7. New Member Agency Fees. New member agencies will pay a full years' contribution to the Consortium, as described in (4) above, regardless of date joined.
 8. Operations of the Consortium. During the term of this Agreement, the Consortium will operate as an informal voluntary association according to the terms of the "By-Laws of the Southern Michigan Criminal Justice Training Consortium," which will be drafted, adopted, and amended (as necessary from time to time) by the Board of the Consortium. The chief administrative officer of the law enforcement agency for each participating Municipality, or his/her designee, has the responsibility and authority to participate in the day-to-day business activities of the Consortium, pursuant to the terms of the By-Laws.
 9. Participants Remain Employees/Agents of Employing Entity. An employee of a party, while participating in any activity of the Consortium, remains an employee of his or her employing entity at all times, and not an employee of the Consortium or any other participating entity. The employing entity remains solely responsible for the payment of all wages, fringe benefits, disability payments, and other similar payment and charges for each of its employees.
 10. Indemnification/Hold Harmless Clause. Each party bears the sole responsibility for the acts and omissions of its official, representative, volunteer, agent, or employee participating in any activity of the Consortium. Each participating Municipality must defend, indemnify, and hold each of the other Municipalities, except the Consortium, harmless from any costs and liability, including attorney's fees, caused by any negligent act or omission of the indemnifying party, or its official, representative, volunteer, agent or employee, occurring while acting within the scope of his or her duties and while performing under the terms of the By-Laws, this Agreement, or while participating in the activities of the Consortium. Nothing contained within this Agreement is intended or should be construed to provide third party beneficiary rights to any person or to create a cause of action in favor of such person.
 11. Non-Waiver of Governmental Immunity. In signing this Agreement the Municipalities do not waive their governmental immunity, or any defenses available to them or their officers, agents, or employees under the Michigan Governmental Immunity Act, being Act 170 of the Public Acts of 1964, as amended, MCLA 691.1401, et seq., or any other defenses which may be available to any of them under state or federal law, nor does this Agreement modify, or should be construed to modify, the privileges and immunities of law enforcement officers under Michigan law.

12. Insurance. At all times during the term of this Agreement each Municipality signing this Agreement must maintain
- a. Commercial general liability insurance for claims of bodily injury or property damage including liability coverage for the operations of their respective entities, departments, employees, officers, and agents while participating in the activities of the Consortium, with limits in an amount of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate;
 - b. Worker's Disability Compensation and employer liability insurance or self-insurance approval, as required by Michigan law; and
 - c. Automobile liability, bodily injury and property damage insurance including coverage for owned, non-owned, and hired motor vehicles, with limits of not less than \$1,000,000 for combined single limit and statutory "no fault" requirements.

Each party must furnish proof of any insurance coverage required by this section, upon reasonable written request, to any party of this Agreement.

13. Duration of Agreement. This Agreement begins on January 1, 2022 and ends on December 31, 2024 and may be renewed for three years periods thereafter as authorized by the individual Municipalities.
14. Extension of Agreement Duration. This agreement shall remain in effect for 60 calendar days after expiration. This extension exists so that the terms of the agreement may be reconsidered by the Board, and allows for future agreements to be executed.
15. Cancellation/Withdrawal From Consortium. This Agreement may be cancelled at any time by mutual written agreement of the parties. In addition, any party may withdraw from participation in the Consortium and cancel its participation under the terms of this Agreement on ninety (90) days prior written notice, served upon the Chairperson of the Consortium. Upon withdrawal and cancellation of participation, a withdrawing Municipality is entitled to a pro rata return of any funds paid under this Agreement, the amount of funds returned, if any, to be calculated through the effective date of such withdrawal and cancellation of participation. Withdrawal may not occur until all financial obligations of the withdrawing entity have been paid.
16. Amendments. The parties may amend this Agreement at any time by mutual written agreement, signed by the authorized representatives of the parties
17. Counterparts. This Agreement may be executed in counterparts, each of which is deemed an original, but together constitutes one instrument.
18. Entire Agreement. This Agreement, the By-Laws, and the attached exhibits contain the entire agreement of the parties and supersede all prior understandings with respect to the Consortium.

Effective Date. This Agreement is effective as to each party when each respective Municipality approves the Agreement and authorizes its representatives to sign the Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement,

BY: _____
Derek Dobies
Its: City of Jackson Mayor

BY: _____
Andrea Muray
Its: City of Jackson Clerk

EXHIBIT "A"

Member agencies are listed in this exhibit.

- Adrian Police Department
- Adrian Township Police Department
- Albion Department of Public Safety
- Blissfield Police Department
- Cambridge Township Police
- Clinton Police Department
- Columbia Township Police Department
- Eaton Rapids Police Department
- Hillsdale County Sheriff's Department
- Hudson Police Department
- Jackson County Office of the Sheriff
- Jackson Police Department
- Jonesville Police Department
- Lenawee County Sheriff's Department
- Madison Charter Township Police Department
- Marshall Police Department
- Morenci Police Department
- Napoleon Township Police Department
- Raisin Twp. Police Department
- Saline Police Department
- Somerset Township Police Department
- Spring Arbor Township Police Department
- Springport Police Department
- Tecumseh Police Department

List last updated: 10/1/2021 12:54 PM10/1/2021

EXHIBIT "B"

The member agency fee for this year, as specified in the Agreement, is set at 50% of your Agency's Act 302 funds, with a split payment schedule based on the semi-annual distribution from the Michigan Criminal Justice Training Commission.

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: October 26, 2021
SUBJECT: Purchase of Vehicles for the Jackson Police Department

Recommendation:

To approve the purchase of three patrol utility vehicles through the MiDeal contract and one administrative vehicle.

Attached is a memorandum from Director Elmer Hitt regarding the necessity of this purchase.

I recommend approval of this request. Your consideration and concurrence is appreciated.

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Elmer Hitt, Director of Police and Fire Services
DATE: October 26, 2021
RECOMMENDATION: Approval of Purchase of Four Vehicles

Copy for Elmer Hitt

SUMMARY

The Jackson Police Department is requesting authorization to purchase three 2022 Ford Police Interceptor utility vehicles and one 2022 Ford Escape through the State of Michigan MiDeal contract.

BUDGETARY CONSIDERATIONS

The purchase price is \$35,699 per Patrol vehicle and \$23,554 for the Ford Escape, for a total of \$130,651. When the 2021/2022 fiscal year budget was created, Finance Director Phil Hones agreed to a 3-year loan for the purchase of these vehicles. The down payment for this loan was budgeted in 21/22 FY as \$34,680.

HISTORY, BACKGROUND and DISCUSSION

The Ford Interceptor Utility vehicle is a pursuit rated all-wheel drive vehicle which has proven to serve the Department and public very well over the past few years. These Utility Vehicles have a better ability to respond to emergencies during adverse weather conditions. The Ford Escape will replace an older vehicle currently in use by the Detective Bureau.

DISCUSSION OF THE ISSUE

Over the past several years, the Police Department has been part of a City-wide lease program. We currently have 23 vehicles in various years of lease contracts. We feel the purchase of vehicles provides a better service to our citizens.

POSITIONS

I recommend approval of the purchase of three patrol utility vehicles and one administrative vehicle.

Attachment

DATE: 10/1/21 (Escape S) (Order Only)

TO: CHAD EDWARDS, CITY OF JACKSON P.D.
 517-768-8714 (DIRECT)(CELL) cedwards@cityofjackson.org

FROM: JIM AGNEY, GORNO FORD, GOVERNMENT & FLEET SALES
 734-671-4033 (DIRECT) jagney@gornoford.com

RE: **Contract # 071B7700181**
MiDEAL # 4WDU-0050 2022MY FORD ESCAPE S 4x4 AWD,
1.5L I-4 EcoBoost, 8spd. A/T, SELECT COLOR/BLACK CLOTH,
225/65R17 AS, AM/FM/w/CLOCK, REVERSE CAMERAw/4.2" SCREEN, A/C,
CRUISE/TILT, TPMS, MSG. CENTER ADVANCE TRACw/ROLL STABILITY-
CNTRL., OS Temp., REAR DEFROST, PWR.WINDOWS/LOCKS/MIRRORS,
PWR. DISC BRKS.w/ABS, FRNT/SIDE AIR BAGS, CAPLESS FUEL FILL

2022MY Production begins November 1, 2021.
Quoted price expires November 30,2021.
Lead time to order is 16 – 20 weeks.
Currently due to computer chip shortage lead times may be longer.

F.O.B. DELIVERED TO JACKSON., MI 23,554.00
 (MSRP = \$28,300.00)

OPTIONS:

8-WAY PWR. DRIVER SEAT 250.00
 PRIVACY GLASS 300.00

Please review, **SELECT OPTIONS**, sign and e-mail back or e-mail Purchase Order to Jim Agney.

Customer Signature: _____

Thank you,

Jim Agney

This quotation is confidential and privileged and is intended solely for the use of Gorno Ford and City of Jackson. This quotation is compiled in association with the MiDEAL Contract and intended for use by MiDEAL Members and State of Michigan government agencies stated above. Information/specifications in this quotation have been established by and are intended only for use by the stated parties. This document is not to be disclosed, distributed, used/re-used as a basis for specifications subsequent bids or request(s) for quotation(s) to any other party or bidders other than the intended parties and/or their authorized personnel.

Macomb County Bid Price (Bid #21-18, MY2020) in the State of Michigan 2022 Utility Police Interceptor Major Standard Equipment

MECHANICAL

- Axle Ratio – 3.73 (AWD)
- Brakes – 4-Wheel Heavy-Duty Disc w/H,D, Front and Rear Calipers
- Column Shifter
- DC/DC converter – 220-Amp (in lieu of alternator)
- Drivetrain – All-Wheel-Drive
- Electric Power-Assist Steering (EPAS) – Heavy-Duty
- Engine – 3.3L V6 Direct-Injection Hybrid Engine System
- Engine – 3.3L V6 Direct-Injection FFV with 10-Speed Automatic Transmission (136-MPH Top Speed)
Note: Deletes Regenerative Braking and Lithium-Ion Battery Pack; adds 250-Amp Alternator, replaces H7 AGM battery (800 CCA/80-amp) with H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank with 21.4-gallon tank
- Engine – 3.0L V6 EcoBoost® with 10-Speed Automatic Transmission – (148-MPH Top Speed)
Note: Deletes Regenerative Braking and Lithium-Ion Battery Pack; adds 250-Amp Alternator, replaces H7 AGM battery (800 CCA/80-amp) with H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank with 21.4-gallon tank
- Engine Hour Idle Meter
- Engine Hour Meter
- Engine Oil Cooler
- Fuel Tank – 19-gallons
- H7 AGM Battery (800 CCA/80-amp)
- Lithium-Ion Battery Pack
- Suspension – independent front & rear
- Transmission – 10-speed automatic

EXTERIOR

- Antenna, Roof-mounted
- Cladding – Lower bodyside cladding MIC
- Door Handles – Black (MIC)
- Exhaust True Dual (down-turned)
- Front-Door-Lock Cylinders (Front Driver / Passenger / Liftgate)
- Glass – 2nd Row, Rear Quarter and Liftgate Privacy Glass
- Grille – Black (MIC)
- Headlamps – Automatic, LED Low-and-High-Beam
Note: Includes Front Headlamp / Police Interceptor Housing (with LED wig-wag feature)
— Pre-drilled hole for side marker police use, does not include LED strobe, but includes LED wig-wag functionality (eliminates need to drill housing assemblies and provides LED wig-wag feature)
— Pre-molded side warning LED holes with standard sealed capability (does not include LED installed lights)
— Wig-wag default is traditional ping-pong pattern; can be programmed to triple-burst pattern or ping-pong / triple-burst
Note: Must be wired to vehicle's light controller to enable wig-wag functionality; recommend Ready for the Road Package (67H) or Ultimate Wiring Package (67U)
- Liftgate – Manual 1-Piece – Fixed Glass w/Door-Lock Cylinder
- Mirrors – Black Caps (MIC), Power Electric Remote, Manual Folding with Integrated Spotter (integrated blind spot mirrors not included when equipped with BLIS®)
- Spare – Full size 18" Tire w/TPMS
- Spoiler – Painted Black
- Tailgate Handle – (MIC)
- Tail lamps – LED
- Tires – 255/60R18 A/S BSW
- Wheel-Lip Molding – Black (MIC)
- Wheels – 18" x 8.0 painted black steel with wheel hub cover
- Windshield – Acoustic Laminated

INTERIOR/COMFORT

- Cargo Hooks
- Climate Control – Dual-Zone Electronic Automatic Temperature Control (DEATC)
- Door-Locks
— Power
— Rear-Door Handles and Locks Operable
- Fixed Pedals (Driver Dead Pedal)
- Floor – Flooring – Heavy-Duty Thermoplastic Elastomer
- Glove Box – Locking/non-illuminated
- Grab Handles – (1 – Front-passenger side, 2-Rear)

INTERIOR/COMFORT (continued)

- Liftgate Release Switch located in overhead console (45 second timeout feature)
- Lighting
— Overhead Console
— Red/White Task Lighting in Overhead Console
— 3rd row overhead map light
- Mirror – Day/night Rear View
- Particulate Air Filter
- Powerpoints – (1) First Row
- Rear-door closeout panels
- Rear-window Defrost
- Scuff Plates – Front & Rear
- Seats
— 1st Row Police Grade Cloth Trim, Dual Front Buckets with reduced bolsters
— 1st Row – Driver 6-way Power track (fore/aft, Up/down, tilt with manual recline, 2-way manual lumbar)
— 1st Row – Passenger 2-way manual track (fore/aft, with manual recline)
— Built-in steel intrusion plates in both driver/passenger seatbacks
— 2nd Row Vinyl, 35/30/35 Split Bench Seat (manual fold-flat, no tumble) – fixed seat track
- Speed (Cruise) Control
- Speedometer – Calibrated (includes digital readout)
- Steering Wheel – Manual / Tilt / Telescoping, Urethane wheel finish w/Silver Painted Bezels with Speed Controls and 4-user configurable latching switches
- Sun visors, color-keyed, non-illuminated
- Universal Top Tray – Center of I/P for mounting aftermarket equipment
- Windows, Power, 1-touch Up/Down Front Driver/Passenger-Side with disable feature

SAFETY/SECURITY

- AdvanceTrac® w/RSC® (Roll Stability Control™)
- Airbags, dual-stage driver & front-passenger, side seat, passenger-side knee, Roll Curtain Airbags and Safety Canopy®
- Anti-Lock Brakes (ABS) with Traction Control
- Brakes – Police calibrated high-performance regenerative braking system
- Belt-Minder® (Front Driver / Passenger)
- Child-Safety Locks (capped)
- Individual Tire Pressure Monitoring System (TPMS)
- LATCH (Lower Anchors and Tethers for Children) system on rear outboard seat locations
- Rearview Camera with Washer viewable in 4.2" center stack.
- Seat Belts, Pretensioner/Energy-Management System w/adjustable height in 1st Row
- SOS Post-Crash Alert System™

FUNCTIONAL

- Audio
— AM/FM / MP3 Capable / Clock / 4-speakers
— Bluetooth® interface
— 4.2" Color LCD Screen Center-Stack "Smart Display"
Note: Standard radio does not include USB Port or Aux. Audio Input Jack; Aux. Audio Input Jack requires SYNC 3®
- Easy Fuel® Capless Fuel-Filler
- Ford Telematics™ – Includes Ford Modem and complimentary 2-year trial subscription
- Front door tether straps (driver/passenger)
- Power pigtail harness
- Recovery Hooks; two in front and trailer bar in rear
- Simple Fleet Key (w/o microchip, easy to replace; 4-keys)
- Two-way radio pre-wire
- Two (2) 50 amp battery ground circuits – power distribution junction block (behind 2nd row passenger seat floorboard)
- Wipers – Front Speed-Sensitive Intermittent; Rear Dual Speed Wiper Wipers – Front

WARRANTY

- 3 Year / 36,000 Miles Bumper / Bumper
 - 8 Year / 100,000 Miles Hybrid Unique Components
- POWERTRAIN CARE EXTENDED SERVICE PLAN**
- 5-year/100,000-mile Powertrain CARE Extended Service Plan (zero deductible) – Standard

Police Interceptor Utility Base Prices

<input type="checkbox"/>	Utility All Wheel Drive (3.3L V6 Direct-Injection FFV, 136 MPH, 99B/44U) K8A/500A	\$31,544.00
<input type="checkbox"/>	Utility All Wheel Drive (3.0L V6 EcoBoost, 148 MPH, 99C/44U) K8A/500A	\$35,356.00
<input type="checkbox"/>	Utility All Wheel Drive (3.3L V6 Direct-Injection Hybrid Eng., 136 MPH, 99W/44B) K8A/500A	\$34,659.00

<u>VEHICLE COLOR: Order Code</u>	<u>Interior Trim Color</u>	
	<u>Charcoal Black (96)</u>	
Arizona Beige Metallic Clearcoat	[E3]	[]
Medium Brown Metallic	[BU]	[]
Dark Toreador Red Metallic	[JL]	[]
Dark Blue	[LK]	[]
Royal Blue	[LM]	[]
Light Blue Metallic	[LN]	[]
Vermillion Red	[E4]	[]
Smokestone Metallic	[HG]	[]
Silver Grey Metallic	[TN]	[]
Iconic Silver Metallic	[JS]	[]
Agate Black	[UM]	[]
Oxford White	[YZ]	[]
Blue Metallic	[FT]	[]
Sterling Grey Metallic	[UJ]	[]
Medium Titanium Metallic	[YG]	[]
Carbonized Grey	[M7]	[]

INTERCEPTOR OPTIONAL FEATURES:

<u>Flooring/Seats</u>	<u>Code</u>	<u>\$Cost</u>
<input type="checkbox"/> 1st and 2nd row carpet floor covering	16C	125.00
<input type="checkbox"/> 2nd Row Cloth Seats	F6/ 88F	60.00
<input type="checkbox"/> Power passenger seat (6-way) w/manual recline and lumbar	87P	325.00
<input type="checkbox"/> Rear Console Plate (Not available with Interior Upgrade Pkg – 65U)	85R	45.00
<input type="checkbox"/> Interior Upgrade Package	65U	390.00

- 1st and 2nd Row Carpet Floor Covering
- Cloth Seats – Rear
- Center Floor Console less shifter w/unique Police console finish plate
- Includes Console and Top Plate with 2 cup holders
- Floor Mats, front and rear (carpeted)
- Deletes the standard console mounting plate (85D)
- SYNC® 3
 - Enhanced Voice Recognition Communications and Entertainment System
 - 4.2" Color LCD Screen Center-Stack "Smart Display"
 - AppLink®
 - 911 Assist®

Note: SYNC® AppLink® lets you control some of your favorite compatible mobile apps with your voice. It is compatible with select smartphone platforms.

<u>Lamps/Lighting</u>	<u>Code</u>	<u>\$Cost</u>
<input type="checkbox"/> Dark Car Feature – Courtesy lamp disable when any door is opened	43D	20.00
<input type="checkbox"/> Daytime Running Lamps	942	45.00
<input type="checkbox"/> Side Marker Lights in Skull Caps	63B/60A	340.00
<input type="checkbox"/> Rear Quarter Glass Side Marker Lights	63L	575.00
<input type="checkbox"/> Front Warning Auxiliary Light (Driver side – Red / Passenger side – Blue)	21L/60A	600.00
<input type="checkbox"/> Rear Auxiliary Liftgate Lights (Red/Blue LED Lights; located beneath liftgate glass in applique panel)	43A	395.00
<input type="checkbox"/> Front Interior Windshield Warning Lights (Red/Blue with take down)	96W	1145.00
<input type="checkbox"/> Rear Spoiler Traffic Warning Light	96T	1495.00
<input type="checkbox"/> Dome Lamp – Red/White in Cargo Area	17T	50.00
<input type="checkbox"/> Pre-wiring for grille lamp, siren, and speaker	60A	50.00
<input type="checkbox"/> Spot Lamp – Driver Only (LED Bulbs) (Unity)	51R	395.00
<input type="checkbox"/> Spot Lamp – Driver Only (LED Bulbs) (Whelen)	51T	420.00
<input type="checkbox"/> Spot Lamp – Dual (driver and passenger) (LED Bulbs) (Unity)	51S	620.00
<input type="checkbox"/> Spot Lamp – Dual (driver and passenger) (LED Bulbs) (Whelen)	51V	665.00

Body

[] Glass – Solar Tint 2nd and 3rd Row (Deletes Privacy Glass)	92G	120.00
[] Glass – Solar Tint 2nd Row (Privacy Glass on Rear Quarter and Liftgate Window)	92R	85.00
[] Deflector Plate	76D	335.00

Wheels

[] Wheel Covers (18" Full Face Wheel Cover)	65L	60.00
[] 18" Painted Aluminum Wheel	64E	475.00

Misc

[] Engine Block Heater	41H	90.00
[] License Plate Bracket – Front	153	N/C
[] Badge Delete (Police Interceptor Badge Only)	16D	N/C
[] 100 Watt Siren/Speaker (includes bracket and pigtail)	18X	300.00
[] Aux Air Conditioning	17A	610.00
[] Noise Suppression Bonds (Ground Straps)	60R	100.00
[] Low-Band Frequency Noise Suppression Kit (Recommended when Using two-way radio communication devices that operate in the 39 – 46 MHz range (Channels 1-9). Provides noise suppression for in-car two-way radio communication devices in the 39-46 MHz frequency range.	68E	195.00
[] OBD-II Split Connector – Allows up to 2 devices to be connected to the vehicle's OBD-II port	61B	55.00
[] My Speed Fleet Management	43S	60.00

Audio/Video

[] Rear View Camera (Includes Electrochromic Rear View Mirror – Video is displayed in rear view mirror) Note: This option would replace the camera that comes standard in the 4" center stack area.	87R	N/C
[] Rear Camera On-Demand – allows driver to enable rear camera on-demand	19V	230.00

Doors/Windows

[] Global Lock / Unlock feature (Door-panel switches will lock/unlock all doors and rear liftgate. Eliminates the overhead console liftgate unlock switch) ***** OLD STYLE REAR HATCH LOCK / UNLOCK *****	18D	N/C
[] Hidden Door Lock Plunger, Rear Door Handle and Rear Windows Inoperable	52P	160.00
[] Rear Door Handles Inoperable/Locks Inoperable and Rear Windows Inop.	68G	75.00
[] Lock system; Single Key/All Vehicles Keyed Alike	59	50.00
Keyed Alike 1284x= 59B Keyed Alike 1294x= 59C Keyed Alike 0135x= 59D Keyed Alike 1435x= 59E Keyed Alike 0576x= 59F Keyed Alike 0151x= 59G Keyed Alike 1111x= 59J		

Safety & Security

[] Ballistic Door Panels – Driver Front Door Only (Level 3)	90D	1585.00
[] Ballistic Door Panels – Driver & Pass Front Doors (Level 3)	90E	3170.00
[] Ballistic Door Panels – Driver Front Door Only (Level 4+)	90F	2415.00
[] Ballistic Door Panels – Driver & Pass Front Doors (Level 4+)	90G	4830.00
[] BLIS® – Blind Spot Monitoring with Cross Traffic Alert	55B/54Z	545.00
[] Police Perimeter Alert – detects motion in an approximately 270-degree radius on sides and back of vehicle; if movement is determined to be a threat, chime will sound at level I. Doors will lock and windows will automatically go up at level II. Includes visual display in instrument cluster with tracking.	68B	675.00
[] Pre-Collision Assist with Pedestrian Detection (includes Forward Collision Warning and Automatic Emergency Braking and unique disable switch for Law Enforcement use) Note: Not available with option 96W	76P	145.00
[] Mirrors– Heated, Non BLIS	549	60.00
[] Perimeter Anti-Theft Alarm – Activated by Hood, Door, or Decklid	593/55F	460.00
[] Remote Keyless Entry w/4 Key Fobs (w/o Keypad)	55F	340.00
[] Police Engine Idle Feature	47A	260.00
[] Extra Key \$6.00x___ =	Parts	6.00 ea
[] Remote Starter (Must Order Keyless Entry 55F)	Parts	550.00
[] Reverse Sensing	76R	275.00
[] Class III Trailer Tow Lighting Package (4-pin and 7-pin connectors and wiring)	52T	80.00
[] H8 AGM Battery (900 CCA/92-amp)	19K	110.00
[] Gun Vault (Not Available with (17A) Aux Air Conditioning)	63V	245.00

[]	<u>12.1" Integrated Computer Screen</u>	47E	2745.00
	<ul style="list-style-type: none"> • Includes 12.1" touchscreen display in center stack and allows for operation of laptop in remote location to free up cabin space in front passenger area • Includes Audio Video extender (AVX) box, (2) AVX cables, (2) USB cables and (1) HDMI cable • Includes SYNC 3 ® 		
[]	<u>Front Headlamp Lighting Solution</u>	66A	895.00
	<ul style="list-style-type: none"> • Includes LED Low beam/High beam headlamp, Wig-wag function and Red/Blue/White LED side warning lights (driver's side White/Red / passenger side White/Blue) • Includes pre-wire for grille LED lights, siren and speaker (60A) • Wiring, LED lights included. Controller "not" included <p>Note: Not available with option: 67H Note: Recommend using Ultimate Wiring Package (67U)</p>		
[]	<u>Police Wire Harness Connector Kit – Front/Rear</u>	67V	185.00
	<p>For connectivity to Ford PI Package solutions includes:</p> <ul style="list-style-type: none"> • Front <ul style="list-style-type: none"> – (2) Male 4-pin connectors for siren – (5) Female 4-pin connectors for lighting/siren/speaker – (1) 4-pin IP connector for speakers – (1) 4-pin IP connector for siren controller connectivity – (1) 8-pin sealed connector – (1) 14-pin IP connector • Rear <ul style="list-style-type: none"> – (2) Male 4-pin connectors for siren – (5) Female 4-pin connectors for lighting/siren/speaker – (1) 4-pin IP connector for speakers – (1) 4-pin IP connector for siren controller connectivity – (1) 8-pin sealed connector – (1) 14-pin IP connector <p>Note: Note: See Upfitters guide for further detail www.fordpoliceinterceptorupfit.com</p>		
[]	<u>Tail Lamp/Police Interceptor Housing Only</u>	86T	60.00
	<ul style="list-style-type: none"> • Pre-existing holes with standard twist lock sealed capability (does not include LED Strobe lights) (eliminates need to drill housing assemblies) <p>Note: Not available with options: 66B and 67H</p>		
[]	<u>Tail Lamp Lighting Solution</u>	66B	430.00
	<ul style="list-style-type: none"> • Includes LED lights plus two (2) rear integrated hemispheric lighthouse white LED side Warning lights in taillamps • LED lights only. Wiring, controller "not" included <p>Note: Not available with option: 67H Note: Recommend using Ultimate Wiring Package (67U)</p>		
[]	<u>Rear Lighting Solution</u>	66C	455.00
	<ul style="list-style-type: none"> • Includes two (2) backlit flashing linear high-intensity LED lights (driver's side red / passenger side blue) mounted to inside liftgate glass • Includes two (2) backlit flashing linear high-intensity LED lights (driver's side red / Passenger side blue) installed on inside lip of liftgate (lights activate when liftgate is open) • LED lights only. Wiring, controller "not" included <p>Note: Not available with option: 67H Note: LED lights only – does "not" include wiring or controller Note: Recommend using Ultimate Wiring Package (67U)</p>		
[]	<u>Ultimate Wiring Package</u>	67U	560.00
	<ul style="list-style-type: none"> • Rear console mounting plate (85R) – contours through 2nd row; channel for wiring • Pre-wiring for grille LED lights, siren and speaker (60A) • Wiring harness I/P to rear cargo area (overlay) <ul style="list-style-type: none"> – Two (2) light cables – supports up to six (6) LED lights (engine compartment/grille) – One (1) 10-amp siren/speaker circuit engine cargo area • Rear hatch/cargo area wiring – supports up to six (6) rear LED lights • Does "not" include LED lights, side connectors or controller – Recommend Police Wire Harness Connector Kit 67V <p>Note: Not available with options: 65U, 67H</p>		

Ready for the Road Package All-in Complete Package **67H** **3595.00**

All-in Complete Package – Includes Police Interceptor Packages: 66A, 66B, 66C, plus

- Whelen Cencom Light Controller Head with dimmable backlight
- Whelen Cencom Relay Center / Siren / Amp w/Traffic Advisor control (mounted behind 2nd row seat)
- Light Controller / Relay Cencom Wiring (wiring harness) w/additional input/output pigtailed
- High current pigtail
- Whelen Specific WECAN Cable (console to cargo area) connects Cencom to Control Head
- Pre-wiring for grille LED lights, siren and speaker (60A)
- Rear console plate (85R) – contours through 2nd row; channel for wiring
- Grille linear LED Lights (Red / Blue) and harness
- 100-Watt Siren / Speaker
- Hidden Door-Lock Plunger w/Rear-door controls inoperable (locks, handles and windows) (52P)

Note: Not available with options: 66A, 66B, 66C, 67U and 65U

Extended Warranty Option's (\$0.00 Deductible) 100,000 Mile Coverage

5-Year Premium Care Warranty (500 Plus Components Coverage) **2745.00**

Total Price \$ 35,699 ca

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: October 26, 2021
SUBJECT: Dismiss the balance of the City's portion of the Emergency Hazard Rehabilitation Loan in the amount of \$16,658.89 for the residence located at 1405 Cooper St.

Recommendation:

Dismiss the balance of the City's portion of the Emergency Hazard Rehabilitation Loan in the amount of \$16,658.89 for the residence located at 1405 Cooper St, belonging to Ilias (deceased) and Lourdes Anastasiadis.

Attached is a memorandum from Shane LaPorte, Director of the Department of Neighborhood & Economic Operations, recommending City Council dismiss the balance of the City portion of the Emergency Hazard Rehabilitation Loan given to Ilias and Lourdes Anastasiadis on November 14, 2019.

I recommend that the local policy be waived and the City's deferred (granted) balance due of \$16,658.89 be dismissed. Your consideration and concurrence is appreciated.

JG

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager

FROM: Shane LaPorte, Director of Neighborhood & Economic Operations

DATE: October 26, 2021

RECOMMENDATION: Dismissal of the balance due on the deferred, City portion of the 20 year Emergency Hazard Rehabilitation Loan for 1405 Cooper St. granted in 2019 to Mr. Ilias Anastasiadis, now deceased, and Lourdes Anastasiadis.

SUMMARY

Dismiss the balance of the City's portion of the Emergency Hazard Rehabilitation Loan in the amount of \$16,658.89 for the residence located at 1405 Cooper St, belonging to Ilias (deceased) and Lourdes Anastasiadis.

BUDGETARY CONSIDERATIONS

The 2020 Housing Rehabilitation Policy and Procedure Manual, as amended, states that any outstanding balance on either a repayable or deferred loan will become due and payable immediately if:

- The property is sold;
- Transferred or otherwise conveyed voluntarily or involuntarily either while the Borrower is living or by reason of death of the Borrower (except a conveyance to the Borrower's spouse upon his/her death and as noted below); or
- The property ceases for any other reason to be the Borrower's principal place of residence.

HISTORY, BACKGROUND and DISCUSSION

On November 14, 2019 Mr. and Mrs. Ilias Anastasiadis were granted an Emergency Hazard Rehabilitation Loan for a new roof system, furnace, water heater, and electrical work in the amount of \$21,676. The Homeowner's Repayment Portion of this loan was \$3,251.40 and payable in 10 years. The City of Jackson's Deferred (granted) Forgivable Portion of this loan was \$18,424.60 and payable in 20 years.

On October 3, 2021 The Department of Neighborhood & Economic Operations received a letter from Mrs. Anastasiadis explaining her husband had died unexpectedly on May 27, 2021, she is now experiencing financial difficulties and wishes to relocate to be near her only family in Monterrey Nuevo Leon, Mexico. In the letter Mrs. Anastasiadis states she contacted a real estate agent in September who provided her with a market analysis of her home. Upon receiving the market analysis it was determined that after the sale of her home, only the primary lein holder would receive payment on her first mortgage and line of credit, which has compounded interest due to her lender's "Covid Relief" program, and there could possibly be enough left to pay her portion of the Emergency Hazard Loan . Mrs. Anastasiadis sent the letter with her monthly payment and stated that she will continue to pay her portion of the loan

balance as often as she could, but any remaining balance of her portion would have to be paid from the sale of her home.

DISCUSSION OF THE ISSUE

Lourdes Anastasiadis, widow and senior citizen, is now the sole owner of 1405 Cooper Street, residing there full-time after the death of her husband in May. In a letter dated October 3, 2021 Mrs. Anastasiadis states the death of her husband has brought on financial hardship, which she faces alone, and expresses the need to move back to Monterrey, Mexico to be near family who can assist her. A market analysis states, at best, there may only be enough money from the sale of her home to satisfy the payoff of the first mortgage and equity line of credit from the primary lender and her portion of the Emergency Hazard Loan, and therefore cannot afford to pay off the City's balance of \$16,658.89.

POSITIONS

NEO feels Mrs. Anastasiadis was forthcoming about her situation and offers their condolences for Ilias's passing and appreciates her continued payments toward her balance. Requested action is for City Council to dismiss the deferred (granted) portion balance of \$16,658.89.

ATTACHMENTS

- Letter from Lourdes Anastasiadis
- Original Mortgage Promissory Note dated November 14, 2019

DATE:

SUBJECT:

10/03/2021

Dear City of Jackson,

My name is Lourdes Anastasiadis and I live at 1405 Cooper St. My husband and I received a new roof, electrical work and water as part of the Emergency Hazard Loan Program in the Fall of 2019, of which we were so grateful.

Unfortunately my husband, Ilias, passed away suddenly on May 27, 2021 leaving me without family in the area to assist me. I cannot handle the responsibilities of my property by myself and really want to sell my home and move to Monterrey Nuevo Leon, Mexico to be near my sister.

I have spoken with a real estate agent who gave me a market analysis on my house. The agent feels it she can list for 99,900.00 the problem which weighs heavily on me is that I am responsible for the balance of my mortgage \$82,000, along the balance due on the Emergency Hazard Loan at \$2,151.40 (my portion) and \$16,735.66 (City portion)

Being a senior citizen without children of my own to help me with my finances and dealing with the death of my husband has taken its toll on my health and well-being. I am hoping you will forgive at least the City portion of my loan to take this burden off my shoulders. If I make any profit off the sale of my home, I will be able to pay my portion of \$2,151.40. I will continue to make small payments as often as I can before the sale as well to lower my balance due.

Please let me know if this is possible so I can proceed with signing a listing agreement with a real estate agency in the next month.

My goal is to Leave Michigan by winter or at
Least by Spring 2022.

I so appreciate the assistance From this City and
hope to hear From the Program Administrators
Soon.

You can reach me at 517) 796-4672.

Sincerely

Louder Anastasiadis

**CITY OF JACKSON – NEIGHBORHOOD AND ECONOMIC OPERATIONS
NEIGHBORHOOD IMPROVEMENT LOAN PROGRAM
HOMEOWNER EMERGENCY HAZARD LOAN**

MORTGAGE PROMISSORY NOTE

November 14, 2019

1405 Cooper St, Jackson, Michigan

1. BORROWER'S PROMISE TO PAY

Ilias Anastasiadis and Lourdes Anastasiadis, Husband & Wife, ("Borrower") acknowledges and agrees that Borrower received a loan in the amount of TWENTY ONE THOUSAND SIX HUNDRED SEVENTY SIX and no/100 dollars (\$21,676.00) (this amount is called "Principle") from the City of Jackson, MI ("Lender"). Borrower promises and agrees to the Payment Terms in Section 2 of this Promissory Note.

2. PAYMENT TERMS

This Promissory Note ("Note") consists of a ten (10) year monthly repayable portion and a twenty (20) year deferred forgivable portion for Borrower to repay the Principle to Lender.

A. Ten (10) Year Monthly Repayment Portion

- i. Borrower agrees and promises to pay Lender a total amount of Three Thousand Two Hundred Fifty One and 40/100 dollars (\$3,251.40) for the Ten (10) Year Monthly Repayment Portion.
- ii. Borrower agrees and promises to pay Lender the amount of Fifty and 00/100 dollars (\$50.00) every month for ten (10) years beginning on the first month after this Promissory Note was executed by the parties or until the entire Ten (10) Year Monthly Repayment Portion is fully and completely paid and satisfied, whichever comes first.
- iii. Lender must receive the monthly payments from the Borrower on or before the first day of every month that a payment is due.
- iv. Borrower must make all payments to the Lender at the City of Jackson, Neighborhood and Economic Operations Department, 161 West Michigan Avenue, Jackson, Michigan 49201, or at a different place if required and specified in writing by the Lender.

B. Twenty (20) Year Deferred Forgivable Portion

- i. Borrower acknowledges and agrees that Borrower owes Lender an amount of Eighteen Thousand Four Hundred Twenty Four and 60/100 dollars (\$18,424.60) for the Twenty (20) Year Deferred Forgivable Portion.
- ii. Lender will forgive and absolve the Borrower for an amount of Seventy Six and 77/100 dollars (\$76.77) every month on the first day of the month beginning on the first month after this Promissory Note was executed by the parties from the amount owed for the Twenty (20) Year Deferred Forgivable Portion, provided that Borrower complies with all of the terms and conditions of this Promissory Note and corresponding Mortgage.
- iii. If Lender provides Borrower with notice that Borrower is in default of this Note, Lender will cease forgiving and absolving Borrower of the Twenty (20) Year Deferred Forgivable Portion beginning on the first month after the Notice was sent by Lender.

C. In the event that the Borrower's interest in the structure to be improved or in the following described property located in the City of Jackson, County of Jackson, State of Michigan:

Lot25, Howell T. Howell's Addition to the City of Jackson, according to the recorded plat thereof, as recorded in Liber 7 of Plats, Page 28, Jackson County Records.

Commonly known as 1405 Cooper St., Jackson, MI 49202

Parcel no. 8-199900000

is sold, transferred, leased, or otherwise conveyed, voluntarily or involuntarily, either while the Borrower is living or by reason of the death of the Borrower (except a conveyance to the Borrower's spouse upon his/her death) or said structure ceases for any other reason to be the Borrower's principle place of residence, Borrower will be considered to be in default of this Note and shall repay the full remaining balance of the Principle to the Lender no later than the 30th day following such sale, transfer (except a conveyance to the Borrower's spouse

upon his/her death), lease, or other conveyance, or following the date upon which the structure ceases to be the Borrower's principal place of residence, or on such later date or dates as the Lender, in its sole discretion may designate.

3. BORROWER'S RIGHT TO PREPAY

Borrower has the right to make payments of Principle at any time before they are due. A payment of Principle only is known as a "Prepayment." When Borrower makes a prepayment, Borrower will tell the Lender in writing that Borrower is doing so.

4. LOAN CHARGES

If a law, which applies to this loan and which sets maximum loan charges, is finally interpreted so that loan charges collected or to be collected in connection with this loan exceed the permitted limits, then any such loan charge shall be reduced by the amount necessary to reduce the charge to the permitted limit. The Lender may choose to make this refund by reducing the Principle Borrower owes under this Note or by making a direct payment to Borrower. If a refund reduces Principle, the reduction will be treated as a partial Prepayment.

5. BORROWER'S FAILURE TO PAY AS REQUIRED

Default

If Borrower does not fully and completely comply with every provision of this Note, Borrower will be in default of this Note.

If Borrower does not pay to Lender the full amount of each payment as required in section 2 of this Note on the date it is due, Borrower will be in Default of this Note.

Notice of Default and Acceleration of Full Remaining Principle

If Borrower is in default, the Lender may send Borrower a written notice informing Borrower that the Borrower is in default and the full remaining balance of the Principle shall be paid to Lender no later than thirty (30) days from the date the written notice was sent to the Borrower.

Legal Action

If Borrower fails to pay Lender the full remaining balance of the Principle no later than thirty (30) days from the date the default notice was sent to the Borrower, Lender may take immediate legal action, including filing a lawsuit, to collect the full remaining balance of the Principle from Borrower.

No Waiver by Lender

Even if, at a time when Borrower is in default, the Lender does not require Borrower to pay immediately in full as described above, the Lender still has the right to do so if Borrower is in default at a later time.

Payment of Lender's Costs and Expenses

If Borrower defaults on any of the terms or conditions of this Note and the Lender institutes legal proceedings to enforce this Note or the terms of any agreement securing or secured by this Note, the Borrower agrees and promises to pay Lender all costs and expenses in enforcing this Note or the terms of any agreement securing or secured by this Note. Those expenses include, but are not limited to, reasonable attorney fees and costs.

6. COMPLIANCE

Borrower agrees to allow access, for the purpose of a re-inspection of the property, to be undertaken by the City every five (5) years during the term of the loan. Borrower agrees to pay the City of Jackson \$0.00 per inspection. Insufficiencies found at a re-inspection of the property must be corrected within ninety (90) days. A \$100.00 per month non-compliance charge will be billed or added to the regular mortgage payment until the cited insufficiencies are brought into compliance. If the property is not in compliance within 90 days, the loan will be considered to be in default as described in Section 5 of this Note.

7. INSURANCE/CITY DEBTS

A. Borrower will be required to maintain property (fire and hazard) and general liability insurance at all times on the property in an amount equal to all indebtedness on the property or the maximum amount available, whichever is less, during the full term of this Note. Lender (City of Jackson) must be named as mortgage holder on the insurance policy and as an additional insured with primary and noncontributory coverage. Proof of such insurance must be provided to the City yearly during the term of the loan. If Borrower fails to acquire or maintain such insurance, Borrower will be in default of this Note.

If Borrower fails to acquire or maintain such insurance, Lender may, but is not required to, procure insurance on Borrower's behalf or on the Property. If Borrower fails to acquire or maintain such insurance, Borrower agrees to reimburse Lender for any and all insurance Lender acquires on Borrower's behalf or on the Property. Borrower acknowledges and agrees that if Borrower does not reimburse Lender within ninety (90) days, the amount will be added to the principle.

- B. Borrower shall pay all property taxes, water bills, and other debts to the City when they are due and payable. If Borrower fails to pay all property taxes, water bills and other debts to the City when they are due and payable, Borrower will be in default of this Note. If Borrower fails to pay all property taxes, water bills and other debts to the City when they are due and payable, Lender may, but is not required to, pay any outstanding debts to further secure its debt. Borrower acknowledges and agrees that if Borrower does not reimburse Lender within ninety (90) days, the amount will be added to the principle.

8. GIVING OF NOTICES

- A. Unless applicable law requires a different method, any notice by Lender that must be given to Borrower under this Note will be given by delivering it or by mailing to Borrower at the Property Address provided above or at a different address if Borrower gives Lender written notice of Borrower's different address.
- B. Any notice that must be given to the Lender under this Note will be given by delivering it or by mailing it by first class mail to the Lender at the address stated in Section 2(A) above or at a different address if Borrower is given notice of that different address.

9. OBLIGATIONS OF PERSONS UNDER THIS NOTE

If more than one person signs this Note, each person is fully and personally responsible and obligated to keep all of the promises made in this Note, including the promise to pay the full amount owed. Any person who is a guarantor, surety or endorser of this Note is also obligated to do these things. Any person who takes over these obligations, including the obligations of a guarantor, surety or endorser of this Note, is also obligated to keep all of the promises made in this Note. The Lender may enforce its rights under this Note against each person individually or against all persons together. This means that any one person may be required to pay all of the amounts owed under this Note.

10. WAIVERS

I and any other person who has obligations under this Note waive the rights of Presentment and Notice of Dishonor. 'Presentment' means the right to require the Lender to demand payment of amounts due. 'Notice of Dishonor' means the right to require the Lender to give notice to other persons that amounts due have not been paid.

11. UNIFORM SECURED NOTE

This Note is a uniform instrument with limited variations in some jurisdictions. In addition to the protections given to the Lender under this Note, a Mortgage, Deed of Trust, or Security Deed (the 'Security Instrument'), dated the same date as this Note, protects the Lender from possible losses which might result if I do not keep the promises which I make in this Note.

The indebtedness evidenced by this note is secured by a Mortgage, dated of even date herein, and reference is made thereto for rights evidenced by this Note.

NOTICE

ANY HOLDER OF THIS CONSUMER CREDIT CONTRACT IS SUBJECT TO ALL CLAIMS AND DEFENSES WHICH THE DEBTOR COULD ASSERT AGAINST THE SELLER OF GOODS OR SERVICES OBTAINED WITH THE PROCEEDS HEREOF. RECOVERY HEREUNDER BY THE DEBTOR SHALL NOT EXCEED AMOUNTS PAID BY THE DEBTOR HEREUNDER.


Borrower: Ilias Anastasiadis


Borrower: Lourdes Anastasiadis

STATE OF MICHIGAN }
COUNTY OF JACKSON } ss
CITY OF JACKSON }

The foregoing instrument was acknowledged before me this 14th day of November, 2019 by Ilias Anastasiadis and Lourdes Anastasiadis, Husband & Wife.



Michelle I. Pultz-Orthaus, Notary Public
Jackson County, Michigan
My commission expires: 5/28/2026

MICHELLE L. PULTZ-ORTHAUS
Notary Public, State of Michigan
County of Jackson
My Commission Expires May, 28, 2026
Acting In the County of Jackson

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Elmer Hitt, Director of Police and Fire Services 
DATE: October 26, 2021
RECOMMENDATION: Amend FY 21/22 Budget

SUMMARY

The Jackson Police Department and Jackson County Sheriff's Department were awarded \$47,998 in FY2021 Edward Byrne Memorial Justice Assistance Grant (JAG) funds.

BUDGETARY CONSIDERATIONS

The awarded funds of \$47,998 will be used for the purchase of a license plate reading system by the Jackson Police Department, as well as body armor by the Jackson County Sheriff's Department.

HISTORY, BACKGROUND and DISCUSSION

Each year, the City of Jackson and/or Jackson County receive JAG funds in order to purchase equipment. The attached resolution would amend the FY21/22 budget to reflect the grant-funded expenditures and associated revenue.

DISCUSSION OF THE ISSUE

The Justice Assistance Grant helps to offset the general fund costs of operations for both the City and County, and must be used for specific law enforcement purchases. No match is required by the City or County to receive these grant funds.

POSITIONS

I request the attached resolution be adopted to amend the FY 21/22 budget.

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: October 26, 2021
SUBJECT: Amend FY21/22 Budget

Recommendation:

To adopt the attached resolution amending the FY 21/22 budget to reflect the additional revenue and expenditures associated with the Byrne JAG grant.

Attached is a memorandum from Director Elmer Hitt regarding the necessity of the amendment.

I recommend approval of this request. Your consideration and concurrence is appreciated.

RESOLUTION

WHEREAS, the City has entered into the federal government's Edward Byrne Memorial 2021 Justice Assistance Grant (JAG) Program, through the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.

WHEREAS, this grant requires the activity relating to this project to be kept in a separate account to facilitate reporting and compliance under the terms of the grant.

NOW, THEREFORE, BE IT RESOLVED, that the 2021/2022 budget be amended as follows:

Special Revenue Fund

		<u>Increase</u>
REVENUES:		
275-329-222-501.000	Federal Grant	<u>47,998</u>
EXPENDITURES:		
275-329-221-977.001	Equipment - County	17,398
275-329-221-985.000	Equipment	30,600
		-
		<u>47,998</u>

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrea Muray, Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on October 26, 2021.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, on this 27th day of October 2021.

City Treasurer/City Clerk

MEMO TO: Jonathan Greene, City Manager

FROM: Michael Osborn, Director of Public Works

DATE: October 13, 2021

SUBJECT: **City of Jackson Downtown Sidewalks and Parking Lot Snow Removal and Police Department Sidewalk and Parking Lot Snow Removal**

Recommendation:

Approval of the one-year contract with Executive Property Management of Michigan for Downtown Sidewalks and Parking Lot Snow Removal and Police Department Sidewalk and Parking Lot Snow Removal at an estimated cost of \$85,166.00 for fiscal year 2021/22.

Attached is a report from Michael Osborn, Director of Public Works regarding the contract extension referenced above.

Your consideration and concurrence is appreciated.

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Michael Osborn, Director of Public Works
DATE: October 13, 2021

RECOMMENDATION: Approval of the one-year contract with Executive Property Management of Michigan for Downtown Sidewalks and Parking Lot Snow Removal and Police Department Sidewalk and Parking Lot Snow Removal at an estimated cost of \$85,166.00 for fiscal year 2021/22.

SUMMARY

The City of Jackson for winter maintenance purposes maintains the following partial listing of items with approximate quantities. Snow removal and ice control from approximately 20,413 lineal feet of sidewalk and 11 city-owned parking lots as well as snow removal and ice control at the City of Jackson Police Department. The City requested bids for these Snow Removal Services with Executive Property Management of Michigan being the lowest bidder. Executive Property Management of Michigan will hold the contract for a one year term which will be subject to five, one (1) year renewals contingent upon the approval of both parties. If both parties agree to renew the contract, the amount shall be increased by 3% each year.

BUDGETARY CONSIDERATIONS

Funding for these services is budgeted in the contractual services accounts for the following funds:
Sidewalks 101-465 General Fund Grounds Maintenance Budgeted for \$48,510.00
Parking Lots—Lot #3 514-587 Auto Parking System Fund Budgeted for \$3,785.00
Other Parking Lots 518-586 Parking Assessment Fund Budgeted for \$31,291.00
Police 101-301 Police Department Budgeted for \$1,580.00
Lump Sum Estimated Budget Total \$85,166.00

HISTORY, BACKGROUND and DISCUSSION

The City typically utilizes contractor services after winter storm events to remove snow and ice from City sidewalks and parking lots and maintain them on an as needed basis. The contractor's services augment the services provided by city staff, in an effort to provide a faster response and better service. Executive Property Management of Michigan has worked in the past as the City's contractor providing these services and has done an exceptional job. This work is vital to maintaining the sidewalks and parking lots during winter storm events. The ability to utilize this contractor will aid in improving our response time and increase safety for pedestrians and motorists.

POSITIONS

I recommend approval of the one-year contract with Executive Property Management of Michigan for **Downtown Sidewalks and Parking Lot Snow Removal and Police Department Sidewalk and Parking Lot Snow Removal** for fiscal year 2021/22.

Sidewalks and Parking Lots Plowing Responsibilities

Downtown Plowing

— Sidewalks Plowed by Contractor

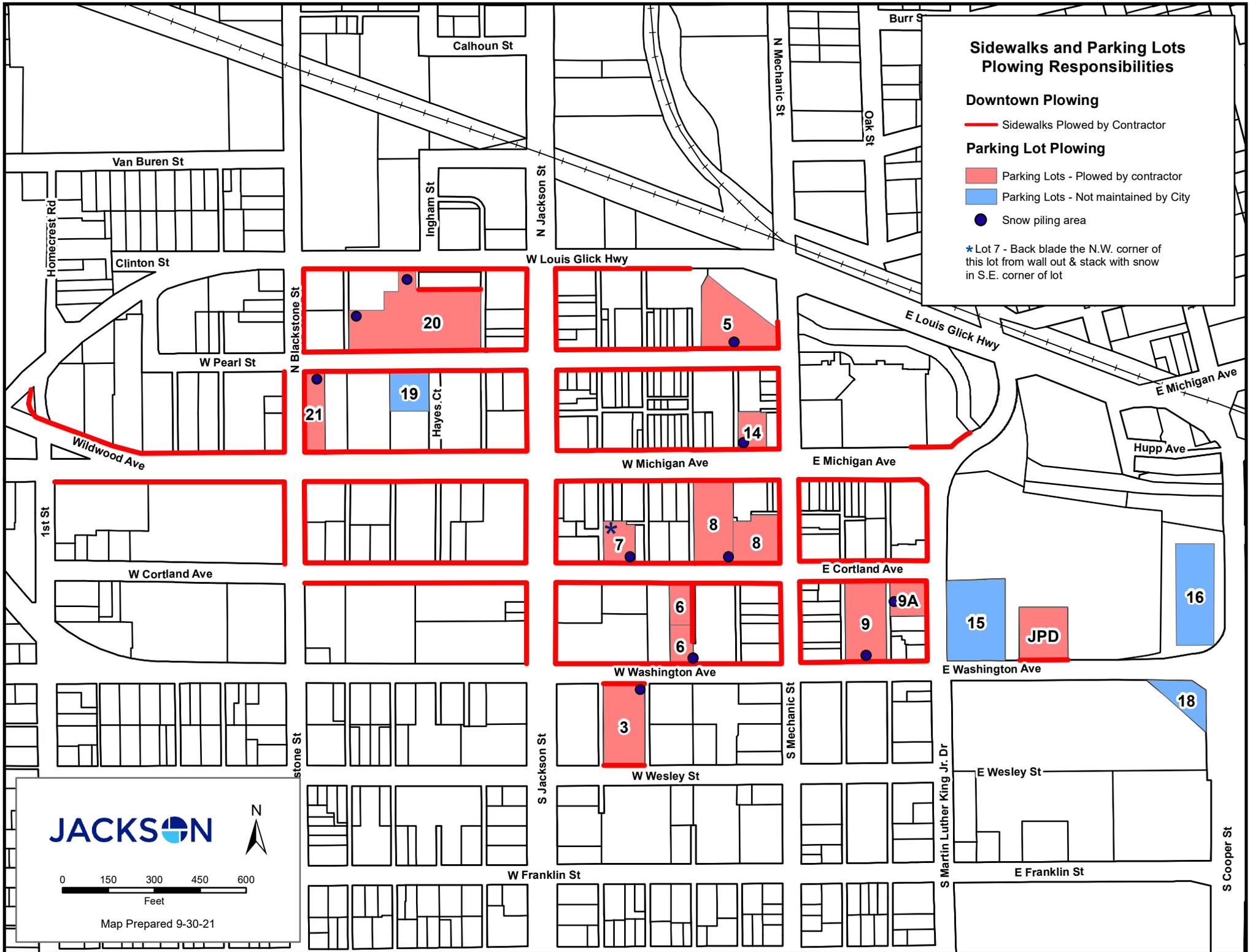
Parking Lot Plowing

■ Parking Lots - Plowed by contractor

■ Parking Lots - Not maintained by City

● Snow piling area

* Lot 7 - Back blade the N.W. corner of this lot from wall out & stack with snow in S.E. corner of lot



JACKSON



0 150 300 450 600
Feet

Map Prepared 9-30-21

Sidewalks and Parking Lots Plowing Responsibilities

Downtown Plowing

 Sidewalks Plowed by Contractor

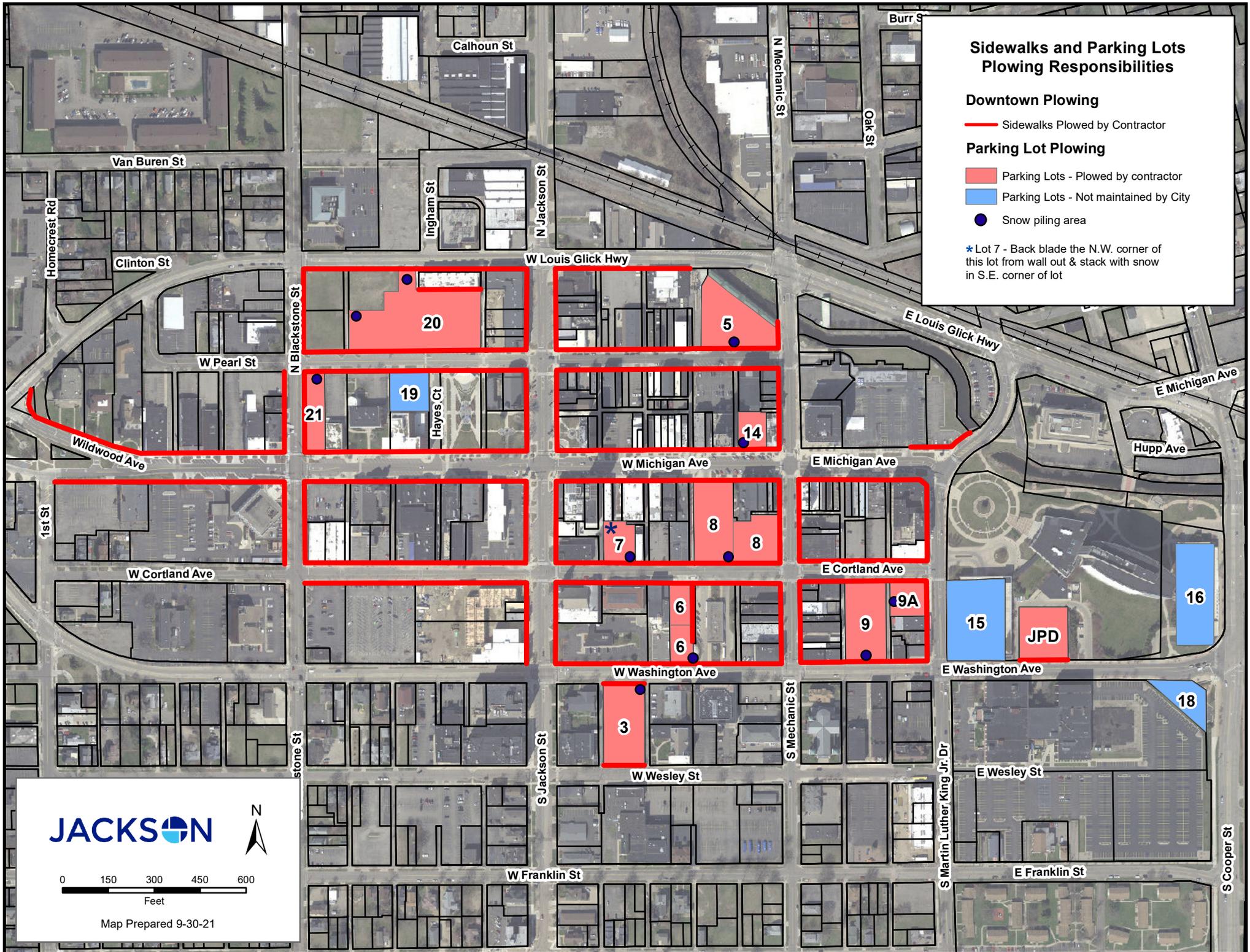
Parking Lot Plowing

 Parking Lots - Plowed by contractor

 Parking Lots - Not maintained by City

 Snow piling area

* Lot 7 - Back blade the N.W. corner of this lot from wall out & stack with snow in S.E. corner of lot



JACKSON



0 150 300 450 600
Feet

Map Prepared 9-30-21



**BID TABULATION
FOR
DOWNTOWN SIDEWALKS AND PARKING LOT
SNOW REMOVAL AND POLICE DEPARTMENT
SIDEWALK AND PARKING LOT SNOW REMOVAL**

OCTOBER 11, 2021

	EXECUTIVE PROPERTY MANAGEMENT OF MICHIGAN 2840 Shirley Drive Jackson, MI 49201	XPERT LAWN AND SNOW, INC. 21083 Mound Rd. Warren, MI 48091
LUMP SUM bid price for SIDEWALK SNOW REMOVAL AND DEICING (for months November 15 through April 15).	\$ 48,510.00	\$ 98,900.00
LUMP SUM bid price for PARKING LOT snow plowing and deicing (for months November 15 through April 15).		
Bid Price Parking Lot 3	\$ 3,785.00	\$ 5,728.00
Bid Price Parking Lot 5	\$ 4,609.00	\$ 4,680.00
Bid Price Parking Lot 6	\$ 1,934.00	\$ 2,210.00
Bid Price Parking Lot 7	\$ 2,572.00	\$ 1,590.00
Bid Price Parking Lot 8	\$ 5,755.00	\$ 5,980.00
Bid Price Parking Lot 9	\$ 3,990.00	\$ 4,550.00
Bid Price Parking Lot 9a	\$ 1,522.00	\$ 1,820.00
Bid Price Parking Lot 14	\$ 1,181.00	\$ 1,520.00
Bid Price Parking Lot 18	n/a	\$ 1,820.00
Bid Price Parking Lot 20	\$ 4,242.00	\$ 11,050.00
Bid Price Parking Lot 21	\$ 5,486.00	\$ 2,470.00
TOTAL LUMP SUM BID PRICE FOR PARKING LOT SNOW REMOVAL	\$ 35,076.00	\$ 43,418.00
JACKSON POLICE DEPARTMENT SNOW REMOVAL		
Patrol Parking Lot	\$ 806.00	\$ 2,210.00
West Side Visitor Parking Lot	\$ 269.00	\$ 1,520.00
Employee Sidewalk	\$ 75.00	\$ 255.00
West Visitor Sidewalk	\$ 75.00	\$ 484.00
East Visitor Sidewalk	\$ 55.00	\$ 637.00
East Washington Sidewalk	\$ 150.00	\$ 510.00
East Washington Staircase/Wheel Chair Ramp	\$ 150.00	\$ 255.00
TOTAL LUMP SUM JACKSON POLICE DEPARTMENT SNOW REMOVAL	\$ 1,580.00	\$ 5,871.00
TOTAL BID	\$ 85,166.00	\$ 148,189.00

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: October 26, 2021
SUBJECT: **Changes to the Standard Lighting Contract for streetlights with Consumers Energy for the addition of streetlights in various locations.**

Recommendation:

Approve the Resolution for Changes to the Standard Lighting Contract for various streetlight installations with Consumers Energy and authorize the Mayor and City Clerk to execute the appropriate documents.

Attached is a report from Jon Dowling, City Engineer accompanied by a resolution, contract change authorization form, invoice, and plan sheet from Consumers Energy regarding the addition of new streetlights.

I recommend adoption of the resolution for the change to the Standard Lighting Contract for streetlights with Consumers Energy to allow for the installation of the streetlights and authorization for associated authorization form execution and invoice payment. our consideration and concurrence is appreciated.

JG

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: October 25, 2021

RECOMMENDATION: Approve the Resolution for Changes to the Standard Lighting Contract for various streetlight installations with Consumers Energy and authorize the Mayor and City Clerk to execute the appropriate documents.

SUMMARY

The City has requested that Consumers Energy install fifteen (15) new streetlights at various locations. Attached is an Authorization for Change in Standard Lighting Contract form, a Resolution for City Council Adoption, an invoice for \$2,385.00 and additional information from Consumers.

BUDGETARY CONSIDERATIONS

The estimated installation charge for the new streetlights is \$2,385.00.

HISTORY, BACKGROUND and DISCUSSION

Ten of the requested lights are to be placed on High Street, Damon Street and Wall Street in the area of Milwaukee Street and Merriman Street. Three are to be placed in the area of High Street and Mound Street. Finally, two are to be placed on S. West Avenue between Michigan Avenue and Washington Avenue.

This request was forwarded to Consumers Energy who then provided to the attached authorization, resolution and invoice document as well as the design for the streetlight installations.

DISCUSSION OF THE ISSUE

The City of Jackson is responsible for the streetlight system within the City. The City contracts with Consumers Energy to provide streetlights on their wood utility poles within the City's neighborhoods.

POSITIONS

I request approval of the attached Resolution for Changes to the Standard Lighting Contract for streetlights with Consumers Energy and authorization for the Mayor and City Clerk to execute the appropriate documents.

ATTACHMENTS



**AUTHORIZATION FOR CHANGE IN
STANDARD LIGHTING CONTRACT
(COMPANY-OWNED) FORM 547**

Contract Number: 103033105687

Consumers Energy Company is authorized as of _____, by the City of JACKSON, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the City of JACKSON, dated 10/1/2018.

Lighting Type:
General Unmetered Experimental Lighting Rate GU-XL

Notification Number(s):
1057624419

Construction Work Order Number(s):

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 10/1/2018 shall remain in full force and effect.

City of JACKSON

By:

(Signature)

(Printed)

Its

(Title)

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

RESOLUTION

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of JACKSON, dated 10/1/2018, in accordance with the Authorization for Change in Standard Lighting Contract dated _____,

heretofore submitted to and considered by this commission council board ;and

RESOLVED, further, that the _____ Clerk be and are authorized to execute such authorization for change on the behalf of the City.

STATE OF MICHIGAN
COUNTY OF Jackson

I, _____, Clerk of the City of JACKSON, do hereby certify that the foregoing resolution was duly adopted by the commission council board of said municipality, at the meeting held on _____.

Dated:

Municipal Customer Type: City

GENERAL UNMETERED EXPERIMENTAL LIGHTING RATE GU-XL

<i>Number of Luminaires</i>	<i>Nominal Watts</i>	<i>Luminaire Type</i>	<i>Fixture Type</i>	<i>Fixture Style</i>	<i>Install Remove</i>	<i>Location</i>
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	117 WALL ST
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	138 WALL ST
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	204 WALL ST
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	309 WALL ST
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	213 DAMON ST
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	234 DAMON ST
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	349 DAMON ST
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	1309 MERRIMAN ST
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	305 E HIGH ST
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	213 E HIGH ST
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	742 W HIGH ST
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	1210 MOUND AVE
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	714 GETTYSBURG AVE
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	115 S WEST AVE
1	<u>54</u>	<u>LED</u>	<u>Cobrahead</u>		<u>Install</u>	205 S WEST AVE



A CMS Energy Company

CEM Support Center

Consumers Energy, CEM Support Center, Lansing Service Center, Rm. 122, 530 W. Willow St., P.O. Box 30162 Lansing, MI 48909-7662

October 15, 2021

NOTIFICATION #:
1057624419

CITY OF JACKSON
908 W WASHINGTON AVE
JACKSON, MI 49203-1628

REFERENCE: 0 BLOCK OF JACKSON, JACKSON

Dear Valued Customer,

Thank you for contacting Consumers Energy for your energy needs. Please note the Notification Number above and include it on any correspondence you send. Please note the Account Number, located above the Account Name on your invoice, when submitting payment.

Enclosed for approval and signature is the original Authorization for Change and Resolution covering the replacement and/or installation of streetlight(s). You are responsible for the final restoration.

The estimated cost for your energy request is as follows:

Non Refundable Agreement for Installation of Electric Facilities:

Winter Construction Costs:	\$ -
Installation Charge:	\$ 1,500.00
Additional Costs	\$ 885.00
Total Estimated Cost:	\$ 2,385.00
Less Prepayment Received:	\$ -
Total Estimated Cost Due:	<u>\$ 2,385.00</u>

Please sign and return the original Authorization for Change and Resolution in the enclosed self-addressed envelope or email to: POBoxCEServiceRequest@cmsenergy.com. Payment in full is required before the installation can be scheduled for construction.

Please review all attached materials carefully and direct inquiries for your request to:

Kristen Greenwood at (844) 316-9537



CITY OF JACKSON
161 W MICHIGAN AVE
JACKSON MI 49201-1315

Amount Due: \$2,385.00
Please pay by: October 29, 2021

Invoice Number	9321626780
PO Number	
PO Date	
Bill Date	10/15/21

Account: 3000 1911 0620

0 BLOCK OF JACKSON JACKSON - STREETLIGHTING - NOTIFICATION NUMBER (s): 1057624419 -

NONENERGY INVOICE

DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
Electric Streetlights-CIAC	15.0 EA	\$100.00	\$1,500.00
Electric Tree Clearing Costs	1.0 EA	\$885.00	\$885.00
TOTAL DUE:			\$2,385.00

See Page 2 for Payment Options.

Consumers Energy is regulated by the Michigan Public Service Commission, Lansing, Michigan

INVOICE QUESTIONS - Contact: Kristen Greenwood -(844) 316-9537 -

Fold, detach and mail this stub with your check made payable to Consumers Energy. Please write your account number on your check.



CONSUMERS ENERGY
CEM Support Ctr - Lansing RM 122
PO Box 30162
Lansing, MI 48909-7662

PREPAYMENT REQUEST

Account: 3000 1911 0620

Amount Due: \$2,385.00
Please pay by: October 29, 2021
Enclosed:

6 330030949606 000002385003 0000 2056 1 300019110620 H

MEMO TO: Jonathan Greene, City Manager
FROM: Tim Pickett, Assistant Director of Public Works
DATE: October 19, 2021
SUBJECT: Purchase and installation of Generator for DPW building

Recommendation:

Award the Purchase and installation of a Kohler 500REOZJC generator for the Department of Public works building located at 421 Water Street. Purchase and installation will be provided by Corby Energy Services Incorporated, in the amount of \$124,975.

Your consideration and concurrence is greatly appreciated.

MEMO TO: Jonathan Greene, City Manager
FROM: Michael Osborn, Director of Public Works
DATE: October 19, 2021
RECOMMENDATION:

SUMMARY

Award the Purchase and installation of a Kohler 500REOZJC generator for the Department of Public works building located at 421 Water Street. Purchase and installation will be provided by Corby Energy Services, Incorporated in the amount of \$124,975.

BUDGETARY CONSIDERATIONS

The funds for the generator have been provided for in the line item 402-591-000-975.000, for the amount of \$124,975.

HISTORY, BACKGROUND and DISCUSSION

Currently the new DPW building does not have a generator. This makes it impossible to serve the public in the case of a power outage. All vehicles and maintenace equipment are stored at this location.

POSITIONS

I recommend purchasing this generator through Corby Energy Services Incorporated for \$124,975.00



**BID TABULATION
 FOR
 LABOR AND MATERIALS FOR A
 KOHLER 500REOZJC GENERATOR
 OR EQUIVALENT
 OCTOBER 11, 2021**

BIDDER	LABOR AND MATERIALS KOHLER 500REOZJC GENERATOR OR EQUIVALENT	BRAND & MODEL	DELIVERY DATE (NO LATER THAN)
CORBY ENERGY SERVICES, INC. 6001 Schooner Drive Belleville, MI 48111	\$ 124,975.00	Kohler Model: 500REOZJC	41-44 weeks after approved submittals
HURON VALLEY ELECTRIC, INC. 425 Jackson Plaza Ann Arbor, MI 48103	\$ 141,000.00	MTU A Rolls-Royce Solution 500KW/625KVA UL 2200 Generator Set	26-28 weeks after approved submittals
J. RANCK ELECTRIC, INC. 1993 Gover Parkway Mt. Pleasant, MI 48858	\$ 142,919.00	Kohler Model: 500REOZJC	44 weeks after approved submittals

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: October 26, 2021
SUBJECT: Modification to the Planning and Zoning Fees

Recommendation: (Approve) Modify the Planning and Zoning Fee schedule, specific to the addition of a fee for zoning permits, zoning compliance certificate and zoning letter.

The modification will ensure the cost of the zoning permit, zoning compliance certificate and zoning letter is borne by the individual or entity receiving the service. Zoning permits and zoning compliance certificates are currently required by the code. Zoning letter is a document often prepared for by the Zoning Administrator for underwriters and developers.

Your consideration and concurrence is appreciated.

Attachments: Department report and Resolution.

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager

FROM: Shane LaPorte, NEO Director

DATE: Council Meeting- October 26, 2021

RECOMMENDATION: Approve modification of the Planning and Zoning fee schedule, specific to the addition of a fee for zoning permits, zoning compliance certificate and zoning letter.

SUMMARY

On August 22, 2017 City Council adopted a resolution that adjusted the “user fee” schedule for planning and zoning fees at which time fees for zoning permit, zoning compliance certificate and zoning letter were overlooked and not included in the fee schedule. Issuing permits, compliance certificates and letters are all a function of the Zoning Administrator. The time for processing the respective documents should be borne by the person or entity receiving the service. The fee schedule should be modified to include a fee for the above listed services.

BUDGETARY CONSIDERATIONS

Currently there is not a fee assigned for a zoning permit, zoning compliance certificate and zoning letter, therefore the general fund is subsidizing these functions.

The recommended Fees are as follows:

Zoning Permit: \$30.00

Zoning Compliance Certificate: \$30.00

Zoning Letter: \$30.00

The fees are based upon 30 minutes of personnel time at an allocated rate

HISTORY, BACKGROUND and DISCUSSION

Building Departments generally charge a fee for permits and service such fees are intended to defray the cost of operating the department. Ideally the fees charged should cover the allocated cost of staff for time dedicated to providing the service. This is done in the form of a “user fee”, by charging such a fee, general fund dollars can be used elsewhere. Issuance of a zoning permit and zoning compliance letter are function of the Zoning Administrator, as specified in Chapter 28 of the City of Jackson Code of Ordinances. Section 28-210-(d)

A zoning permit signifies that, in the opinion of the Zoning Administrator, the intended use, building, or structure complies with all provisions of the zoning ordinance. When a building permit is required, such permit will not be issued unless the zoning permit has been issued. In all other cases in which a building permit is not required, the application for a zoning permit will be made prior to the date when construction or installation is intended to begin. Section 28-210 (e)

The zoning compliance certificate signifies that, in the opinion of the Zoning Administrator, the intended use, building, or structure complies with the approved zoning permit and all provisions of Chapter 28. The Chief Building Official will not issue a certificate of occupancy for any lot building or structure without a

zoning compliance certificate. Zoning letters are often a result of underwriters and developers requesting zoning research be conducted by the Zoning Administrator on a given property, with an official letter being drafted specific to an individual property, stating the property zoning history, structural compliance with the code and uses for the property, this service has become much more frequent the past couple years and can no longer be offered as a free service

Jackson is not unique in establishing fees for the above services as many of the communities in the surrounding Jackson area and throughout the state also charge a fee for zoning permits and zoning compliance certificates. Understandably so due to the personnel hours dedicated to this function of a Zoning Administrator job.

POSITIONS

Approve a resolution amending the planning and zoning fees to minimize the need for the general fund to offset the cost of the required actions mandated in Chapter 28 of the City Code of Ordinance

ATTACHMENTS: Resolution.

JG

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the City of Jackson has previously adopted a Resolution dated August 22, 2017 that set forth a “user fee” schedule for various planning and zoning fees;

WHEREAS, at the time of the City’s adoption of the 2017 Resolution, a fee for 1) zoning permits; 2) zoning compliance certificates; and 3) zoning compliance letters was not included in said schedule of fees;

WHEREAS, the City of Jackson desires to amend its fee schedule to properly account for City staff time and resources devoted to the issuance of zoning permits, compliance certificates and letters issued in pursuant to Chapter 28 of the City Code of Ordinances; to ensure that the cost of the service is borne by the person or entity making the request; and to more closely reflect the actual costs to the City which would have otherwise been paid for through general fund dollars; and

WHEREAS, the City of Jackson wishes to have the aforementioned fees retained by the Neighborhood and Economic Operations Department to assist with its overall budget;

NOW, THEREFORE, BE IT RESOLVED that the City of Jackson establishes the following fees effective as of the date of the adoption of this Resolution:

- A. Fee for Zoning Permit: **\$30**
- B. Fee for Zoning Compliance Certificate: **\$30**
- C. Fee for Zoning Compliance Letter: **\$30**

All of the above fees that are collected shall be retained by the Neighborhood and Economic Operations Department and no part of the funds derived from the above fees may be transferred to the general operating fund for any purpose.

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrea Muray, City Clerk in and for the City of Jackson, County and State of Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on the ____ day of October, 2021.

IN WITNESS WHEREOF, I have hereto affixed
my signature and the seal of the City of Jackson,
Michigan, on this ____ day of October, 2021.

City Clerk
Andrea Muray

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Jonathan Greene, City Manager

DATE: October 26, 2021

SUBJECT: Adoption of the State of Michigan Bureau of Construction Codes square foot cost table.

Recommendation: Approve a resolution amending the NEO Department building permit fees, by adopting the State of Michigan Bureau of Construction Codes square foot construction cost table. As approved by the Construction Code Commission February 12, 2013.

Attachments: Department report and cost table.

DEPARTMENTAL REPORT

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, City Manager

DATE: Council Meeting-October 26, 2021

RECOMMENDATION: Approve a resolution amending the NEO Department building permit fees, by adopting the State of Michigan Bureau of Construction Codes square foot construction cost table. As approved by the Construction Code Commission February 12, 2013.

SUMMARY

On April 27, 2010 the Jackson City Council adopted a resolution that established a Building Inspection Division fee schedule. Part of the resolution was the adoption of the State of Michigan Bureau of Construction Codes (BCC) square foot construction cost table as was approved at the time by the Construction Code Commission (CCC). On February 13, 2013 the CCC updated the square foot construction cost table. For the past eight years the NEO Department did not adopt the 2013 version of the BCC cost table, the NEO Department has not raised construction permit fees in 12 years.

BUDGETARY CONSIDERATIONS

Building Departments generally charge fees for permits and services such fees are intended to defray the cost of operating the department. The Building Department must be self-supporting so that general fund dollars are not used to pay for the cost and service associated with building inspection.

HISTORY, BACKGROUND and DISCUSSION

The Building Department Division of NEO has the responsibility for administration and enforcement of the Michigan Building Codes as contained in the Stille-Derosette-Hale Single State Construction Code Act, MCL 125. 1501 et seq (State Construction Code) has been assumed by the City of Jackson pursuant to City of Jackson Code of Ordinances, Section 5-51. The State Construction Code provides that City Council may establish building permit fees, and the City Ordinance Section 5-53 establishes that fees will be established by resolution. The last time City Council adopted a resolution to establish building permit fees was April 27, 2010 at that time the State of Michigan Bureau of Construction Codes square foot construction table was adapted. On February 13, 2013 the State of Michigan Construction Code Commission updated the fee table. The City of Jackson Building Department has yet to update square foot construction cost table of fees to be consistent BCC construction cost table. Adopting the Bureau of Construction Codes square foot construction cost table will ensure the City of Jackson is consistent with the State of Michigan Construction Code Commission and Department of Licensing and Regulatory Affairs.

POSITIONS

Approve the resolution amending the NEO Department building permit fees

ATTACHMENTS: Memo and cost table

BUREAU OF CONSTRUCTION CODES
SQUARE FOOT CONSTRUCTION COST TABLE

To be used with the Bureau of Construction Codes Building Permit and Plan Review Fee Schedules for computation of the "Total Cost of Improvement". The table below outlines the base cost per square foot for any given Use Group/Type of Construction combination. Unfinished basements must be computed separately at 20% of table cost. These figures are not intended to reflect actual cost of construction, but are only used as a basis for determination of fees related to services rendered for projects.

USE GROUP	(2009 Michigan Building Code)	TYPE OF CONSTRUCTION								
		IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1	Assembly, theaters, with or without stage	176.44	169.93	165.20	157.56	146.98	142.20	151.76	132.98	127.07
A-2	Assembly, nightclubs, restaurants, bars, banquet halls	151.03	146.72	141.70	136.83	127.57	124.97	131.74	115.44	113.02
A-3	Assembly, religious worship buildings, general, community halls, libraries, museums	178.16	171.65	166.92	159.28	148.82	144.24	153.47	134.83	128.91
A-4	Assembly, arenas	175.54	169.03	163.40	156.66	145.18	141.50	150.86	131.18	126.17
A-5	Assembly, bleachers, grandstands, stadiums	156.59	150.08	144.45	137.72	125.75	122.53	131.91	112.21	107.20
B	Business	155.28	149.60	144.52	137.45	124.67	120.03	131.78	109.55	104.34
E	Educational	163.53	157.90	153.20	146.21	136.19	128.91	141.11	118.49	114.47
F-1	Factory and industrial, moderate hazard	92.97	88.61	83.30	80.08	71.35	68.29	76.52	58.88	55.23
F-2	Factory and industrial, low hazard	92.07	87.71	83.30	79.18	71.35	67.39	75.62	58.88	54.33
H-1	High Hazard, explosives	87.11	82.75	78.34	74.22	66.57	62.61	70.66	54.10	N.P.
H234	High Hazard	87.11	82.75	78.34	74.22	66.57	62.61	70.66	54.10	49.55
H-5	HPM	155.28	149.60	144.52	137.45	124.67	120.03	131.78	109.55	104.34
I-1	Institutional, supervised environment	154.20	148.79	144.63	138.36	127.07	123.71	134.85	114.01	109.95
I-2	Institutional, hospitals, nursing homes	263.67	257.99	252.91	245.84	232.14	N.P.	240.17	217.03	N.P.
I-3	Institutional, restrained	176.87	171.19	166.11	159.04	147.61	142.08	153.37	132.50	125.48
I-4	Institutional, day care facilities	154.20	148.79	144.63	138.36	127.07	123.71	134.85	114.01	109.95
M	Mercantile	113.22	108.91	103.89	99.02	90.41	87.80	93.93	78.28	75.86
R-1	Residential, hotels and motels	155.54	150.13	145.97	139.70	128.56	125.20	136.34	115.49	111.44
R-2	Residential, multiple family including dormitories, convents, monasteries	130.40	124.99	120.83	114.56	104.04	100.68	111.82	90.97	86.92
R-3	Residential, one- and two-family	122.74	119.39	116.36	113.47	108.94	106.23	109.87	101.79	95.34
R-4	Residential, care/assisted living facilities	154.20	148.79	144.63	138.36	127.07	123.71	134.85	114.01	109.95
S-1	Storage, moderate hazard	86.21	81.85	76.54	73.32	64.77	61.71	69.76	52.30	48.65
S-2	Storage, low hazard	85.31	80.95	76.54	72.42	64.77	60.81	68.86	52.30	47.75
U	Utility, miscellaneous	64.61	61.02	57.11	53.93	48.40	45.26	51.34	37.85	35.85

Approved by Construction Code Commission – February 13, 2013
Established by Director, Department of Licensing & Regulatory Affairs – February 26, 2013
Effective Date – April 1, 2013

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the City of Jackson has previously adopted a Resolution dated April 27, 2010 that set forth a Building Inspection Division fee schedule, which included the State of Michigan Bureau of Construction Codes (BCC) square foot construction cost table as approved by the State of Michigan Construction Code Commission (CCC);

WHEREAS, on February 13, 2013 the CCC updated the square foot construction cost table but which version of said table had not been formally adopted by the Department of Neighborhood and Economic Operations (NEO), resulting in NEO having not raised its construction permit fees since April of 2010;

WHEREAS, responsibility for administration and enforcement of the Michigan Building Code as contained in the Stille-DeRossett-Hale Single State Construction Code Act, MCL 125.501, et seq. has been assumed by the City of Jackson pursuant to City Code Chapter 5, Article III, Section 5-51;

WHEREAS, the City of Jackson desires to amend its construction permit fee schedule consistent with City Code Chapter 5, Article III, Section 5-53, adopting the 2013 square foot construction cost table to be consistent with the State of Michigan Bureau of Construction Codes and to more properly account for City staff time and resources devoted to the issuance of building permits; and

WHEREAS, the City of Jackson wishes to have the aforementioned fees retained by the Neighborhood and Economic Operations Building Department to assist with its overall budget;

NOW, THEREFORE, BE IT RESOLVED that the City of Jackson establishes the following for the purpose of calculating building permit fees effective as of the date of the adoption of this Resolution:

A. Permit Fees:

- i. Application fee: \$90
- ii. The minimum fee for new construction or addition permits is \$200 or the calculated fee utilizing attached the **Appendix A Bureau of Construction Codes Square Foot Construction Cost Table**, whichever is greater. The calculated fee will be determined by multiplying the square footage of the project by the corresponding Use Group/Construction Type multiplier in **Appendix A**, by .007.

- iii. The minimum fee for alteration or remodel permits is \$100, or 50% of the calculated fee for new construction, whichever is greater.

All of the above fees that are collected shall be retained by the Neighborhood and Economic Operations Building Department and no part of the funds derived from the above fees may be transferred to the general operating fund for any purpose.

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrea Muray, City Clerk in and for the City of Jackson, County and State of Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on the ____ day of October, 2021.

IN WITNESS WHEREOF, I have hereto affixed my signature and the seal of the City of Jackson, Michigan, on this ___ day of October, 2021.

City Clerk
Andrea Muray

APPENDIX A

BUREAU OF CONSTRUCTION CODES SQUARE FOOT CONSTRUCTION COST TABLE

To be used with the Bureau of Construction Codes Building Permit and Plan Review Fee Schedules for computation of the "Total Cost of Improvement". The table below outlines the base cost per square foot for any given Use Group/Type of Construction combination. Unfinished basements must be computed separately at 20% of table cost. These figures are not intended to reflect actual cost of construction, but are only used as a basis for determination of fees related to services rendered for projects.

USE GROUP	(2009 Michigan Building Code)	TYPE OF CONSTRUCTION									
		IA	IB	IIA	IIIB	IIIA	IIIB	IV	VA	VB	
A-1	Assembly, theaters, with or without stage	176.44	169.93	165.20	157.56	146.98	142.20	151.76	132.98	127.07	
A-2	Assembly, nightclubs, restaurants, bars, banquet halls	151.03	146.72	141.70	136.83	127.57	124.97	131.74	115.44	113.02	
A-3	Assembly, religious worship buildings, general, community halls, libraries, museums	178.16	171.65	166.92	159.28	148.82	144.24	153.47	134.83	128.91	
A-4	Assembly, arenas	175.54	169.03	163.40	156.66	145.18	141.50	150.86	131.18	126.17	
A-5	Assembly, bleachers, grandstands, stadiums	156.59	150.08	144.45	137.72	125.75	122.53	131.91	112.21	107.20	
B	Business	155.28	149.60	144.52	137.45	124.67	120.03	131.78	109.55	104.34	
E	Educational	163.53	157.90	153.20	146.21	136.19	128.91	141.11	118.49	114.47	
F-1	Factory and industrial, moderate hazard	92.97	88.61	83.30	80.08	71.35	68.29	76.52	58.88	55.23	
F-2	Factory and industrial, low hazard	92.07	87.71	83.30	79.18	71.35	67.39	75.62	58.88	54.33	
H-1	High Hazard, explosives	87.11	82.75	78.34	74.22	66.57	62.61	70.66	54.10	N.P.	
H234	High Hazard	87.11	82.75	78.34	74.22	66.57	62.61	70.66	54.10	49.55	
H-5	HPM	155.28	149.60	144.52	137.45	124.67	120.03	131.78	109.55	104.34	
I-1	Institutional, supervised environment	154.20	148.79	144.63	138.36	127.07	123.71	134.85	114.01	109.95	
I-2	Institutional, hospitals, nursing homes	263.67	257.99	252.91	245.84	232.14	N.P.	240.17	217.03	N.P.	
I-3	Institutional, restrained	176.87	171.19	166.11	159.04	147.61	142.08	153.37	132.50	125.48	
I-4	Institutional, day care facilities	154.20	148.79	144.63	138.36	127.07	123.71	134.85	114.01	109.95	
M	Mercantile	113.22	108.91	103.89	99.02	90.41	87.80	93.93	78.28	75.86	
R-1	Residential, hotels and motels	155.54	150.13	145.97	139.70	128.56	125.20	136.34	115.49	111.44	
R-2	Residential, multiple family including dormitories, convents, monasteries	130.40	124.99	120.83	114.56	104.04	100.68	111.82	90.97	86.92	
R-3	Residential, one- and two-family	122.74	119.39	116.36	113.47	108.94	106.23	109.87	101.79	95.34	
R-4	Residential, care/assisted living facilities	154.20	148.79	144.63	138.36	127.07	123.71	134.85	114.01	109.95	
S-1	Storage, moderate hazard	86.21	81.85	76.54	73.32	64.77	61.71	69.76	52.30	48.65	
S-2	Storage, low hazard	85.31	80.95	76.54	72.42	64.77	60.81	68.86	52.30	47.75	
U	Utility, miscellaneous	64.61	61.02	57.11	53.93	48.40	45.26	51.34	37.85	35.85	

Approved by Construction Code Commission – February 13, 2013
Established by Director, Department of Licensing & Regulatory Affairs – February 26, 2013
Effective Date – April 1, 2013