CITY COUNCIL MEETING MINUTES

March 15, 2016

CALL TO ORDER:

The Jackson City Council met in regular session in the City Hall and was called to order at 6:30 p.m. by Mayor Bill Jors.

PLEDGE OF ALLEGIANCE – INVOCATION:

The Council joined in the Pledge of Allegiance. Invocation was given by Freddie Dancy, 2nd Ward City Councilmember.

ROLL CALL:

Present: Mayor Bill Jors, Councilmembers Arlene Robinson, Freddie Dancy, Daniel P. Greer, Craig Pappin, Andrew R. Frounfelker, and Derek J. Dobies.

Also present: City Manager Patrick Burtch, City Attorney Bethany Smith, City Treasurer/Clerk Andrew J. Wrozek, Jr., Director of Police and Fire Matthew Heins, Deputy Fire Chief Dave Wooden, City Engineer Jon Dowling, Director of Economic Operations Jennifer Morris, and Assistant City Manager/Operations Jonathan Greene.

ADOPTION OF AGENDA:

Motion was made by Councilmember Greer, seconded by Councilmember Robinson to adopt the Agenda as presented. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried. Agenda was adopted.

CITIZEN COMMENTS:

Public comment time was opened. Comments were heard and the meeting resumed.

PRESENTATIONS/PROCLAMATIONS: none.

PETITIONS & COMMUNICATION:

A. HRC Minutes for January 20, 2016:
Accept and place on file the January 20, 2016, Human Relations Commission meeting minutes.

B. Public Arts Commission Minutes for January 19, 2016:
Accept and place on file the January 19, 2016, Public Arts Commission meeting minutes.

Moved by Councilmember Greer to accept and place on file, seconded by Councilmember Dobies. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

CONSENT CALENDAR:

A. Minutes of the Regular Meeting on February 23, 2016:
Approve the minutes of the regular City Council meeting of February 23, 2016.

B. World Vision Global 6k for Water:
Approve the request from World Vision, Inc., to conduct their World Vision Global 6k for Water event on Saturday, March 19, 2016, at 9:00 a.m., starting and ending at the Cascades Baptist Church. (Contingent upon receipt of proper insurance coverage.)

C. CAP Kickoff:
Approve the request from Council for the Prevention of Child Abuse & Neglect to conduct their annual CAP Kickoff on Friday, April 1, 2016, at 12:00 p.m., in the Governor Austin Blair Park. (Contingent upon receipt of proper insurance coverage.)

D. Light It Up Blue Jackson:
Approve the request from Jackson Autism Support Network to conduct their annual Light It Up Blue Jackson on Saturday, April 2, 2016, at 6:00 p.m., in the City Parking Lot #8. (Contingent upon receipt of proper insurance coverage.)

E. 2016 Jackson March for Babies:
Approve the request from March of Dimes Foundation to conduct their annual 2016 Jackson March for Babies event on Sunday, April 24, 2016, at 8:00 a.m., in Ella Sharp Park. (Contingent upon receipt of proper insurance coverage.)

F. City Wide Prayer Walk:

Approve the request from Together We Can Make a Difference to conduct their annual City Wide Prayer Walk on Sunday, May 1, 2016, at 8:00 a.m., in the City of Jackson. (Contingent upon receipt of proper insurance coverage.)

G. Jackson County Police Memorial:

Approve the request from Jackson Police Department to conduct their annual Jackson County Police Memorial on Wednesday, May 4, 2016, at 12:00 p.m., in Bucky Harris Park. (This event is covered under the City's insurance policy.)

H. National Day of Prayer:

Approve the request from Together We Can Make a Difference to conduct their annual National Day of Prayer on Thursday, May 5, 2016, at 12:00 p.m., in Governor Austin Blair Park. (Contingent upon receipt of proper insurance coverage.)

I. The Big Seed:

Approve the request from Together We Can Make a Difference to conduct their annual The Big Seed on Saturday, May 21, 2016, at 10:00 a.m., at 224 W. Wilkins, Jackson, Michigan 49203. (Contingent upon receipt of proper insurance coverage.)

J. GREAT's May Public Paddle Event:

Approve the request from the Grand River Environmental Action Team to conduct their annual GREAT's May Public Paddle Event on Sunday, May 22, 2016, at 10:30 a.m., in Ella Sharp Park. (Proper insurance has been received.)

K. Summer Reading Kickoff event:

Approve the request from the Jackson District Library to conduct their annual Summer Reading Kickoff event on Saturday, June 11, 2016, at 10:00 a.m., on the Carnegie Library grounds. (Proper insurance coverage has been received.)

L. Star Wars vs. Star Trek...You Decide!

Approve the request from the Jackson District Library to conduct their first annual Star Wars vs. Star Trek...You Decide event on Friday, August 19, 2016, at 6:30 p.m., on the Carnegie Library grounds. (Contingent upon receipt of proper insurance coverage.)

M. Annual Grand River Clean-up:
Approve the request from the Grand River Environmental Action Team (GREAT) to conduct their Annual Grand River Clean-up on Saturday, September 10, 2016, at 9:00 a.m., at the Consumers Energy's Amphitheatre. (Proper insurance coverage has been received.)

N. Traffic Control Orders 2207, 2208, 2209, and 2210:
Approve Traffic Control Orders 2207, 2208, 2209, and 2210 to convert Franklin Street between Jackson Street and First Street from one-way westbound to two-way traffic.

O. CDBG and HOME Financial Statements through February 29, 2016:
Receive the Community Development Block Grant (CDBG) and HOME Financial Summaries through February 29, 2016.

P. Establishment of Public Hearings for Special Assessment Roll Nos. 3381, 3382, and 3383:
Establishment of March 29, 2016, at the City Council meeting as the time and place to hold a public hearing on the following Special Assessment Rolls for street construction:

1. Roll No. 3381 for street reconstruction on Van Buren Street from Steward Avenue to Blackstone Street;
2. Roll No. 3382 for street reconstruction on West Avenue from Bloomfield Boulevard to High Street; and
3. Roll No. 3383 for street reconstruction on Hamilton Street from Argyle Street to the north end.

Moved by Councilmember Dobies, seconded by Councilmember Greer to adopt the Consent Calendar as presented. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried. Consent Calendar was adopted.

PUBLIC HEARINGS:

A. PUBLIC HEARING for Proposed Zoning Ordinance Amendments.
Public hearing to receive public input on the proposed amendments to the Zoning Ordinance.

Mayor Jors opened the Public Hearing. Public comment was invited. No comments for or against.

B. Ordinance Amendment – Zoning Ordinance (First Reading):
Recommendation: Consider an ordinance amending Chapter 28, Section 28-32, City Code, to rezone 1808 Lewis Street from R-1 (One Family Residential) to I-2 (General Industrial), as per the recommendation from the City Planning Commission dated March 14, 2016.

Councilmember Pappin moved to consider the ordinance and move to second reading and final adoption, seconded by Councilmember Dobies. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

C. PUBLIC HEARING for Proposed Ordinance Amendment – Sign Regulations.

Public hearing to receive public input on the proposed amendments to the Sign Regulations.

Mayor Jors opened the Public Hearing. Public comment was invited. No comments for or against.

D. Ordinance Amendment – Sign Regulations (First Reading):

Recommendation: Consider an ordinance amending Chapter 21.5 and Chapter 28, Sec. 28-5 (definitions), Sec. 28-71 (permitted and conditional uses), Sec. 28-130 (nonconforming lots, building, signs, structures and uses of buildings, structures and land), Sec. 28-135 (site plan review procedures and requirements), Sec. 28-145 (conditional uses), Sec. 28-166 (revocable license for signs and/or awnings in the right-of-way), Secs. 28-250 – 28-262 (sign regulations) of the City Code, as per the recommendation from the City Planning Commission dated March 14, 2016.

Councilmember Pappin moved to approve and advance to second reading with three changes. Section N – Table of Sign Standards - Window Signage – subject properties in C-1, C-2, C-3, C-4, I-1, and I-2 be eliminated. Section N, third column, change the word direct to front lit signs, and Temporary Freestanding Residential Yard Signs and Swinging Signs – change sign for two (2) consecutive months to three (3) consecutive months, seconded by Councilmember Dobies. Amend the motion to include remarks from Councilmember Pappin, to include illumination of the signs and increase from two (2) months to three (3) months., seconded by Councilmember Greer. Voting on the amendment: Votes - Yeas: Councilmembers Greer and Dobies – (2). Nays: Mayor Jors, Councilmembers Robinson, Dancy, Pappin, and Frounfelker. (5). Motion failed. Vote on main motion: Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

<u>OTHER BUSINESS:</u>

A. Ordinance Amendment – Zoning Ordinance (Second/Final Reading).

Recommendation: Final adoption of Ordinance No. 2016-04, amending Chapter 28, City Code, to make minor revisions to Article III, Section 28-71

(Permitted and Conditional Uses), Article IV, Section 28-100 (Off-Street Parking, Loading, and Access Design Standards), Article IV, Section 28-105 (Landscape Standards), and Article IV, Section 28-115 (Building Design Standards), as per the recommendation from the City Planning Commission dated February 22, 2016.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies for final adoption. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

B. Ordinance - Public Arts Commission (Second Reading).

Recommendation: Final adoption of Ordinance No. 2016-05, amending Chapter 2, Article 2, Division 9, City Code, to change the date that the Public Arts Commission must submit to the City Council a plan detailing potential projects and desirable goals to be pursued in the next fiscal year.

Motion was made by Councilmember Dobies, seconded by Councilmember Pappin for final adoption. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

C. Resolution – Amending CDBG Budget for FY 2013/2014 and FY 2015/2016.

Recommendation: Approve a resolution to amend the Community Development Block Grant budget for fiscal years 2013/2014 and 2015/2016 allocating unbudgeted program income for eligible special assessment relief.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve the resolution to amend CDBG budgets. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

D. Resolution – Amending CDBG Budget for FY's 2013/2014, 2014/15, and 2015/2016.

Recommendation: Approve the resolution amending the Community Development Block Grant (CDBG) grant budgets for fiscal years 2013/2014 (Year 39), 2014/2015 (Year 40), and 2015/2016 (Year 41) to reallocate unutilized funds from Administration/Planning, Tree Planting, Historic Preservation, and program income to the Downtown Investor-Owned Rehabilitation Program in the amount of $195,212.00.

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to approve the resolution amending CDBG

budgets. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

NEW BUSINESS:

A. Resolution – Consumers Energy Standard Streetlighting Contract.
Recommendation: Approve the Resolution for Changes to Consumers Energy Streetlighting Contract, and authorize the Mayor and City Treasurer/Clerk to sign the appropriate documents.

Motion was made by Councilmember Greer, seconded by Councilmember Pappin to approve the resolution. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

B. Resolution – West Avenue Street Construction.
Recommendation: Approve a resolution to enter into a contract with the Michigan Department of Transportation (MDOT) for street construction on West Avenue from Michigan Avenue to Wildwood, and from Ganson Street to North Street, and authorize the Mayor and City Treasurer/Clerk to execute the appropriate documents.

Motion was made by Councilmember Greer, seconded by Councilmember Dancy to approve the resolution. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

C. Jackson County Drain Commissioner Invoice – Storm Water.
Recommendation: Approve payment of an invoice from the Jackson County Drain Commissioner for Jackson Urbanized Area Phase II Implementation Assistance, in the amount of $14,306.59, in accordance with the recommendation of the City Engineer.

Motion was made by Councilmember Greer, seconded by Councilmember Pappin to approve the invoice to the County Drain Commission. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

D. Wastewater Treatment Service Agreement Extensions.
Recommendation: Approve the Wastewater Treatment Service Agreement Extensions between the City of Jackson and its Township customer communities.

Motion was made by Councilmember Greer, seconded by Councilmember Dancy to approve the Wastewater Treatment Service Agreement. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

E. WWTP Purchase Request – Return Activated Sludge Pump.
Recommendation: Approve the purchase of a new Flygt brand submersible dry pit pump from Kennedy Industries, Wixom, in the amount of $30,410.00 for the Wastewater Treatment Plant.

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to approve the purchase. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

F. 2016 Parks, Recreation & Cemeteries Department Spring and Summer Adult Programs.
Recommendation: Approve the current Parks, Recreation, and Cemeteries Spring and Summer Adult Programs for 2016.

Motion was made by Councilmember Greer, seconded by Councilmember Pappin to approve. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

G. 2016 As Needed Materials Testing Services Contract.
Recommendation: Approve the award of the 2016 As Needed Materials Testing Services Contract to Professional Service Industries, Inc., Lansing, in the estimated amount of $131,243.50, and authorize the Mayor and City Treasurer/Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent.

Motion was made by Councilmember Greer, seconded by Councilmember Frounfelker to approve the award. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

H. Contract for Engineering and Design of Fourth Street and Trail Project.
Recommendation: Award the Fourth Street and Trail Design and Engineering contract to Mannik & Smith Group, Inc., Monroe, for $179,587.82, and authorize the Mayor and City Treasurer/Clerk to execute the appropriate document(s).

Motion was made by Councilmember Dobies, seconded by Councilmember Greer to award the contract. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

I. Contract for Engineering and Design of Kibby Road – West Avenue to City Limits.

Recommendation: Award the Kibby Road Design and Engineering contract to Mannik & Smith Group, Inc., Monroe, for $89,615.00, and authorize the Mayor and City Treasurer/Clerk to execute the appropriate document(s).

Motion was made by Councilmember Greer, seconded by Councilmember Dobies to award the contract. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

J. Safer Grant Application.

Recommendation: Authorize the City Manager to apply for a Staffing for Adequate Fire & Emergency Response (SAFER) Grant through FEMA.

Motion was made by Councilmember Pappin, seconded by Councilmember Greer to authorize. Votes - Yeas: Mayor Jors, Councilmembers Robinson, Dancy, Greer, Pappin, Frounfelker, and Dobies (7). Nays: none. Motion carried.

CITY COUNCILMEMBERS' COMMENTS.

MANAGER'S COMMENTS.

ADJOURNMENT:

No further business being presented, motion was received to adjourn by Councilmember Greer, seconded by Councilmember Dobies. Motion carried. Mayor Jors closed the meeting at 7:35 p.m.

CITY OF JACKSON
Founded 1829

City Manager's Office

161 W. Michigan Ave. - Jackson, MI 49201
Phone: (517) 788-4035 • Facsimile: (517) 768-5820

MEMO TO: Mayor and City Council Members

FROM: Patrick H. Burtch, City Manager

DATE: March 29, 2016

SUBJECT: Special Event Application for the Junior Achievement Micro Marathon Event.

Recommendation:

Approval of the request from Junior Achievement to conduct their 1tst annual Micro Marathon on April 28, 2016 from 5 p.m. to 7 p.m. in Horace Blackman Park.

Attached are memos from Nathan Mack, regarding the Special Event Application for the Junior Achievement Micro Marathon event.

I recommend approval of the special event application for the Micro Marathon event. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Nathan Mack, Executive Director, DDA

DATE: **March 29, 2016**

RECOMMENDATION: Approval of the request from Junior Achievement to conduct their 1st annual Micro Marathon on April 28th at 5 p.m to 7 p.m in Horace Blackman Park.

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.

Department	Approval	Denial	Economic Impact
Police	x		$0
Fire	x		$0
Engineering	x		$0
Public Works	x		$200
Recreation	x		$0
DDA	x		$0
			$200

CONDITIONS & CONSIDERATIONS

- City's Bandstand

INSURANCE STATUS

Contingent upon receipt of proper insurance coverage.

ATTACHMENTS: Special Event Application: Junior Achievement Micro Marathon.

Downtown JACKSON Bound

CITY OF JACKSON SPECIAL EVENT APPLICATION
Downtown Development Authority
161 W. Michigan Avenue ~ Jackson, MI 49201 ~ (517) 768-6410

Date Received By DDA Office: 3/14/16 Time: 3:45 By: Kon

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 60 calendar days before the first day of the event.

Event Name: Junior Achievement Micro Marathon

Sponsoring Organization's Legal Name: Junior Achievement of the Michigan Edge. Inc.

Organization Address: 209 E. Washington Suite 180

Tax I.D. Number: 38-1402160

Event Organizer: Connie Poisson Title: President

Phone (work): 517 782 7822 Ext. 14

Phone (during event): 517 881-4402

Agent's Address: cpoisson@jamichiganedge.com

Agent's E-Mail Address:

Organization Address:

Please give a brief description of the proposed special event:
The JA Micro Marathon is a unique 26.2 feet fun "Run" Event, which will have all the pre-event and post event fun. Participants will engage in warm up activities, listen to DJ provided exercising music and then line up to start for a chance to walk the whole 26.2 feet. Restaurants are providing discounted items to entice racers to stay downtown. Micro brew: hot dogs: tshirts provided to participants.

Event Day(s) and Date(s): April 28, 2016

Set-Up Date & Time: 8:00 AM - set up - Tear-Down Date & Time: Event runs 5pm-7pm

Event Location: Horace Blackman Park

ANNUAL EVENT: Is this event expected to occur next year? (circle one) ***YES*** ***NO***
How many years has this event occurred? 1st annual

MAP: If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing:

(a) The assembly and dispersal locations and the route plan;
(b) Any streets or parking lots that you are requesting to be blocked off;
(c) The location of vendors, if any;
(d) An emergency vehicle access lane; and
(e) The location of restrooms and trash receptacles.

A final map, if different, must be provided seven (7) days before the event.

STREET CLOSURES: Start Date/Time:

Through Date/Time: _____

RESERVED PARKING: Are you requesting reserved parking? (circle one) ***YES*** ***NO***
If yes, list the number of street spaces, City lots or locations where parking is requested:

_____

VENDORS: Food Concessions? ***YES*** ***NO*** Other Vendors: ***YES*** ***NO***

EVENT SPONSORS: Do you have an event sponsor? If yes, please name:

_____

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? ***YES*** ***NO***
If yes, please attach liquor license and liquor liability insurance.

If yes, what time? pending until _____

ENTERTAINMENT: Are there any entertainment features related to this event? ***YES*** ***NO***
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule. All noise generated by entertainment must be in compliance with the City Noise Ordinance. .

ATTENDANCE: What is the expected (estimated) attendance for this event? 150

AMUSEMENT: Do you plan to have any amusement or carnival rides? ***YES*** ***NO***
If yes, you are required to obtain a permit through the City Clerk's Office.

RESTROOMS: Are you planning to provide portable rest rooms at the event? ***YES*** ***NO***

If yes, how many? TBD

As an event organizer, you must consider the availability of restroom facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

ELECTRICAL POWER: Will the Event require electrical power? *YES* *NO*
If yes, please explain the electrical requirements.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Department, Neighborhood and Economic Operations Department, Parks and Recreation, water, street closures, electrical, etc.) Please note that additional requests may incur additional charges.

Band stand
EMT

INSURANCE: All sponsors of special events must carry liability insurance as set forth in the Special Events policy. A copy of either a Hold Harmless Agreement or a certificate of insurance AND endorsement naming the City of Jackson and the DDA as additional insureds for a liability policy must be provided at least two (2) weeks prior to scheduled Council approval.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:

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 Events application, including insurance documents where applicable.

3. A $25 Special Event Application fee must be submitted along with this Special event 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 requirements made.

5. All food vendors must be approved by the Jackson County Health Department, and each food or 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 named insured parties on the policy.

6. Fire Department permit and approval is required for events including display fireworks. XCU Fireworks Liability insurance is required for all fireworks displays.

7. The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application.

8. If I or my organization fail(s) to clean up and repair damages to the Event Area, my organization maybe 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, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other 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, I will add the City of Jackson and the Downtown Development Authority as additional insureds 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 officer, employees and agents, 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 the special event.

3.11.16
Date

Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least sixty (60) days before the first day of the event to: DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE, 5th Floor
JACKSON, MI 49201

MICRO MARATHON | 26.2 FEET

Junior Achievement®
of the Michigan Edge, Inc.

Registration is $35, race includes:

T-shirt • Micro Brew • Hot Dog • Pre-race warm up • DJ

April 28, 2016
5:00 - 7:00 PM

Horace Blackman Park
Downtown Jackson

Register online at JAMichiganEdge.com

Proceeds benefit Junior Achievement of the Michigan Edge. More info: 517-782-7822.

RjM · Biffer Haus Brewing Company · Downtown Jackson Bound · Lions International · City of Jackson Michigan · 105.3 K · NewsTalk 970 WKHM-AM Jackson's Very Own! · ESPN 101.9 FM & 1450 AM Jackson's Sports Authority · Hot Country 101.5

CITY OF JACKSON
Founded 1829

City Manager's Office

161 W. Michigan Ave. - Jackson, MI 49201
Phone: (517) 788-4035 • Facsimile: (517) 768-5820

MEMO TO: Mayor and City Council Members

FROM: Patrick H. Burtch, City Manager

DATE: March 29, 2016

SUBJECT: Special Event Application for the Junior Achievement "Race for Education" Grand Prix.

Recommendation:

Approval of the request from Junior Achievement to conduct their 20th annual "Race for Education" Grand Prix on June 4, 2016 from 12 p.m. to 5 p.m. in Cascades Fall Park.

Attached are memos from Nathan Mack, regarding the Special Event Application for the Junior Achievement "Race for Education" Grand Prix event.

I recommend approval of the special event application for the "Race for Education" Grand Prix event. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Nathan Mack, Executive Director, DDA

DATE: **March 29, 2016**

RECOMMENDATION: Approval of the request from Junior Achievement to conduct their 20th annual Race for Education on June 4th at 12 p.m. to 5 p.m. in Cascade Falls Park.

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.

Department	Approval	Denial	Economic Impact
Police	x		$0
Fire	x		$0
Engineering	x		$0
Public Works	x		$150
Recreation	x		$0
DDA	x		$0
			$150

CONDITIONS & CONSIDERATIONS

- Request to use City's bandstand

INSURANCE STATUS

Contingent upon receipt of proper insurance coverage.

ATTACHMENTS: Special Event Application: Junior Achievement Race for Education.

Downtown JACKSON Bound

CITY OF JACKSON SPECIAL EVENT APPLICATION
Downtown Development Authority
161 W. Michigan Avenue ~ Jackson, MI 49201 ~ (517) 768-6410

Date Received By DDA Office: 3/14/16 Time: 3:45pm By: Kem

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 60 calendar days before the first day of the event.

Event Name: Junior Achievement "Race for Education" Grand Prix

Sponsoring Organization's Legal Name: Junior Achievement of the Mi Edge, Inc.

Organization Address: 209 E. Washington Suite 180

Tax I.D. Number: 38-1402160

Event Organizer: Connie Poisson Title: President.

Phone (work): 517 782 7822 Ext. 14

Phone (during event): 517 881-4402

Agent's Address:

Agent's E-Mail Address: cpoisson@jamichiganedge.com

Organization Address:

Please give a brief description of the proposed special event:

JA's "Race for Education" is a go-kart race held at Cascades Park on June 4th. It engages community and high school teams in a fun and high energy go kart racing event.

Event Day(s) and Date(s): Saturday June 4th

Set-Up Date & Time: Fri. June 3rd 8AM - 2:30pm Tear-Down Date & Time:

Event Location: Cascades Fall Park

ANNUAL EVENT: Is this event expected to occur next year? (circle one) *YES* *NO*
How many years has this event occurred? 20

MAP: If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing:

(a) The assembly and dispersal locations and the route plan;
(b) Any streets or parking lots that you are requesting to be blocked off;
(c) The location of vendors, if any;
(d) An emergency vehicle access lane; and
(e) The location of restrooms and trash receptacles.

A final map, if different, must be provided seven (7) days before the event.

STREET CLOSURES: Start Date/Time:

Through Date/Time: _____

RESERVED PARKING: Are you requesting reserved parking? (circle one) *YES* *NO*
If yes, list the number of street spaces, City lots or locations where parking is requested:

_____

VENDORS: Food Concessions? *YES* *NO* Other Vendors: *YES* *NO*

EVENT SPONSORS: Do you have an event sponsor? If yes, please name:

Eaton Corporation

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? *YES* *NO*
If yes, please attach liquor license and liquor liability insurance.

If yes, what time? _____ until _____

ENTERTAINMENT: Are there any entertainment features related to this event? *YES* *NO*
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule. All noise generated by entertainment must be in compliance with the City Noise Ordinance. .

ATTENDANCE: What is the expected (estimated) attendance for this event? _____

AMUSEMENT: Do you plan to have any amusement or carnival rides? *YES* *NO*
If yes, you are required to obtain a permit through the City Clerk's Office.

RESTROOMS: Are you planning to provide portable rest rooms at the event? *YES* *NO*

If yes, how many? _____

As an event organizer, you must consider the availability of restroom facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

ELECTRICAL POWER: Will the Event require electrical power? *YES* *NO*
If yes, please explain the electrical requirements.

_____
_____
_____.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Department, Neighborhood and Economic Operations Department, Parks and Recreation, water, street closures, electrical, etc.) Please note that additional requests may incur additional charges.

Band stand
Deliver Friday June 3rd 10-12pm
Pick up Monday June 6th 8-12 AM

INSURANCE: All sponsors of special events must carry liability insurance as set forth in the Special Events policy. A copy of either a Hold Harmless Agreement or a certificate of insurance AND endorsement naming the City of Jackson and the DDA as additional insureds for a liability policy must be provided at least two (2) weeks prior to scheduled Council approval.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:

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 Events application, including insurance documents where applicable.

3. A $25 Special Event Application fee must be submitted along with this Special event 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 requirements made.

5. All food vendors must be approved by the Jackson County Health Department, and each food or 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 named insured parties on the policy.

6. Fire Department permit and approval is required for events including display fireworks. XCU Fireworks Liability insurance is required for all fireworks displays.

7. The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application.

8. If I or my organization fail(s) to clean up and repair damages to the Event Area, my organization maybe 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, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other 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, I will add the City of Jackson and the Downtown Development Authority as additional insureds 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 officer, employees and agents, 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 the special event.

3.10.16
Date

Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least sixty (60) days before the first day of the event to: DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE, 5th Floor
JACKSON, MI 49201

CITY OF JACKSON
Founded 1829

City Manager's Office

161 W. Michigan Ave. - Jackson, MI 49201
Phone: (517) 788-4035 • Facsimile: (517) 768-5820

MEMO TO: Mayor and City Council Members

FROM: Patrick H. Burtch, City Manager

DATE: March 29, 2016

SUBJECT: Special Event Application for the Jackson County Rose Festival 5k Fun Run/Walk.

Recommendation:

Approval of the request from Jackson County Rose Festival to conduct their 2nd annual 5k Fun Run/Walk on June 5, 2016 at 10 a.m. in Governor Blair Park.

Attached are memos from Nathan Mack, regarding the Special Event Application for the event Jackson County Rose Festival 5k Fun Run/Walk.

I recommend approval of the special event application for the 5k Fun Run/Walk event. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Nathan Mack, Executive Director, DDA

DATE: **March 29, 2016**

RECOMMENDATION: Approval of the request from Jackson County Rose Festival to conduct their 2nd annual 5k Fun Run/Walk on June 5th at 10 a.m. in Governor Blair Park.

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.

Department	Approval	Denial	Economic Impact
Police	x		$350
Fire	x		$0
Engineering	x		$0
Public Works	x		$200
Recreation	x		$0
DDA	x		$0
			$550

CONDITIONS & CONSIDERATIONS

- None

INSURANCE STATUS

Contingent upon receipt of proper insurance coverage.

ATTACHMENTS: Special Event Application: Jackson County Rose Festival 5k Fun Run/Walk.

CITY OF JACKSON SPECIAL EVENT APPLICATION
Downtown Development Authority
161 W. Michigan Avenue ~ Jackson, MI 49201 ~ (517) 768-6410

Date Received By DDA Office: _____ Time: _____ By: _____

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 60 calendar days before the first day of the event.

Event Name: Jackson County Rose Festival Fun Run

Sponsoring Organization's Legal Name: Jackson County Rose Festival

Organization Address: PO Box 1865, Jackson MI 49204

Tax I.D. Number: _____

Event Organizer: Amy Mullins-Rodgers Title: Board of Directors

Phone (work): _____

Phone (during event): 517-402-1911

Agent's Address: 3423 Vrooman Road, Jackson MI 49201

Agent's E-Mail Address: atmr13@yahoo.com or rosefestcommunication@gmail.com

Organization Address: same as above

Please give a brief description of the proposed special event:

A 5K Fun Run and Walk prior to the Jackson County Rose Festival Parade

Run will start at 10am and the Walk will start at 10:15am

The run is also open to changing the route if the attached is not approved.

Event Day(s) and Date(s): Sunday, June 5, 2016

Set-Up Date & Time: June 5th, 8:45a-9:45 Tear-Down Date & Time: 1:00pm

Event Location: See attached map. Registration and awards will be held at Governor Blair Park

ANNUAL EVENT: Is this event expected to occur next year? (circle one) ***YES*** ***NO***
How many years has this event occurred? reinstated last year, 2015

MAP: If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing:

(a) The assembly and dispersal locations and the route plan;
(b) Any streets or parking lots that you are requesting to be blocked off;
(c) The location of vendors, if any;
(d) An emergency vehicle access lane; and
(e) The location of restrooms and trash receptacles.

A final map, if different, must be provided seven (7) days before the event.

STREET CLOSURES: Start Date/Time:

Through Date/Time: June 5th, 9:45am

RESERVED PARKING: Are you requesting reserved parking? (circle one) ***YES*** ***NO***
If yes, list the number of street spaces, City lots or locations where parking is requested:

VENDORS: Food Concessions? ***YES*** ***NO*** Other Vendors: ***YES*** ***NO***

EVENT SPONSORS: Do you have an event sponsor? If yes, please name:

Southern Michigan Chapter of Credit Unions

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? ***YES*** ***NO***
If yes, please attach liquor license and liquor liability insurance.

If yes, what time? _____ until _____

ENTERTAINMENT: Are there any entertainment features related to this event? ***YES*** ***NO***
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule. All noise generated by entertainment must be in compliance with the City Noise Ordinance. .

ATTENDANCE: What is the expected (estimated) attendance for this event? 100

AMUSEMENT: Do you plan to have any amusement or carnival rides? ***YES*** ***NO***
If yes, you are required to obtain a permit through the City Clerk's Office.

RESTROOMS: Are you planning to provide portable rest rooms at the event? *YES* *NO*
If yes, how many? for the parade only

As an event organizer, you must consider the availability of restroom facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

ELECTRICAL POWER: Will the Event require electrical power? *YES* *NO*
If yes, please explain the electrical requirements.

_____

_____

_____.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Department, Neighborhood and Economic Operations Department, Parks and Recreation, water, street closures, electrical, etc.) Please note that additional requests may incur additional charges.

_____

_____

_____

INSURANCE: All sponsors of special events must carry liability insurance as set forth in the Special Events policy. A copy of either a Hold Harmless Agreement or a certificate of insurance AND endorsement naming the City of Jackson and the DDA as additional insureds for a liability policy must be provided at least two (2) weeks prior to scheduled Council approval.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:

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 Events application, including insurance documents where applicable.

3. A $25 Special Event Application fee must be submitted along with this Special event 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 requirements made.

5. All food vendors must be approved by the Jackson County Health Department, and each food or 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 named insured parties on the policy.

6. Fire Department permit and approval is required for events including display fireworks. XCU Fireworks Liability insurance is required for all fireworks displays.

7. The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application.

8. If I or my organization fail(s) to clean up and repair damages to the Event Area, my organization maybe 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, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other 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, I will add the City of Jackson and the Downtown Development Authority as additional insureds on the sponsoring organization's liability policy.

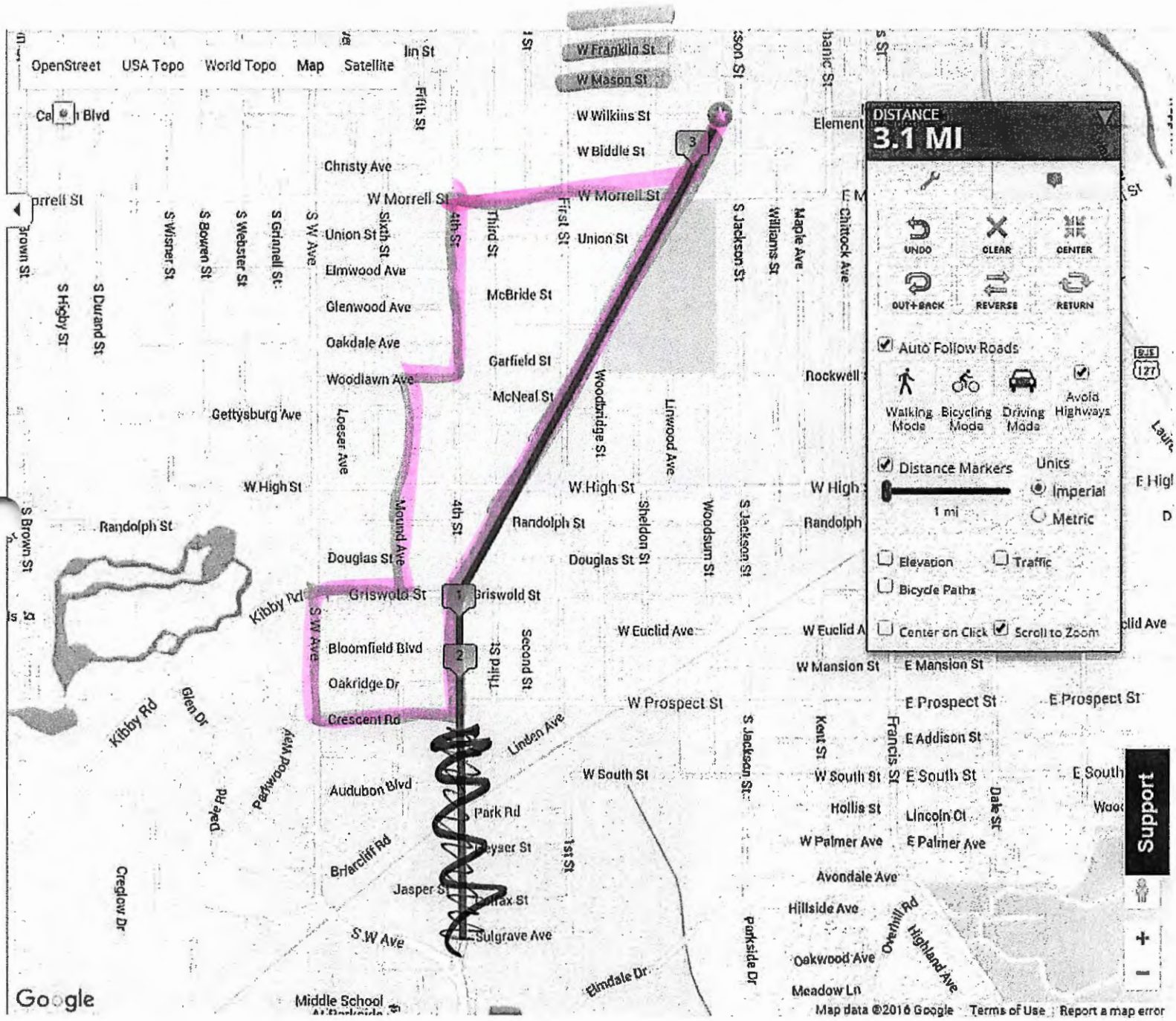
12. On behalf of the sponsoring organization, I agree that the sponsoring organization will defend, indemnify, and hold harmless the City of Jackson, its officers, employees and agents from and against any claim, demand, suit, loss, cost or expense, or any damage, which may be asserted, claimed or recovered against or from the City of Jackson its officer, employees and agents, 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 the special event.

3-15-16
Date

Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least sixty (60) days before the first day of the event to: DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE, 5th Floor
JACKSON, MI 49201

Fun Run Map


DISTANCE
3.1 MI
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Auto Follow Roads
Walking Mode
Bicycling Mode
Driving Mode
Avoid Highways
Distance Markers
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Metric
Elevation
Traffic
Bicycle Paths
Center on Click
Scroll to Zoom
Support
OpenStreet
USA Topo
World Topo
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Satellite
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W Mason St
W Wilkins St
W Biddle St
W Morrell St
Union St
Christy Ave
Elmwood Ave
Glenwood Ave
Oakdale Ave
Woodlawn Ave
McBride St
Garfield St
McNeal St
Gettysburg Ave
W High St
Randolph St
Douglas St
Griswold St
Bloomfield Blvd
Oakridge Dr
Crescent Rd
Kibby Rd
Glen Dr
Audubon Blvd
Park Rd
Briarcliff Rd
Jasper St
Sulgrave Ave
S W Ave
Middle School
W Euclid Ave
W Prospect St
W South St
Linden Ave
Woodbridge St
Linwood Ave
Sheldon St
Woodsum St
S Jackson St
Williams St
Maple Ave
Chittock Ave
Rockwell
W Mansion St
E Mansion St
E Prospect St
E Addison St
E South St
Hollis St
Lincoln Ct
W Palmer Ave
E Palmer Ave
Avondale Ave
Hillside Ave
Oakwood Ave
Meadow Ln
Overhill Rd
Highland Ave
Parkside Dr
Elmdale Dr
Kent St
Francis St
Dale St
Fifth St
Sixth St
4th St
Third St
First St
Second St
1st St
Mound Ave
Loeser Ave
S Wisner St
S Bowen St
S Webster St
S Grinnell St
S Durand St
S Hoby St
Brown St
Creglow Dr
Dale Rd
Parkwood Way
Google
Map data ©2016 Google
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Report a map error

CITY OF JACKSON
Founded 1829

City Manager's Office

161 W. Michigan Ave. - Jackson, MI 49201
Phone: (517) 788-4035 • Facsimile: (517) 768-5820

MEMO TO: Mayor and City Council Members

FROM: Patrick H. Burtch, City Manager

DATE: March 29, 2016

SUBJECT: Special Event Application for the Jackson Symphony Orchestra Summer Pops - Beer, Brats, and Beethoven IV

Recommendation:

Approval of the request from Jackson Symphony Orchestra to conduct their 4th annual Summer Pops- Beer, Brats, and Beethoven on July 9, 2016 from 5 p.m. to 10 p.m. in the Riverwalk Amphitheatre in Downtown Jackson.

Attached are memos from Nathan Mack, regarding the Special Event Application for the event Jackson Symphony Orchestra Summer Pops - Beer, Brats, and Beethoven IV.

I recommend approval of the special event application for the event Summer Pops - Beer, Brats, and Beethoven IV. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Nathan Mack, Executive Director, DDA

DATE: **March 29, 2016**

RECOMMENDATION: Approval of the request from Jackson Symphony Orchestra to conduct their 4th annual Summer Pops – Beer, Brats, and Beethoven on July 9th at 5 p.m. to 10 p.m. at Riverwalk Amphitheatre.

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.

Department	Approval	Denial	Economic Impact
Police	x		$0
Fire	x		$0
Engineering	x		$0
Public Works	x		$0
Recreation	x		$0
DDA	x		$0
			$0

CONDITIONS & CONSIDERATIONS

- None

INSURANCE STATUS

Contingent upon receipt of proper insurance coverage.

ATTACHMENTS: Special Event Application: Junior Achievement Micro Marathon.

Downtown JACKSON Bound

CITY OF JACKSON SPECIAL EVENT APPLICATION

Downtown Development Authority
161 W. Michigan Avenue ~ Jackson, MI 49201 ~ (517) 768-6410

Date Received By DDA Office: 3/16/16 Time: 10:30am By: NM

Please complete this application in accordance with the City of Jackson Special Events Policy, and return it to the Office of the Downtown Development Authority at least 60 calendar days before the first day of the event.

Event Name: JSO Summer Pops - Beer, Brats + Beethoven 4

Sponsoring Organization's Legal Name: Jackson Symphony Orchestra Association, Inc.

Organization Address: 215 W. Michigan Ave., Jackson, MI 49201

Tax I.D. Number: 38-2146747

Event Organizer: Steve Trosin Title: Special Events Coordinator

Phone (work): 517-782-3221 ext. 116

Phone (during event): 517-206-5285 - cell

Agent's Address:

Agent's E-Mail

Address:

Organization Address:

Please give a brief description of the proposed special event: JSO's annual Summer Pops, outdoor concert held at Riverwalk Amphitheatre.

Event Day(s) and Date(s): Saturday, July 9, 2015 5pm-10pm

Set-Up Date & Time: July 9 - 9Am-5Pm Tear-Down Date & Time: After Event + Poss. Sunday, July 10 from 7am to Noon (approx)

Event Location: Riverwalk Amphitheatre

ANNUAL EVENT: Is this event expected to occur next year? (circle one) ***YES*** ***NO***
How many years has this event occurred? Many (20+?)

MAP: If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing:

(a) The assembly and dispersal locations and the route plan;
(b) Any streets or parking lots that you are requesting to be blocked off;
(c) The location of vendors, if any;
(d) An emergency vehicle access lane; and
(e) The location of restrooms and trash receptacles.

A final map, if different, must be provided seven (7) days before the event.

STREET CLOSURES: Start Date/Time:

Through Date/Time: _____

RESERVED PARKING: Are you requesting reserved parking? (circle one) ***YES*** ***NO***
If yes, list the number of street spaces, City lots or locations where parking is requested:

Consumers Energy Parking Garage

VENDORS: Food Concessions? ***YES*** ***NO*** Other Vendors: ***YES*** ***NO***

EVENT SPONSORS: Do you have an event sponsor? If yes, please name:

Not yet, this is still being confirmed

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? ***YES*** ***NO***
If yes, please attach liquor license and liquor liability insurance. - Michigan Theatre is handling + using their license.

If yes, what time? 5 p.m. until 10 p.m. (approx.)

ENTERTAINMENT: Are there any entertainment features related to this event? ***YES*** ***NO***
If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule. All noise generated by entertainment must be in compliance with the City Noise Ordinance. . A group of JSO Musicians.

ATTENDANCE: What is the expected (estimated) attendance for this event? 500-1000

AMUSEMENT: Do you plan to have any amusement or carnival rides? ***YES*** ***NO***
If yes, you are required to obtain a permit through the City Clerk's Office.

RESTROOMS: Are you planning to provide portable rest rooms at the event? ***YES*** ***NO***

If yes, how many? 5-8 depending on ticket pre-sales.

As an event organizer, you must consider the availability of restroom facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

ELECTRICAL POWER: Will the Event require electrical power? *YES* *NO*

If yes, please explain the electrical requirements.

We will need power to be turned on at amphitheatre for sound equipment.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Department, Neighborhood and Economic Operations Department, Parks and Recreation, water, street closures, electrical, etc.) Please note that additional requests may incur additional charges.

INSURANCE: All sponsors of special events must carry liability insurance as set forth in the Special Events policy. A copy of either a Hold Harmless Agreement or a certificate of insurance AND endorsement naming the City of Jackson and the DDA as additional insureds for a liability policy must be provided at least two (2) weeks prior to scheduled Council approval.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:

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 Events application, including insurance documents where applicable.

3. A $25 Special Event Application fee must be submitted along with this Special event 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 requirements made.

5. All food vendors must be approved by the Jackson County Health Department, and each food or 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 named insured parties on the policy.

6. Fire Department permit and approval is required for events including display fireworks. XCU Fireworks Liability insurance is required for all fireworks displays.

7. The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application.

8. If I or my organization fail(s) to clean up and repair damages to the Event Area, my organization maybe 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, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other 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, I will add the City of Jackson and the Downtown Development Authority as additional insureds 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 officer, employees and agents, 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 the special event.

3/14/16
Date

Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least sixty (60) days before the first day of the event to: DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE, 5th Floor
JACKSON, MI 49201

CITY OF JACKSON
Founded 1829

City Treasurer/City Clerk

161 W. Michigan Ave. - Jackson, MI 49201
Treasurer: (517) 788-4043 • Clerk: (517) 788-4025

MEMO TO: Mayor and City Councilmembers

FROM: Andrew J. Wrozek, Jr., City Treasurer/Clerk

DATE: March 29, 2016

SUBJECT: Confirmation of Special Assessment Roll No. 3381

Recommendation:

RECESS AS A CITY COUNCIL AND CONVENE AS A BOARD OF REVIEW:

A. Public Hearing on Special Assessment Roll No. 3381 for street reconstruction on Van Buren Street from Steward Avenue to Blackstone Street.

   1. Resolution confirming Roll No. 3381

REMAIN AS BOARD OF REVIEW FOR THE NEXT PUBLIC HEARING.

A public hearing was established at the City Council's March 15, 2016 meeting for March 29, 2016. The required notice was published in the Jackson Citizen Patriot and a notification letter was sent to each property owner included in the rolls with a CDBG income insert

Attached is the resolution.

I recommend adoption of the resolution after its public hearing is held. Your consideration and concurrence is appreciated.

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Andrew J. Wrozek, Jr. City Treasurer/Clerk

DATE: March 29, 2016

RECOMMENDATION: Adopt the resolution after the Public Hearing is held.

SUMMARY

Special Assessment Roll 3381 for street reconstruction on Van Buren Street from Steward Avenue to Blackstone Street.

BUDGETARY CONSIDERATIONS

See attached resolution.

HISTORY, BACKGROUND and DISCUSSION

Resolution dated June 23, 2015 ordering the construction and preparation of the special assessment roll was adopted. A public hearing was established at the City Council's March 15, 2016 meeting for March 29, 2016. The required notice was published in the Jackson Citizen Patriot and a notification letter was sent to each property owner included in the rolls with a CDBG income insert.

DISCUSSION OF THE ISSUE

Confirmation of the Special Assessment Roll 3381.

POSITIONS

I recommend adoption of the resolution after its public hearing.

ATTACHMENTS

RESOLUTION
STREET CONSTRUCTION

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did prepare special assessments concerning street reconstruction on Van Buren Street from Steward Avenue to Blackstone Street which assessments were by him placed on Assessment Roll No. 3381 in the amount of $129,570.81 and reported to the City Council at its meeting held on the 15th day of March, 2016; and

WHEREAS, notice has been duly given that the City Council and Assessor would sit as a Board of Review in the Council Chambers in the City of Jackson on Tuesday, the 29th day of March 29, 2016, at 6:30 p.m. to hear any and all objections and suggestions by interested parties to said special assessments as contained in said roll; and

WHEREAS, the matter of said review having come on to be heard and the City Council and Assessor sitting as a Board of Review having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED, that each and all of the special assessments as contained in said roll are hereby confirmed and made valid liens against the property and valid claims against the owners thereof, and the City Clerk is hereby directed to make certificates of this determination and attach the same to said roll and to turn said roll over to the City Treasurer for collection; and

BE IT FURTHER RESOLVED that each and all of the special assessments contained in Roll No. 3381 shall be divided into fifteen (15) equal installments, the first of which shall be payable by July 1, 2016 without interest charge; and the remaining installments, plus a 2.20% annual interest charge on each installment, shall be due annually on May 31st of each subsequent year until each of the special assessments has been paid in full; provided, however, that in the event the City issues bonds in anticipation of special assessments, the unpaid balance of said special assessments shall, in accordance with Section 22-9 of the Jackson City Code of Ordinances, bear a rate of interest which shall be one percent (1%) above the average interest cost of said special assessment bonds.

BE IT FURTHER RESOLVED that the unpaid balance of any special assessment, including pro rata interest charges, may be paid in full at any time and that each and any special assessment may be paid without interest if payment in full is made prior to July 1, 2016.

* * * * *

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

I, Andrew J. Wrozek, Jr., City 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 sitting as a Board of Review on the 29th day of March, 2016.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 30th day of March, 2016.

Andrew J. Wrozek, Jr., City Clerk

William C. Jors, Mayor

CITY OF JACKSON
Founded 1829

City Treasurer/City Clerk

161 W. Michigan Ave. - Jackson, MI 49201
Treasurer: (517) 788-4043 • Clerk: (517) 788-4025

MEMO TO: Mayor and City Councilmembers

FROM: Andrew J. Wrozek, Jr., City Treasurer/Clerk *ajw*

DATE: March 29, 2016

SUBJECT: Confirmation of Special Assessment Roll No. 3382

Recommendation:

RECESS AS A CITY COUNCIL AND CONVENE AS A BOARD OF REVIEW:

A. Public Hearing on Special Assessment Roll No. 3382 for street reconstruction on West Avenue from Bloomfield Boulevard to High Street.

   1. Resolution confirming Roll No. 3382

REMAIN AS BOARD OF REVIEW FOR THE NEXT PUBLIC HEARING.

A public hearing was established at the City Council's March 15, 2016 meeting for March 29, 2016. The required notice was published in the Jackson Citizen Patriot and a notification letter was sent to each property owner included in the rolls.

Attached is the resolution.

I recommend adoption of the resolution after its public hearing is held. Your consideration and concurrence is appreciated.

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Andrew J. Wrozek, Jr. City Treasurer/Clerk

DATE: March 29, 2016

RECOMMENDATION: Adopt the resolution after the Public Hearing is held.

SUMMARY

Special Assessment Roll 3382 for street reconstruction on West Avenue from Bloomfield Boulevard to High Street.

BUDGETARY CONSIDERATIONS

See attached resolution.

HISTORY, BACKGROUND and DISCUSSION

Resolution dated June 23, 2015 ordering the construction and preparation of the special assessment roll was adopted. A public hearing was established at the City Council's March 15, 2016 meeting for March 29, 2016. The required notice was published in the Jackson Citizen Patriot and a notification letter was sent to each property owner.

DISCUSSION OF THE ISSUE

Confirmation of the Special Assessment Roll 3382.

POSITIONS

I recommend adoption of the resolution after its public hearing.

ATTACHMENTS

Convenience King Group, Inc.

203 West Main Street Homer, Michigan 49245 Phone: 517-568-4114 ext. 122

March 23, 2016

Andrew J. Wrozek, Jr.
City Treasurer\City Clerk
161 W. Michigan Ave.
Jackson, MI 49201

Dear Mr. Wrozek,

I am writing this letter in response to the attached notice we received regarding Assessment Roll NO. 3382 for STREET RECONTRUCT WEST STREET from BLOOMFIELD TO HIGH.

I would like to protest the amount of the assessment.

As a property owner of 1301 S. West Ave., (Convenience King Group, Inc.) the construction had a devastating effect on our sales. We saw a 55% decrease in our fuel gallons and a 35% decrease of our inside sales.

Our customers had only one approach to be able to access our business. Not only the construction itself but the amount of time due to the delay of progress on the construction contributed to the dramatic loss of business.

I am sure that the other businesses, especially the Wendy's, also suffered a significant and similar loss in revenue.

The assessment of $23,265.00 seems very high and adds an additional cost to our business in addition to the extreme loss of revenue that we have already suffered.

Thank You for your consideration.

Sincerely,

Amber Lynn Beattie

Amber Lynn Beattie
Controller

Sent letter
3-22-16

Andrew J. Wrozek, Jr.
City Treasurer / City Clerk

161 W. Michigan Ave. • Jackson, MI 49201
Treasurer (517) 788-4043 • Income Tax Office (517) 788-4044 • Clerk (517) 788-4025

Founded July 3, 1829

March 16, 2015

CONVENIENCE KING GROUP INC
203 W MAIN ST
HOMER MI 49245

Dear Property Owner:

You are hereby notified that the City Council has established Tuesday, March 29, 2016, at 6:30 p.m. in the City Council Chambers of City Hall, located at 161 West Michigan Avenue, as the time and place for the City Council and City Assessor to sit as a Board of Review for hearing any and all objections to Assessment Roll No. 3382 for STREET RECONSTRUCT WEST STREET from BLOOMFIELD TO HIGH. Property Location: 1301 S WEST AVE.
PIN: 3-251300000.

Please note that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, or his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter delivered to the Clerk by 5:00 p.m. on March 29, 2016, and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessment may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

The assessment against your property contained in the proposed Assessment Roll is $23,265.00 and may be divided and paid in fifteen (15) annual installments. If you choose to make installment payments, there will be a 2.20% annual interest charge on each installment, beginning with the second installment; or you may choose to pay the full amount without interest.

If you are a senior citizen or totally and permanently disabled, you may be eligible for deferred assessment under Michigan State Law. If you would like more information please contact the Assessor's Office, 161 W. Michigan Ave., Jackson, MI, 49201.

The above Assessment Roll may be seen at this office during regular business hours.

Sincerely,

Andrew J. Wrozek, Jr.

Andrew J. Wrozek, Jr.
City Clerk

THIS IS NOT AN ASSESSMENT BILL. AN ASSESSMENT BILL WILL BE SENT TO YOU IF AND WHEN THE ASSESSMENT IS APPROVED BY THE CITY COUNCIL.

March 23, 2016

Andrew J. Wrozek, Jr.
City Treasurer / City Clerk
161 W. Michigan Ave.
Jackson, MI 49201

Dear Mr. Wrozek,

Thank you for your letter dated 3/16/16, notifying area property owners of the opportunity to appeal the amount of the special assessment suggested for Roll No 3382.

As a property owner of an area duplex located at 763-765 Douglas, I feel that the assessment is quite costly/excessive, given the value of my property. I only have about 35 feet of frontage on West Avenue and the duplex fronts on Douglas Street. As you know the value has dropped significantly during the downturn in the economy and although values are improving, they are still down in the city of Jackson, in comparison to the rest of the county and much of the state.

Personally I feel the assessment is excessive and think it should be reconsidered.

Feel free to call me should you have any questions. Thank you for your attention in this matter.

Sincerely,

Debbie Crownover

Debbie Crownover, Owner of 763-765 Douglas, Jackson, MI

Debbie Crownover, Broker / Owner
RE/MAX Mid-Michigan Real Estate
2300 W. Michigan Ave. | Jackson, MI | 49202
Direct: 517.789.8290 | Efax: 517.879.4080
debbie@debbiecrownover.com | www.debbiecrownover.com
Each Office Independently Owned and Operated

RESOLUTION
STREET CONSTRUCTION

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did prepare special assessments concerning street reconstruction on West Avenue from Bloomfield Boulevard to High Street which assessments were by him placed on Assessment Roll No. 3382 in the amount of $135,475.61 and reported to the City Council at its meeting held on the 15th day of March, 2016; and

WHEREAS, notice has been duly given that the City Council and Assessor would sit as a Board of Review in the Council Chambers in the City of Jackson on Tuesday, the 29th day of March 29, 2016, at 6:30 p.m. to hear any and all objections and suggestions by interested parties to said special assessments as contained in said roll; and

WHEREAS, the matter of said review having come on to be heard and the City Council and Assessor sitting as a Board of Review having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED, that each and all of the special assessments as contained in said roll are hereby confirmed and made valid liens against the property and valid claims against the owners thereof, and the City Clerk is hereby directed to make certificates of this determination and attach the same to said roll and to turn said roll over to the City Treasurer for collection; and

BE IT FURTHER RESOLVED that each and all of the special assessments contained in Roll No. 3382 shall be divided into fifteen (15) equal installments, the first of which shall be payable by July 1, 2016 without interest charge; and the remaining installments, plus a 2.20% annual interest charge on each installment, shall be due annually on May 31st of each subsequent year until each of the special assessments has been paid in full; provided, however, that in the event the City issues bonds in anticipation of special assessments, the unpaid balance of said special assessments shall, in accordance with Section 22-9 of the Jackson City Code of Ordinances, bear a rate of interest which shall be one percent (1%) above the average interest cost of said special assessment bonds.

BE IT FURTHER RESOLVED that the unpaid balance of any special assessment, including pro rata interest charges, may be paid in full at any time and that each and any special assessment may be paid without interest if payment in full is made prior to July 1, 2016.

* * * * *

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

I, Andrew J. Wrozek, Jr., City 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 sitting as a Board of Review on the 29th day of March, 2016.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 30th day of March, 2016.

_____
Andrew J. Wrozek, Jr., City Clerk

_____
William C. Jors, Mayor

CITY OF JACKSON
Founded 1829

City Treasurer/City Clerk

161 W. Michigan Ave. - Jackson, MI 49201
Treasurer: (517) 788-4043 • Clerk: (517) 788-4025

MEMO TO: Mayor and City Councilmembers

FROM: Andrew J. Wrozek, Jr., City Treasurer/Clerk afw

DATE: March 29, 2016

SUBJECT: Confirmation of Special Assessment Roll No. 3383

Recommendation:

RECESS AS A CITY COUNCIL AND CONVENE AS A BOARD OF REVIEW:

A. Public Hearing on Special Assessment Roll No. 3383 for street reconstruction on Hamilton Street from Argyle Street to the north end.

   1. Resolution confirming Roll No. 3383

ADJOURN AS A BOARD OF REVIEW AND RECONVENE AS CITY COUNCIL

A public hearing was established at the City Council's March 15, 2016 meeting for March 29, 2016. The required notice was published in the Jackson Citizen Patriot and a notification letter was sent to each property owner included in the rolls with a CDBG income insert.

Attached is the resolution.

I recommend adoption of the resolution after its public hearing is held. Your consideration and concurrence is appreciated.

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Andrew J. Wrozek, Jr. City Treasurer/Clerk

DATE: March 29, 2016

RECOMMENDATION: Adopt the resolution after the Public Hearing is held.

SUMMARY

Special Assessment Roll 3383 for street reconstruction on Hamilton Street from Argyle Street to the north end.

BUDGETARY CONSIDERATIONS

See attached resolution.

HISTORY, BACKGROUND and DISCUSSION

Resolution dated June 23, 2015 ordering the construction and preparation of the special assessment roll was adopted. A public hearing was established at the City Council's March 15, 2016 meeting for March 29, 2016. The required notice was published in the Jackson Citizen Patriot and a notification letter was sent to each property owner included in the rolls with a CDBG income insert.

DISCUSSION OF THE ISSUE

Confirmation of the Special Assessment Roll 3383.

POSITIONS

I recommend adoption of the resolution after its public hearing.

ATTACHMENTS

RESOLUTION
STREET CONSTRUCTION

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did prepare special assessments concerning street reconstruction on Hamilton Street from Argyle Street to the north end which assessments were by him placed on Assessment Roll No. 3383 in the amount of $75,950.00 and reported to the City Council at its meeting held on the 15th day of March, 2016; and

WHEREAS, notice has been duly given that the City Council and Assessor would sit as a Board of Review in the Council Chambers in the City of Jackson on Tuesday, the 29th day of March 29, 2016, at 6:30 p.m. to hear any and all objections and suggestions by interested parties to said special assessments as contained in said roll; and

WHEREAS, the matter of said review having come on to be heard and the City Council and Assessor sitting as a Board of Review having heard all suggestions and objections made thereto and having fully considered the same;

NOW, THEREFORE, BE IT RESOLVED, that each and all of the special assessments as contained in said roll are hereby confirmed and made valid liens against the property and valid claims against the owners thereof, and the City Clerk is hereby directed to make certificates of this determination and attach the same to said roll and to turn said roll over to the City Treasurer for collection; and

BE IT FURTHER RESOLVED that each and all of the special assessments contained in Roll No. 3383 shall be divided into fifteen (15) equal installments, the first of which shall be payable by July 1, 2016 without interest charge; and the remaining installments, plus a 2.20% annual interest charge on each installment, shall be due annually on May 31st of each subsequent year until each of the special assessments has been paid in full; provided, however, that in the event the City issues bonds in anticipation of special assessments, the unpaid balance of said special assessments shall, in accordance with Section 22-9 of the Jackson City Code of Ordinances, bear a rate of interest which shall be one percent (1%) above the average interest cost of said special assessment bonds.

BE IT FURTHER RESOLVED that the unpaid balance of any special assessment, including pro rata interest charges, may be paid in full at any time and that each and any special assessment may be paid without interest if payment in full is made prior to July 1, 2016.

* * * * *

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

I, Andrew J. Wrozek, Jr., City 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 sitting as a Board of Review on the 29th day of March, 2016.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 30th day of March, 2016.

_____
Andrew J. Wrozek, Jr., City Clerk

_____
William C. Jors, Mayor

CITY OF JACKSON
Founded 1829

City Treasurer/City Clerk

161 W. Michigan Ave. - Jackson, MI 49201
Treasurer: (517) 788-4043 • Clerk: (517) 788-4025

MEMO TO: Mayor and City Councilmembers

FROM: Andrew J. Wrozek, Jr., City Treasurer/Clerk *ajw*

DATE: March 29, 2016

SUBJECT: Second Reading and Adoption of Ordinance 2016-06

Recommendation:

Adopt Ordinance 2016-06 amending Chapter 28, Section 28-32, City Code, to rezone 1808 Lewis Street from R-1 (One Family Residential) to I-2 (General Industrial), as per the recommendation from the City Planning Commission dated March 14, 2016.

Attached is Ordinance 2016-06, approved by the Council at the March 15, 2016 meeting.

I recommend approval of Ordinance 2016-06. Your consideration and concurrence is appreciated.

ORDINANCE NO. 2016-06

An Ordinance to amend Section 28-32, of Chapter 28, of the Code of Ordinances of the City of Jackson.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Section 28-32 of Chapter 28, of the Code of Ordinances, City of Jackson, Michigan, be and the same hereby is, amended by changing the map of the use districts required by said Section and said Chapter, and incorporated therein by reference as follows:

Change one (1) property known legally as the following from R-1 (one family residential) to I-2 (general industrial):

Property Address: 1808 Lewis Street, Jackson, MI
Legal Description: 6-175200000

Section 2. This ordinance shall take effect thirty (30) days from date of adoption.

* * * * * * *

Adopted:

CITY OF JACKSON
Founded 1829

City Treasurer/City Clerk
161 W. Michigan Ave. - Jackson, MI 49201
Treasurer: (517) 788-4043 • Clerk: (517) 788-4025

MEMO TO: Mayor and City Councilmembers

FROM: Andrew J. Wrozek, Jr., City Treasurer/Clerk

DATE: March 29, 2016

SUBJECT: Second Reading and Adoption of Ordinance 2016-07

Recommendation:

Adopt Ordinance 2016-07 amending Chapter 21.5 and Chapter 28, Sec 28-5 (definitions), Sec 28-71 (permitted and conditional uses), Sec 28-130 (nonconforming lots, building, signs, structures and uses of buildings, structures and land), Sec 28—135 (site plan review procedures and requirements), sec 28-145 (conditional uses), Sec 28-166 (revocable license for signs and/or awnings in the right-of-way), secs. 28-250 – 28-262 (sign regulations) of the City Code, as per the recommendation from the City Planning Commission dated March 14, 2016.

Attached is Ordinance 2016-07, approved by the Council as amended at the March 14, 2016 meeting with other minor changes recommended by the City Attorney's Office.

I recommend approval of Ordinance 2016-07. Your consideration and concurrence is appreciated.

DEPARTMENT REPORT

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney
Robert C. Rottach, Assistant City Attorney

DATE: Council Meeting - March 29, 2016

RECOMMENDATION: Please APPROVE the attached Ordinance

SUMMARY

The attached ordinance contains the sign ordinance as amended and passed at first reading along with other minor changes recommended by the City Attorney's Office. The amendments passed at first reading are highlighted in light blue and shown in track changes. The City Attorney's Office recommendations are highlighted in yellow and are also shown in track changes.

HISTORY, BACKGROUND and DISCUSSION

AMENDMENTS PASSED AT FIRST READING

1. Temporary Freestanding Residential Yard Signs and Swinging Signs are permitted to stand in place for three (3) consecutive months. Prior to the amendment at first reading, Temporary Freestanding Residential Yard Signs and Swinging Signs were only permitted to stand in place for two (2) consecutive months.

2. Window signs are permitted to have "back lit" illumination in the C-1, C-2, C-3, C-4, I-1, and I-2 zoning districts. Window signs with front lit illumination are prohibited in all districts. Prior to the amendment at first reading, all direct illumination was prohibited for window signs.

3. Window signs are permitted in all districts without having to obtain a permit in advance. Prior to the amendment at first reading, window signs in the R-4, R-6, C-1, C-2, C-3, C-4, I-1, and I-2 zoning districts required a permit in advance.

MINOR CHANGES RECOMMENDED BY THE CITY ATTORNEY'S OFFICE

1. Require that awnings overhanging a public right-of-way require a revocable license pursuant to Ordinance Section 28-166. Currently, the ordinance provides that awnings that project greater than fifteen (15) inches into a public right-of-way require a revocable license. This change is suggested to protect pedestrians using the public right-of-way from awning signs that could pose a hazard or obstruction.

2. Eliminate the Business Center Sign Category. This ordinance is intended to be content-neutral and form based. The definition of Business Center Sign requires examination of the sign to determine if it "identifies and/or advertises a business center." The Business Center Sign is being regulated and treated differently based on the content and message of the sign, thus, making the regulation content-based and likely to be deemed unconstitutional.

   Business Center Signs are just glorified monument signs. Monument signs already have their own category. Signs located at business centers should meet the same requirements as other monument signs under the ordinance and do not need to be treated differently.

3. The definition of mural should include any painting or similar graphic medium on *or attached to* a wall. Currently, the first reading version only includes "on a wall", but does not include "attached to a wall." City staff believes that it is logical to regulate murals that are attached to a wall in the same manner as murals that are on a wall.

4. Allow repairs to be done to nonconforming signs if the total amount of the repairs in a twelve (12) month period does not exceed one hundred percent (100%) of the value of the sign. In other words, this means that a preexisting nonconforming sign will not have to meet the current standards due to repairs to the sign that do not exceed one hundred percent (100%) of the value of the sign.

   Currently, the ordinance requires that any repairs outside of ordinary servicing repainting of existing signs or changing of sign panels or to the altering of a sign specifically designed for periodic change of message would require that any repairs would have to be in conformity with the current regulations. The idea behind this change is that if a sign is damaged due to natural or other causes, a property owner can repair the sign to its preexisting form without having to meet the current standards. This is consistent with the language for repairs to nonconforming commercial or industrial uses as provided in City Zoning Ordinance Section 28-130(f)(2).

POSITION

Please APPROVE the attached proposed Ordinance.

ATTACHMENTS

ORDINANCE 2016.___

An Ordinance to revise the City's sign standards by removing Chapter 21.5, Signs, of the Code of Ordinances, City of Jackson, Michigan and placing it in Chapter 28, Zoning, with major revisions.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

To revise the various standards affecting the signs necessary for the vitality of businesses and other organizations within the City while preventing visual clutter and the other unintended consequences of signage.

:

Section 2. That Article I of Chapter 28, Section 28.5, Article III of Chapter 28, Section 28-71, Article V of Chapter 28, Sections 28-130, 28-135, 28-145, and 28-166, and Article IX of Chapter 28, Section 28-250 through 28-262 of the Code of Ordinances, City of Jackson, Michigan be amended to read as follows:

. . .

Sec. 28-5. - Definitions.

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 Sec. 28-260(h)).

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 Sec. 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 Sec. 28-260(q)).

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

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

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

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

Electronic and Other Changeable Message Board means the portion of a sign on which copy is changed either manually or electronically (see Sec. 28-253(e)).

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

Electronic and Other Changeable Message Board means the portion of a sign on which copy is changed either manually or electronically (see Sec. 28-253(e)).

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

Incidental Sign means a small sign, emblem, or decal located on an entry door or window that accompanies other signs

Ingress/Egress Sign means a sign located within ten (10) feet outside of the site clearance triangle (see Sec. 28-126) 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.

Inflatables mean any size, shape or style of inflatable that requires air or helium to remain permanently or intermittently inflated.

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

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.

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

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

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

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

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

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 Sec. 28-253(i)).

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 Sec. 28-260(q)).

Sandwich Board Sign means a temporary A-frame design sign that is freestanding, (see Sec. 28-253(j)).

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 Sec. 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.

Swinging Sign means a sign suspended from a horizontal or near horizontal support or arch.

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.

Wall Sign means a sign attached to, painted on, or otherwise placed upon an exterior building wall (see Sec. 28-253(m)).

Warning Sign means a sign that warrants of a potential danger, hazard or health risk.

Window Signs mean signs affixed to the interior or exterior glass surfaces of windows or doors and are visible from outside the structure.

Zoning Administrator means the staff Zoning Administrator and includes any designee of the Zoning Administrator.

Sec. 28-71. - Permitted and conditional uses.

The following uses are permitted (P), or conditional (C) within the zoning districts. Conditional uses require approval by the planning commission according to the procedures of section 28-145(a).

		Zoning District											
		R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	C-3	C-4	I-1	I-2
. . .													
(22)	Billboards (subject to the provisions in Sec. 28-256(m) and Sec. 28-145(d)(13)).												C
. . .													

Sec. 28-130. - Nonconforming lots, buildings, signs, structures, and uses of buildings, structures and land.

(j) *Non-Conforming Signs.*

(1) The goal is to eliminate nonconforming signs, except as otherwise specifically set forth in this Section. Any lawfully erected sign, which is made unlawful by this Chapter, may continue exactly as the sign existed at the time when the sign became unlawful under the provisions of this Chapter.

(2) No non-conforming sign shall:

a. Be changed to another non-conforming sign without a variance;

b. Be structurally altered so as to change the shape, size, type or design of the sign;

c. Be re-established after the activity, business or use to which it relates has been discontinued for ninety (90) days or longer; or

(3) *Servicing, Maintenance, and Repairs.*

(a) The provisions of this Chapter shall not apply to the ordinary servicing repainting of existing signs or changing of sign panels or to the altering of a sign specifically designed for periodic change of message without change in sign structure, such as a bulletin board or similar type of sign.

(b) Repairs may be done to a nonconforming sign in any period of twelve (12) consecutive months to an extent not exceeding one hundred (100) percent of the value of the sign, provided that:

(i) The dimensional characteristics of the sign as it existed at the time of passage or amendment of this chapter is not increased; and

(ii) The sign has not lost its nonconforming status due to vacancy, discontinuance or abandonment.

(c) In the event that any nonconforming sign requires repairs for any reason and in any manner that exceeds one hundred (100) percent of the value of the sign in any period of twelve (12) consecutive months, such repairs shall be permitted only in conformity with the provisions of this Chapter. However, if complying with this Chapter is unfeasible and/or impractical, a property owner may seek a conditional use permit from the planning commission (see section 28-145 of this chapter), assuming it can also be demonstrated that the original structure was consistent with the established character of the area.

Sec. 28-135. - Site plan review procedures and requirements.

Table of Required Review Process			
	PCR	**AR**	
SITUATION/USE	**FSP**	**FSP**	**PSP**
. . .			
OTHER TYPES OF PROJECTS:			
. . .			
Any use requiring a conditional use permit (CUP) not covered by one of the above situations/uses (see Section 28-71).	X		
Murals meeting the requirements of Sec. 28-253(n).	X		
Key: PCR = Planning Commission review; AR = administrative review; FSP = full site plan; PSP = plot site plan.			

Sec. 28-145. - Conditional Uses.

(d) *Additional development requirements for certain conditional uses.* A conditional use permit shall not be granted for the uses specified in this section unless the following minimum nondiscretionary standards are met:

. . .

(13) *Billboards.* Billboard structures or signs, are permitted on properties which are not otherwise used or occupied for the uses or purposes described in this Chapter subject to the following restrictions:

a. *Location.* A billboard is permitted only on property that is located on major streets and which is located in only in the I-2 district.

b. *Size.* The billboard may be double-faced and cannot exceed a surface area of three hundred (300) square feet per face, nor thirty-five (35) feet in height. The distance between faces shall be determined by the Planning Commission.

c. *Illumination.* The billboard shall not be back-lit but may be front-lit only if the illumination does not obscure or interfere with an official traffic control device.

d. *Setbacks.* The billboard must be set back not less than twenty-five (25) feet from the edge of pavement or the minimum setback for buildings and structures for the sign district within which it is located, whichever is greater; provided, however, that where it is located within one hundred (100) feet of a building, the billboard need only be set back a distance equal to the set back of the front line of the building.

e. *Distance from other billboards.* Each billboard must be located at least five hundred (500) feet (measured along the nearest common side of the adjacent major street) from another billboard.

f. *Conformance to state statutes.* An billboard must conform to all of the requirements of the Highway Advertising Act of 1972 (PA 106 of 1972, MCL 252.301 et seq.) except where a more restrictive standard is required by this Chapter, in which case such billboard must conform to the provisions of this Chapter.

g. *Impairment of adjacent property rights.* A billboard is not permitted where its size, height, location, or illumination would unreasonably impair visibility, light, or air otherwise enjoyed by adjacent property.

h. *City-wide limited faces of billboards*. The total number of billboards with the city may not be increased from that number in existence on the effective date of this Chapter. No person may construct a billboard without first removing a billboard equal in the number of faces to the number of faces to be installed. To administer this provision, the Neighborhood and Economic Operations Department will issue a replacement permit to any person who permanently removes a lawful existing billboard face. The Zoning Administrator will note the number of faces for every sign being removed. Replacement permits may be transferred. No billboard construction permit may be issued unless the applicant for the permit tenders a replacement permit for cancellation that has a total number of faces noted on it that equals at least the number of faces of the sign or signs to be constructed. Any billboard constructed must also comply with all other provisions of this Chapter.

Sec. 28-166. - Revocable license for signs and/or awnings in the right-of-way.

(a) The owner of any sign, awning, canopy, or marquee that will be placed in or hang over the right-of-way must complete an application for a revocable license and pay the required fee to the clerk's office. The application is available through the Department of Neighborhood and Economic Operations or on line at the city's website: www.cityofjackson.org. The ap-

plication must be returned to the Department of Neighborhood and Economic Operations along with a color rendering of the proposed sign, awning, canopy, or marquee. The application shall include a drawing of the building facade depicting height and width dimensions, the location of the sign, and the dimensions of the sign, awning, canopy, or marquee.

(b) The application must also include a general liability insurance certificate verifying that the owner of the sign, awning, canopy, or marquee is insured against personal injury and property damage arising out of erecting, altering, adding to, repairing of, or subsequent falling of the sign, awning, canopy, or marquee or sign parts. The owner shall also provide to the City of Jackson an insurance endorsement stating that the City of Jackson is an additional insured, and it must be in a coverage amount established by the City Attorney to ensure the City's protection. If a revocable license is approved, the owner of the sign, awning, canopy, or marquee shall submit a renewal certificate of insurance and an insurance endorsement annually to the Department of Neighborhood and Economic Operations to prove the sign, awning, canopy, or marquee remains properly insured.

(c) Upon receipt of a completed application for a revocable license, the Department of Neighborhood and Economic Operations shall review the request for code compliance. The application for the revocable license, along with a recommendation from the Department of Neighborhood and Economic Operations or other City department(s), shall be placed on the next regularly scheduled City Council meeting for City Council action. All applications for a revocable license must either be denied or approved and executed within sixty (60) days of receipt. If the revocable license is approved by the City Council, the Mayor and Clerk shall execute the revocable license. Any application that is not denied within sixty (60) days of receipt shall be deemed approved.

(d) If the owner of a sign, awning, canopy, or marquee having a revocable license seeks to enlarge, reduce in size, or change the sign, awning, canopy, or marquee, the owner must submit a new permit request and pay the required fee to the clerk's office. The sign inspector, along with legal staff, must review the new permit request to determine if a new revocable license is required. If a new revocable license is required, the new permit request must proceed under the process set forth in this section to obtain a new revocable license. A new permit shall not be required for ordinary servicing, repainting, cleaning or maintenance of an approved existing sign, and/or awning, provided that the condition of the original approval and the requirements of this chapter are not violated.

(e) If the owner of a sign, awning, canopy, or marquee already has a revocable license and intends to relocate the sign, awning, canopy, or marquee previously approved to a different part of the existing building with equal or greater facade dimensions (width) without making any changes to the size, color, graphics, or wording, the owner shall submit a new application for a revocable license to the Department of Neighborhood and Economic Operations. The application will be processed according to the requirements set forth in this section for all new revocable license permits.

(f) If the owner of a sign, awning, canopy, or marquee having a revocable license intends to relocate the sign, awning, canopy, or marquee previously approved to a different building, the owner shall submit a new revocable license application to the Department of Neighborhood and Economic Operations. The application will be processed according to the requirements set forth in this section for all new revocable license permits.

Secs. 28-167—28-180. - Reserved.

ARTICLE IX. SIGN REGULATIONS

Sec. 28-250. - Intent.

The purpose of this Article is to regulate signs and outdoor advertising within the City of Jackson to protect public safety, health, and welfare; minimize abundance and size of signs to reduce motorist distraction and loss of visibility; promote public convenience; preserve property values; support and complement strategies of the City of Jackson Master Plan; and enhance the aesthetic appearance and quality of life within the City. Additional objectives, above and beyond those found within this Article, are as follows:

(a) Protect the public right in accordance with the First Amendment of the United States Constitution.

(b) Recognize that the principal intent of commercial signs is to serve the public interest, for providing accurate information to the public, not for creating visual blight, and not for compromising traffic safety.

(c) Recognize that the proliferation of signs is unduly distracting to motorists and non-motorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates potential for accidents.

(d) Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.

(e) Enable the public to locate goods, services, and facilities without excessive difficulty and confusion by restricting the placement of signs.

(f) Prevent placement of signs which will conceal or obscure signs of adjacent uses.

(g) Preserve and improve the aesthetics and character of the City by encouraging signs of consistent size which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings.

(h) Provide a predictable form-based ordinance that focuses on regulating the time, place, manner, and physical characteristics of signs, but not focus on regulating the message content of signs.

Sec. 28-251. - Interpretation.

Please refer to Sec. 28-4 regarding how the wording utilized in this and the other articles which comprise this Chapter shall be interpreted.

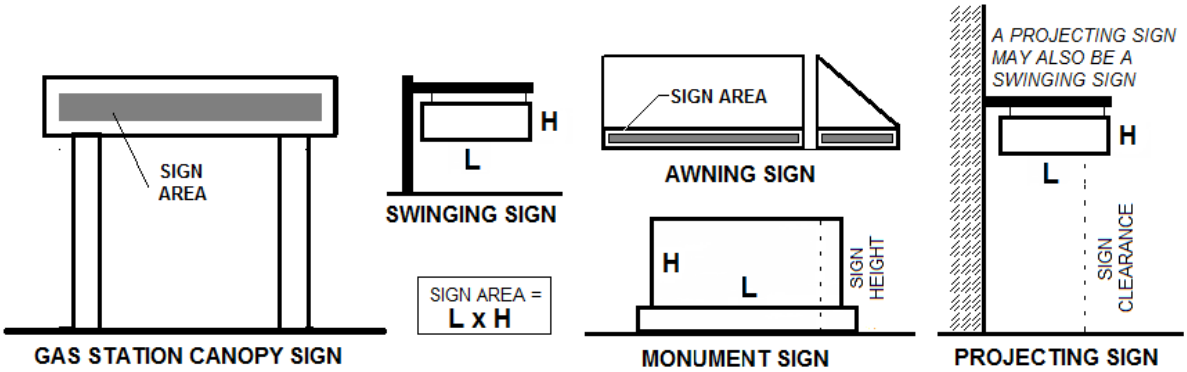
Sec. 28-252. - General Provisions.

(a) *Character.* All signs must be designed, constructed, and maintained to be appropriate in appearance with the existing or intended historic character of the City and to maintain the essential character of the area. Signs must be discernible and easy to read for both pedestrian and vehicular traffic.

(b) *Location/Projection.* Unless otherwise permitted herein, no signs, except those established by the City, County, State, or Federal government, may be located in, projected onto, or overhang any City-owned public right-of-way unless a revocable license is issued by the Neighborhood and Economic Operations Department (see Sec. 28-166). Signs cannot extend above the roof or parapet of the structure to which it is attached. Signs cannot be located within ten (10) feet of a fire hydrant.

(c) *Enlargement, Alteration or Relocation.* Signs cannot be enlarged, structurally altered, or relocated except to increase their conformity to the provisions of this Chapter.

(d) *Calculation of Total Sign Area.* The area of a sign is limited to the size of the cabinet or structure (excluding the base) except awnings and gas station canopies (see Sec. 28-253 and the following diagram).



(e) *Setbacks.* All signs, unless otherwise provided for, shall be located outside any public street right-of-way line, unless a revocable license is granted.

(f) *Substitution.* The owner of any sign which is otherwise allowed by this sign ordinance may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent the favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message.

(g) *Illumination.* Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign (i.e. front lit signs) or internal to it (i.e. back lit signs). No sign shall be illuminated by any open spark or flame, intermittent, or flashing illumination, except as otherwise permitted by this Chapter.

(1) *Front Lit Signs.* 'Front lit signs' are signs that are illuminated by an external light source. An example of a front lit sign is a monument sign that is illuminated by a spot light that is located several feet in front of the sign. The background of front lit signs may be any color, provided they are not reflective at night. However, such signs may use light reflecting lettering and messaging.

(2) *Back Lit Signs.* 'Back lit signs' are signs that are illuminated by an internal light source. An example of a back lit sign is a monument sign that is illuminated by several fluorescent bulbs that are located within the sign cabinet. The background of back lit signs may be any color—which complements the character of the surrounding area (except white)—provided the background is blacked out at night so that only the lettering and message is illuminated.

(3) Illumination of signs shall meet the standards included in Sec. 28-109; and shall be directed or shielded downward, so that no direct ray from such illumination shall interfere with the vision of persons on the adjacent streets or of adjacent property owners. The use of colored lights that could reasonably be confused with traffic signals shall not be permitted. Underground wiring shall be required for all illuminated signs not attached to a building.

Sec. 28-253. - Signs Subject to Permit or Other Approval.

The signs outlined in the following table are subject to a permit or other approval as indicated. Unless stated otherwise within the Chapter, all other sign types are exempt from the permit requirements. The design requirements and other provisions for each sign are also described. Permit application requirements are found in Sec. 28-254. These signs include the following and are defined in Sec. 28-5.

Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
(a)	*Awning Signage* Permitted in the R-4, R-6, C-1, C-2, I-1and I-2 Districts, subject to a sign permit.	*Number.* One (1) per property or business entrance. *Total Sign Area.* Message shall not cover more than 1/3 of the apron of each awning.	All or a portion of the permitted awning signage area may be used towards wall signage. The apron of the awning must be at least nine (9) feet above ground level or sidewalk. Awnings must meet the building design standards (see Sec. 28-115(f)(3)). Sign materials and sign colors must complement the building(s) located on the site and emulate the neighborhood. Awnings that overhang a public right-of-way require a revocable license (see Sec. 28-166).
(b)	*Billboards* Permitted only in the I-2 Zoning District, subject to a Conditional Use Permit (see Sec. 28-145).		
(c)	*Construction Site Signs* in the R-5, R-6, C-1, C-2, C-3, C-4, I-1 and I-2 Districts.	*Total Sign Area.* Nonresidential construction site sign size shall not exceed an aggregate of sixty-four (64) square feet; no one sign shall exceed thirty-two (32) square feet. *Height.* Shall not exceed ten (10) feet.	All signs shall be erected during the construction period. Such signs shall be removed no more than fourteen (14) days after the date that development or phase is completed. The developer may request a permit renewal from the Zoning Administrator, or his/her designee, following all of the pertinent procedures of the original approval if additional time is needed for the project or for additional phases. In addition to permit requirements, permit renewal requests will consider the current condition and quality of the existing sign and whether replacement or repair is necessary. No construction site signs shall be located in the public right-of-way.
(d)	*Electronic and Other Changeable Message Board* Permitted in the R-4, R-6, C-1, C-2, C-3, C-4, I-1 and I-2 Districts, subject to a sign permit. Electronic Message Boards are only allowed on lots with at least one hundred (100) feet of continuous street	*Number.* One (1) per lot. *Total Sign Area.* The electronic or other changeable message board sign shall not exceed twenty-five percent (25%) of the total monument sign area proposed.	Only permitted as part of a permitted monument sign, cannot stand alone. An electronic or other changeable message board located on street frontage shall only have a static message or image that changes if the rate of change between two (2) static messages or images does not exceed more than one (1) change per five (5) minutes, each change is complete in one (1) second or less, and the maximum

Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
	frontage.		daylight sign luminance level does not exceed sixty-two thousand (62,000) candelas per meter squared at forty thousand (40,000) lux illumination beginning one-half (½) hour after sunrise and continuing until one-half (½) hour before sunset and does not exceed three hundred seventy-five (375) candelas per meter squared at four (4) lux illumination at all other times. In addition, any sign permitted to have this changeable copy, must configure to default to a static display in the event of mechanical failure.
(e)	*Gas Station Canopy Signage* Only permitted in the C-4, I-1, and I-2 Districts, subject to a sign permit	*Number*. Up to three (3). *Total Sign Area*. Shall not exceed eight (8) square feet per sign and each sign shall be contained in the canopy facade.	The face of the canopy shall not be internally illuminated, if proposed as such, the entire canopy area will be considered part of the sign, unless the canopy is a dark color and the letters are light and illuminated
(f)	*Monument (Ground) Signs* Permitted in the R-4, R-6, C-1, C-2, C-3, C-4, I-1 and I-2 Districts, subject to a sign permit.	*Number*. One (1) monument/ground sign per lot in addition to permitted wall, awning, and window signage. *Total Sign Area*. Twenty (20) square feet per sign face in the R-4 and R-6 Districts, forty (40) square feet in the C-1, C-2 and C-3 Districts, and sixty (60) square feet in the C-4, I-1 and I-2 Districts. *Height*. Five (5) feet above grade in the R-1 through R-3, R-4, R-6, C-1, and C-2 Districts and six (6) feet above grade in the I-1 and I-2 Districts.	No part of monument sign may be placed within five (5) feet of a front lot line or within five (5) feet of a side lot line. In no case may the sign violate the provisions of Sec. 28-126, visibility at intersections. Sign materials and sign colors must complement the building(s) located on the site and emulate the high quality traditional character of the City.
(g)	*Murals* Permitted only in R-4, R-6, C-1, C-2, C-3, C-4, I-1 and I-2 Districts and public parks, subject to site plan approval (see Sec. 28-135). A mural can be a portion of a construction site sign as defined by		

Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
	this Chapter. Murals must be constructed of appropriate materials and reasonably maintained.		
(h)	*Projecting Signs* Only permitted in the C-3 District, subject to a sign permit.	*Total Sign Area.* The sign shall not exceed sixteen (16) square feet in area with a maximum width of two (2) feet measured from the inside edge of the sign which shall be no more than six (6) inches from the exterior wall of the structure. *Height.* Projecting signs must be affixed to the front façade of the business and allow a nine (9) foot clearance from the bottom of the sign to the sidewalk. The top of the sign shall not be installed at a height taller than the bottom of the second floor or between the parapet and the windows of a single story structure.	The applicant is permitted a projecting sign in place of one (1) of the allowable wall signs. A revocable license is needed if the sign projects into a public right-of-way (see Sec. 28-166).
(i)	*Sandwich Boards (A-Frame Signs):* Permitted in the C-1, C-2, and C-3 Districts subject to a sign permit.	*Number.* One (1) per building, regardless of the number of tenants. *Total Sign Area.* Shall not exceed a length of two (2) feet and a height of three (3) feet.	Each sign shall be placed outside only during the hours of operation and shall be stored indoors at all other times. Signs shall not be physically secured to light poles, vegetation, street furniture, or other permanent structures. Each sign shall be placed next to the building wall or adjacent to the curb in a manner which provides four (4) feet of free passage for pedestrians and does not interfere with normal pedestrian or automobile traffic. No sign shall be in the sight clearance triangle. No revocable license is required if the sandwich board is placed in a public right-of-way. The owner of the sandwich board shall provide a certificate of

Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
			insurance and insurance endorsement listing the City of Jackson as an additional insured, and this certificate must be in a coverage amount established by the City Attorney to ensure the City's protection. All sign frames shall be constructed of a weatherproof material and shall be kept in good repair.
(j)	*Temporary Banners:* Permitted in all districts subject to a sign permit.	*Number.* One (1) per street front. *Total Sign Area.* Shall not exceed an area of thirty-two (32) square feet.	Shall be permitted to be displayed for up to thirty (30) days. Signs are limited to no more than three (3) events per calendar year. If mounted to the ground, a two sided sign is permitted but shall not exceed the maximum sign dimensions. No sign shall be in the sight clearance triangle. Any banner positioned within or suspended above a public right-of-way requires a revocable license (see Sec. 28-166).
(k)	*Temporary Event Signs* Permitted in all districts subject to a sign permit.	*Number.* One (1) per event. *Total Sign Area.* Shall not exceed an area of twelve (12) square feet. Signs in the right-of-way may not be more the four (4) feet tall or four (4) feet wide.	Shall be permitted to be displayed for up to thirty (30) days. Signs are limited to up to three (3) events per calendar year. If mounted to the ground, a two sided sign is permitted but shall not exceed the maximum sign dimensions. No sign shall be in the sight clearance triangle. Any sign projecting greater than fifteen (15) inches into a public right-of-way requires a revocable license (see Sec. 28-166).
(l)	*Wall Signs* Permitted in the R-4, R-6, C-1, C-2, C-3, C-4, I-1 and I-2 Districts, subject to a sign permit.	*Number.* One (1) wall sign or projecting sign per façade as permitted below. *Total Sign Area.* The sign's surface shall not exceed two (2) square feet for each lineal foot of the length of the primary building façade up to a maximum of one hundred (100) square feet. *Height.* Signs to be placed on the wall below the roof line for one story buildings and below the bottom of the	Wall signs may be placed anywhere on a building or accessory structure (such as a gas station or drive-through window canopy) provided it meets the height requirements. All or a portion of the permitted wall sign area may be used towards awning signage provided the proposed area meets the size restrictions of this Chapter and the awning meets design standards of Sec. 28-115(f)(3). Any sign projecting greater than fifteen (15) inches into a public right-of-way requires a revocable license (see Sec. 28-166).

Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
		second floor for multiple story buildings.	

Sec. 28-254. - Permit Requirements.

It shall be unlawful for any person to erect, structurally alter, or relocate any sign as defined herein unless specifically exempted hereunder, without first obtaining a permit from the Zoning Administrator and making payment of any fee required by the City. The Zoning Administrator shall review the sign permit applications for conformance with the requirements of this Chapter. The Zoning Administrator shall not issue a permit for erection of a proposed sign that is not in conformance with the requirements of this Chapter unless a variance is otherwise issued by the Zoning Board of Appeals.

Sec. 28-255. - Application Procedures.

Application for sign permits shall be made upon forms provided by the City and shall have attached thereto the following information:

(a) Applicant must fill out a City Sign Application form obtained from the Zoning Administrator.

(b) Information that must be included in the application is:

  (1) *Location.* A written description of the sign as well as an adequate staking of the requested sign location that would allow for on-site inspection.

  (2) A drawing of the sign and any structural supports, which gives all dimensions of the sign and structure (i.e., length, width, and height).

  (3) A schematic sketch or drawing of the site showing its relationship to the roadway and adjacent land uses and any landscaping to be used in conjunction with the sign. The sketch shall be drawn at a readable scale with a scale bar.

  (4) A schematic sketch or drawing of the building façade with dimensions (width) and schematic sketch or drawing with dimensions (length, width, and height) of all other signs on the property.

  (5) Information to confirm the sign will be installed or altered by a contractor registered with the City. No person shall engage in the business of erecting or installing signs without registering with the City to conduct such operations.

(c) Signs shall conform to all aspects of this Chapter.

(d) Application shall be made to the Zoning Administrator.

(e) Where it is alleged that there is an error in any order, requirement, decision, grant or refusal made by the Zoning Administrator in the interpretation of this chapter, the zoning board of appeals shall have the power to hear and decide appeals, filed as provided in Sec. 28-244.

Sec. 28-256. - Permit Fees.

A fee shall be paid for the issuance of a sign permit or renewal in accordance with a schedule of fees, which shall be adopted by the City Council. Such schedule of fees shall be designed to reimburse the City for all reasonable costs incurred to process, review, inspect, administer, and any other act that is necessary for the Zoning Administrator to make a decision.

Sec. 28-257. - Signs That Do Not Require a Permit.

The following signs do not require a permit but remain subject to the conditions and limitations set forth herein:

Table of Sign Standards for Signs That Do Not Require a Permit (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
(a)	*Drive-Thru Boards.* Permitted in the C-1, C-2, C-3, C-4, I-1 and I-2 Districts.	*Total Sign Area.* Total surface area not to exceed forty-eight (48) square feet. *Height.* No sign shall exceed a maximum height of six (6) feet from grade.	Direct illumination is prohibited.
(b)	*Flags:* Permitted in all districts	*Total Sign area:* Aggregate of all signs shall not exceed thirty-two (32) square feet	
(c)	*Incidental Signs:* *Permitted in all districts.*	*Total Sign Area:* Total number of signs shall not exceed an aggregate side face area of six (6) square feet. *Single Sign Area.* The total sign's surface for a single sign shall not exceed two (2) square feet.	Any sign located in a public right-of-way requires a revocable license (see Sec. 28-166). Direct illumination is prohibited.
(d)	*Ingress/Egress Signs.* Permitted in all districts.	*Total Sign Area.* Total surface area not to exceed three (3) square feet per sign face. *Height.* No sign shall exceed a maximum height of five (5) feet from grade if mounted to the ground.	Such signs must be attached to existing sign posts if available or as otherwise allowed the Zoning Administrator. The plan for the location of such signage must be approved by the Zoning Administrator. Any sign located in a public right-of-way requires a revocable license (see Sec. 28-166). Direct illumination is prohibited.
(e)	*Parking Lot Signs.* Permitted in all districts.	*Total Sign Area.* Total surface area shall not exceed sixteen (16) square feet per sign face. *Height.* No sign shall exceed a maximum height of six (6) feet from grade if mounted to the ground.	Any sign located in a public right-of-way requires a revocable license (see Sec. 28-166). Direct illumination is prohibited.
(f)	*Temporary Freestanding Commercial and Industrial Yard Signs and Swinging Signs.* Permitted in the C-1, C-2, C-3, C-4, I-1 and I-2 Districts	*Number.* Total number of signs shall not exceed an aggregate side face area of twenty (20) square feet. *Single Sign Area.* The total sign's surface for a single sign shall not exceed eight (8) square feet. *Height.* No sign shall exceed a maximum height of four (4) feet.	No sign shall be in place for a period exceeding six (6) consecutive months. Swinging signs may be wall or ground mounted and only in the C-3 district. Any sign located in a public right-of-way requires a revocable license (see Sec. 28-166). Direct illumination is prohibited.
(g)	*Temporary Freestanding Residential Yard Signs and Swinging Signs.* Permitted in the R-1, R-2, R-4, R-4,	*Number.* Total number of signs shall not exceed an aggregate side face area of eighteen (18) square feet. *Total Sign Area.* The total sign's surface for a single	No sign shall be in place for a period exceeding three (3) consecutive months. Swinging signs may be wall or ground mounted and

Table of Sign Standards for Signs That Do Not Require a Permit (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
	R-5 and R-6 Districts	sign shall not exceed six (6) square feet. *Height.* No sign shall exceed a maximum height of four (4) feet.	only in the R-4 and R-6 districts. Any sign located in a public right-of-way requires a revocable license (see Sec. 28-166). Direct illumination is prohibited.
(h)	*Warning Signs.* Permitted in all districts.	*Total Sign Area.* For warning signs located in the R-1, R-2, R-3 and R-5 Districts, the total surface area for a single sign face shall not exceed three (3) square feet. For warning signs located in the R-4 and R-6 Districts, the total surface area for a single sign face shall not exceed four (4) square feet. For warning signs located in the C-1, C-2, C-3, C-4, I-1 and I-2 Districts, the total surface area for a single sign face shall not exceed six (6) square feet.	When required by local, state or federal law, the sign shall be placed in a conspicuous location that is reasonably expected to notify persons of potential hazard. Unless state or federal law requires a different size. Any sign located in a public right-of-way requires a revocable license (see Sec. 28-166). Direct illumination is prohibited.
(i)	*Window Signs:* Permitted in all districts.	*Total Sign Area:* In total the message shall cover no more than ¼ of the front window area.	Signs shall be affixed directly to the window. Front lit illumination is prohibited in all districts. Back lit illumination is allowed in the C-1, C-2, C-3, C-4, I-1, and I-2 districts.

Sec. 28-258. - Similar Sign Determination.

It is recognized by the City that not all sign types can be identified within the scope of this Chapter. Therefore, the City's Zoning Administrator has the authority to make a 'Similar Sign Determination.' The Zoning Administrator shall evaluate the physical characteristics, location, and other relevant factors in determining which sign type defined in this Chapter is most similar. Based on that determination, this sign type shall always be included in the comparable sign category.

Sec. 28-259. - Non-Conforming Signs.

The goal is to eliminate nonconforming signs, except as otherwise specifically set forth in this Section. Any lawfully erected sign, which is made unlawful by this Chapter, may continue exactly as the sign existed at the time when the sign became unlawful under the provisions of this Chapter.

Sec. 28-260. - Prohibited Signs.

Unless otherwise permitted by this Chapter, it shall be unlawful for any person to erect, structurally alter, restore, or relocate any of the following signs:

(a) A sign which copies or imitates or in any way approximates an official highway sign or any word phrase, symbol or character in such a manner as to interfere with, mislead, or confuse traffic; any sign which obscures a sign displayed by a public authority for the purpose of giving traffic instruction or direction or other public information; or any sign that is erected in such a manner as to interfere with, obstruct the view of, or be confused with an authorized traffic sign, signal or device.

(b) Any sign that has been unlawfully erected, structurally altered, or relocated in violation of any of the provisions of this Chapter or of any other chapter of the City Code shall be prohibited and removed in accordance with the provisions of Sec. 28-130.

(c) A sign which displays flashing or intermittent lights or lights of changing degrees of intensity, or a sign that moves either by mechanical means or reaction to air currents, other than as noted in this Chapter.

(d) A sign that obstructs any window or door opening used as a means of egress or a sign that interferes with an opening required for legal ventilation.

(e) A sign or illumination that causes any direct glare into or upon any building other than the building to which the sign is accessory.

(f) Off-premises signs and billboards, except as otherwise specified in this Chapter.

(g) Swinging signs, except in the C-3 District.

(h) Abandoned signs (see Sec. 28-5).

    (1) Any text or images displayed upon the face(s) of an abandoned sign must be removed or replaced with blank faces.

    (2) Abandoned nonconforming signs, including the structure, shall be removed immediately.

    (3) The Zoning Administrator shall require the removal of other abandoned signs which have fallen into disrepair.

(i) Signs which contain statements, words, or pictures of an obscene or pornographic nature.

(j) Signs which emit audible sound.

(k) Exterior string lights including rope lights, fiber optics or other similar types of lights intended to draw attention to a sign.

(l) Non-regulatory signs (e.g., posters, notices, advertisements, etc.) placed in any public right-of-way, attached to a utility pole, meter posts or affixed to a tree in or along any street right-of-way within the City.

(m) Portable signs, as defined, unless otherwise provided for in this Chapter.

(n) Signs affixed to a parked vehicle or truck trailer which is being used principally for advertising purposes and parked in a location that is selected for that purpose (e.g., a vehicle parked close to a street in a large commercial parking lot, etc.).

(o) Banners, balloons, pennants, festoons, spinners, or streamers, unless specifically permitted in this Chapter.

(p) Inflatables.

(q) Roof signs.

(r) Shingled roof signs.

(s) Any sign which:

(1) Is structurally unsafe;

(2) Is constructed of a material that is determined by the permit issuing authority to be temporary in nature or a weak material such as oriented strand board (OSB), tarp, canvas, large balloon, banner, or plastic;

(3) Constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, or abandonment;

(4) Constitutes a hazard to safety or health by reason of blocking views;

(5) Is capable of causing electric shock to a person who comes in contact with it;

(6) Is located in public street or utility right-of-way, except where expressly permitted herein; or

(7) Is not kept in good repair, such that it has broken or missing parts, missing letters or panels, or nonoperational lights.

(8) Is attached to a tree or other vegetation.

Sec. 28-261. - Construction and Maintenance Requirements for Signs.

(a) Signs shall be designed to be compatible with the building materials and landscaping used on the property to promote an overall unified and aesthetic effect in accordance with the standards set forth herein.

(b) Signs shall not be constructed from materials that are remnants or manufactured for a different purpose.

(c) All monument signs shall have a combination of low shrubbery and annual plantings at the base.

(d) The maximum distance between parallel sign faces on a double-faced sign shall be twenty (20) inches, excluding billboards.

(e) Every sign shall be constructed and maintained in a manner consistent with Michigan Building Code provisions and maintained in good structural condition at all times. All signs shall be kept neatly painted, stained, sealed or preserved including all metal parts and supports. All lighting shall be functional.

Sec. 28-262. – Visibility at intersections.

In no case shall the sign violate the provisions of Sec. 28-126 - Visibility at intersections.

Section 3. Effective date.

This ordinance takes effect thirty (30) days from the date of adoption.

ORDINANCE 2016.___

An Ordinance to revise the City's sign standards by removing Chapter 21.5, Signs, of the Code of Ordinances, City of Jackson, Michigan and placing it in Chapter 28, Zoning, with major revisions.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

To revise the various standards affecting the signs necessary for the vitality of businesses and other organizations within the City while preventing visual clutter and the other unintended consequences of signage.

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Section 2. That Article I of Chapter 28, Section 28.5, Article III of Chapter 28, Section 28-71, Article V of Chapter 28, Sections 28-130, 28-135, 28-145, and 28-166, and Article IX of Chapter 28, Section 28-250 through 28-262 of the Code of Ordinances, City of Jackson, Michigan be amended to read as follows:

. . .

Sec. 28-5. - Definitions.

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 Sec. 28-260(h)).

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 Sec. 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 Sec. 28-260(q)).

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

~~*Business Center Sign* means a sign that identifies and/or advertises a business center. A business center shall be considered a group of two (2) or more stores, offices, research facilities or manufacturing facilities which collectively have a name different than any individual establishment. A business center may also be considered a nonresidential platted subdivision or site condominium development, such as an industrial or office park (see Sec. 28-253(c)).~~

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

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

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

Electronic and Other Changeable Message Board means the portion of a sign on which copy is changed either manually or electronically (see Sec. 28-253(e)).

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

Electronic and Other Changeable Message Board means the portion of a sign on which copy is changed either manually or electronically (see Sec. 28-253(e)).

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

Incidental Sign means a small sign, emblem, or decal located on an entry door or window that accompanies other signs

Ingress/Egress Sign means a sign located within ten (10) feet outside of the site clearance triangle (see Sec. 28-126) 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.

Inflatables mean any size, shape or style of inflatable that requires air or helium to remain permanently or intermittently inflated.

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

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.

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

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

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

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

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

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 Sec. 28-253(i)).

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 Sec. 28-260(q)).

Sandwich Board Sign means a temporary A-frame design sign that is freestanding, (see Sec. 28-253(j)).

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 Sec. 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.

Swinging Sign means a sign suspended from a horizontal or near horizontal support or arch.

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.

Wall Sign means a sign attached to, painted on, or otherwise placed upon an exterior building wall (see Sec. 28-253(m)).

Warning Sign means a sign that warrants of a potential danger, hazard or health risk.

Window Signs mean signs affixed to the interior or exterior glass surfaces of windows or doors and are visible from outside the structure.

Zoning Administrator means the staff Zoning Administrator and includes any designee of the Zoning Administrator.

Sec. 28-71. - Permitted and conditional uses.

The following uses are permitted (P), or conditional (C) within the zoning districts. Conditional uses require approval by the planning commission according to the procedures of section 28-145(a).

Zoning District													
		R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	C-3	C-4	I-1	I-2
. . .													
(22)	Billboards (subject to the provisions in Sec. 28-256(m) and Sec. 28-145(d)(13)).												C
. . .													

Sec. 28-130. - Nonconforming lots, buildings, signs, structures, and uses of buildings, structures and land.

(j) *Non-Conforming Signs.*

(1) The goal is to eliminate nonconforming signs, except as otherwise specifically set forth in this Section. Any lawfully erected sign, which is made unlawful by this Chapter, may continue exactly as the sign existed at the time when the sign became unlawful under the provisions of this Chapter.

(2) No non-conforming sign shall:

a. Be changed to another non-conforming sign without a variance;

b. Be structurally altered so as to change the shape, size, type or design of the sign;

c. Be re-established after the activity, business or use to which it relates has been discontinued for ninety (90) days or longer; or

(3) *Servicing, ~~and~~ Maintenance, and Repairs.~~.~~*

(a) The provisions of this Chapter shall not apply to the ordinary servicing repainting of existing signs or changing of sign panels or to the altering of a sign specifically designed for periodic change of message without change in sign structure, such as a bulletin board or similar type of sign.

(b) Repairs may be done to a nonconforming sign in any period of twelve (12) consecutive months to an extent not exceeding one hundred (100) percent of the value of the sign, provided that:

(i) The dimensional characteristics of the sign as it existed at the time of passage or amendment of this chapter is not increased; and

(ii) The sign has not lost its nonconforming status due to vacancy, discontinuance or abandonment.

(c) In the event that any nonconforming sign requires repairs for any reason and in any manner that exceeds one hundred (100) percent of the value of the sign in any period of twelve (12) consecutive months, such repairs shall be permitted only in conformity with the provisions of this Chapter. However, if complying with this Chapter is unfeasible and/or impractical, a property owner may seek a conditional use permit from the planning commission (see section 28-145 of this chapter), assuming it can also be demonstrated that the original structure was consistent with the established character of the area.

Sec. 28-135. - Site plan review procedures and requirements.

Table of Required Review Process			
	PCR	**AR**	
SITUATION/USE	**FSP**	**FSP**	**PSP**
. . .			
OTHER TYPES OF PROJECTS:			
. . .			
Any use requiring a conditional use permit (CUP) not covered by one of the above situations/uses (see Section 28-71).	X		
Murals meeting the requirements of Sec. 28-253(n).	X		
Key: PCR = Planning Commission review; AR = administrative review; FSP = full site plan; PSP = plot site plan.			

Sec. 28-145. - Conditional Uses.

(d) *Additional development requirements for certain conditional uses.* A conditional use permit shall not be granted for the uses specified in this section unless the following minimum nondiscretionary standards are met:

. . .

(13) *Billboards.* Billboard structures or signs, are permitted on properties which are not otherwise used or occupied for the uses or purposes described in this Chapter subject to the following restrictions:

a. *Location.* A billboard is permitted only on property that is located on major streets and which is located in only in the I-2 district.

b. *Size.* The billboard may be double-faced and cannot exceed a surface area of three hundred (300) square feet per face, nor thirty-five (35) feet in height. The distance between faces shall be determined by the Planning Commission.

c. *Illumination.* The billboard shall not be back-lit but may be front-lit only if the illumination does not obscure or interfere with an official traffic control device.

d. *Setbacks.* The billboard must be set back not less than twenty-five (25) feet from the edge of pavement or the minimum setback for buildings and structures for the sign district within which it is located, whichever is greater; provided, however, that where it is located within one hundred (100) feet of a building, the billboard need only be set back a distance equal to the set back of the front line of the building.

e. *Distance from other billboards.* Each billboard must be located at least five hundred (500) feet (measured along the nearest common side of the adjacent major street) from another billboard.

f. *Conformance to state statutes.* An billboard must conform to all of the requirements of the Highway Advertising Act of 1972 (PA 106 of 1972, MCL 252.301 et seq.) except where a more restrictive standard is required by this Chapter, in which case such billboard must conform to the provisions of this Chapter.

g. *Impairment of adjacent property rights.* A billboard is not permitted where its size, height, location, or illumination would unreasonably impair visibility, light, or air otherwise enjoyed by adjacent property.

h. *City-wide limited faces of billboards*. The total number of billboards with the city may not be increased from that number in existence on the effective date of this Chapter. No person may construct a billboard without first removing a billboard equal in the number of faces to the number of faces to be installed. To administer this provision, the Neighborhood and Economic Operations Department will issue a replacement permit to any person who permanently removes a lawful existing billboard face. The Zoning Administrator will note the number of faces for every sign being removed. Replacement permits may be transferred. No billboard construction permit may be issued unless the applicant for the permit tenders a replacement permit for cancellation that has a total number of faces noted on it that equals at least the number of faces of the sign

or signs to be constructed. Any billboard constructed must also comply with all other provisions of this Chapter.

Sec. 28-166. - Revocable license for signs and/or awnings in the right-of-way.

(a) The owner of any sign, awning, canopy, or marquee that will be placed in or hang over the right-of-way must complete an application for a revocable license and pay the required fee to the clerk's office. The application is available through the Department of Neighborhood and Economic Operations or on line at the city's website: www.cityofjackson.org. The application must be returned to the Department of Neighborhood and Economic Operations along with a color rendering of the proposed sign, awning, canopy, or marquee. The application shall include a drawing of the building facade depicting height and width dimensions, the location of the sign, and the dimensions of the sign, awning, canopy, or marquee.

(b) The application must also include a general liability insurance certificate verifying that the owner of the sign, awning, canopy, or marquee is insured against personal injury and property damage arising out of erecting, altering, adding to, repairing of, or subsequent falling of the sign, awning, canopy, or marquee or sign parts. The owner shall also provide to the City of Jackson an insurance endorsement stating that the City of Jackson is an additional insured, and it must be in a coverage amount established by the City Attorney to ensure the City's protection. If a revocable license is approved, the owner of the sign, awning, canopy, or marquee shall submit a renewal certificate of insurance and an insurance endorsement annually to the Department of Neighborhood and Economic Operations to prove the sign, awning, canopy, or marquee remains properly insured.

(c) Upon receipt of a completed application for a revocable license, the Department of Neighborhood and Economic Operations shall review the request for code compliance. The application for the revocable license, along with a recommendation from the Department of Neighborhood and Economic Operations or other City department(s), shall be placed on the next regularly scheduled City Council meeting for City Council action. All applications for a revocable license must either be denied or approved and executed within sixty (60) days of receipt. If the revocable license is approved by the City Council, the Mayor and Clerk shall execute the revocable license. Any application that is not denied within sixty (60) days of receipt shall be deemed approved.

(d) If the owner of a sign, awning, canopy, or marquee having a revocable license seeks to enlarge, reduce in size, or change the sign, awning, canopy, or marquee, the owner must submit a new permit request and pay the required fee to the clerk's office. The sign inspector, along with legal staff, must review the new permit request to determine if a new revocable license is required. If a new revocable license is required, the new permit request must proceed under the process set forth in this section to obtain a new revocable license. A new permit shall not be required for ordinary servicing, repainting, cleaning or maintenance of an approved existing sign, and/or awning, provided that the condition of the original approval and the requirements of this chapter are not violated.

(e) If the owner of a sign, awning, canopy, or marquee already has a revocable license and intends to relocate the sign, awning, canopy, or marquee previously approved to a different part of the existing building with equal or greater facade dimensions (width) without making any changes to the size, color, graphics, or wording, the owner shall submit a new application for a revocable license to the Department of Neighborhood and Economic Opera-

tions. The application will be processed according to the requirements set forth in this section for all new revocable license permits.

(f) If the owner of a sign, awning, canopy, or marquee having a revocable license intends to relocate the sign, awning, canopy, or marquee previously approved to a different building, the owner shall submit a new revocable license application to the Department of Neighborhood and Economic Operations. The application will be processed according to the requirements set forth in this section for all new revocable license permits.

Secs. 28-167—28-180. - Reserved.

ARTICLE IX. SIGN REGULATIONS

Sec. 28-250. - Intent.

The purpose of this Article is to regulate signs and outdoor advertising within the City of Jackson to protect public safety, health, and welfare; minimize abundance and size of signs to reduce motorist distraction and loss of visibility; promote public convenience; preserve property values; support and complement strategies of the City of Jackson Master Plan; and enhance the aesthetic appearance and quality of life within the City. Additional objectives, above and beyond those found within this Article, are as follows:

(a) Protect the public right in accordance with the First Amendment of the United States Constitution.

(b) Recognize that the principal intent of commercial signs is to serve the public interest, for providing accurate information to the public, not for creating visual blight, and not for compromising traffic safety.

(c) Recognize that the proliferation of signs is unduly distracting to motorists and non-motorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates potential for accidents.

(d) Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.

(e) Enable the public to locate goods, services, and facilities without excessive difficulty and confusion by restricting the placement of signs.

(f) Prevent placement of signs which will conceal or obscure signs of adjacent uses.

(g) Preserve and improve the aesthetics and character of the City by encouraging signs of consistent size which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings.

(h) Provide a predictable form-based ordinance that focuses on regulating the time, place, manner, and physical characteristics of signs, but not focus on regulating the message content of signs.

Sec. 28-251. - Interpretation.

Please refer to Sec. 28-4 regarding how the wording utilized in this and the other articles which comprise this Chapter shall be interpreted.

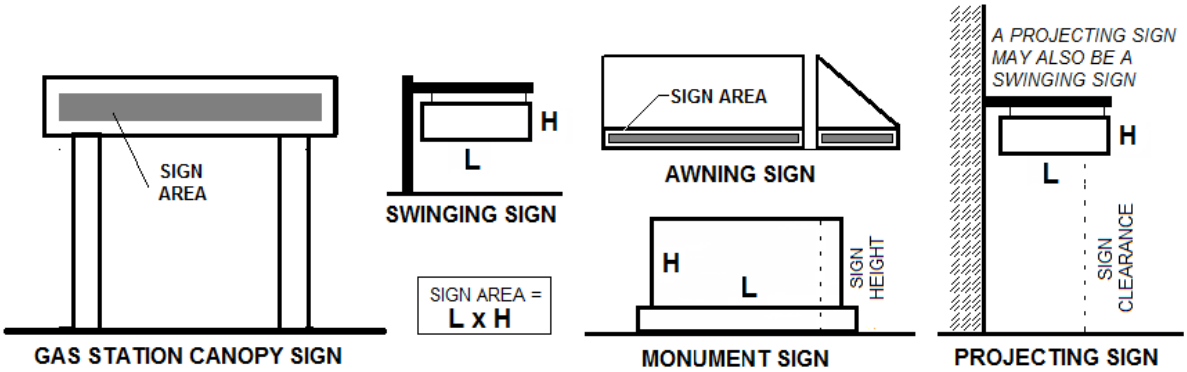
Sec. 28-252. - General Provisions.

(a) *Character.* All signs must be designed, constructed, and maintained to be appropriate in appearance with the existing or intended historic character of the City and to maintain the essential character of the area. Signs must be discernible and easy to read for both pedestrian and vehicular traffic.

(b) *Location/Projection.* Unless otherwise permitted herein, no signs, except those established by the City, County, State, or Federal government, may be located in, projected onto, or overhang any City-owned public right-of-way unless a revocable license is issued by the Neighborhood and Economic Operations Department (see Sec. 28-166). Signs cannot extend above the roof or parapet of the structure to which it is attached. Signs cannot be located within ten (10) feet of a fire hydrant.

(c) *Enlargement, Alteration or Relocation.* Signs cannot be enlarged, structurally altered, or relocated except to increase their conformity to the provisions of this Chapter.

(d) *Calculation of Total Sign Area.* The area of a sign is limited to the size of the cabinet or structure (excluding the base) except awnings and gas station canopies (see Sec. 28-253 and the following diagram).



(e) *Setbacks.* All signs, unless otherwise provided for, shall be located outside any public street right-of-way line, unless a revocable license is granted.

(f) *Substitution.* The owner of any sign which is otherwise allowed by this sign ordinance may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent the favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message.

(g) *Illumination.* Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign (i.e. front lit signs) or internal to it (i.e. back lit signs). No sign shall be illuminated by any open spark or flame, intermittent, or flashing illumination, except as otherwise permitted by this Chapter.

(1) *Front Lit Signs.* 'Front lit signs' are signs that are illuminated by an external light source. An example of a front lit sign is a monument sign that is illuminated by a spot light that is located several feet in front of the sign. The background of front lit signs may be any color, provided they are not reflective at night. However, such signs may use light reflecting lettering and messaging.

(2) *Back Lit Signs.* 'Back lit signs' are signs that are illuminated by an internal light source. An example of a back lit sign is a monument sign that is illuminated by several fluorescent bulbs that are located within the sign cabinet. The background of back lit signs may be any color—which complements the character of the surrounding area (except white)—provided the background is blacked out at night so that only the lettering and message is illuminated.

(3) Illumination of signs shall meet the standards included in Sec. 28-109; and shall be directed or shielded downward, so that no direct ray from such illumination shall interfere with the vision of persons on the adjacent streets or of adjacent property owners. The use of colored lights that could reasonably be confused with traffic signals shall not be permitted. Underground wiring shall be required for all illuminated signs not attached to a building.

Sec. 28-253. - Signs Subject to Permit or Other Approval.

The signs outlined in the following table are subject to a permit or other approval as indicated. Unless stated otherwise within the Chapter, all other sign types are exempt from the permit requirements. The design requirements and other provisions for each sign are also described. Permit application requirements are found in Sec. 28-254. These signs include the following and are defined in Sec. 28-5.

Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
(a)	*Awning Signage* Permitted in the R-4, R-6, C-1, C-2, I-1and I-2 Districts, subject to a sign permit.	*Number*. One (1) per property or business entrance. *Total Sign Area*. Message shall not cover more than 1/3 of the apron of each awning.	All or a portion of the permitted awning signage area may be used towards wall signage. The apron of the awning must be at least nine (9) feet above ground level or sidewalk. Awnings must meet the building design standards (see Sec. 28-115(f)(3)). Sign materials and sign colors must complement the building(s) located on the site and emulate the neighborhood. Awnings ~~which project greater than fifteen (15) inches into~~that overhang a public right-of-way require a revocable license (see Sec. 28-166).
(b)	*Billboards* Permitted only in the I-2 Zoning District, subject to a Conditional Use Permit (see Sec. 28-145).		
~~(c)~~	~~*Business Center Signs*~~ ~~Permitted in the R-4, R-6, C-1, C-2, I-1and I-2 Districts subject to a sign permit.~~ ~~One (1) business center wall sign of the same dimension as a monument (ground) sign is allowed in the C-3 District.~~	~~*Number*. One (1) monument (ground) sign per entrance into the center/park.~~ ~~*Total Sign Area*. Up to one hundred and ten (110) square feet per sign face (exclusive of the sign base and side supports when located off of an arterial street as defined by the City's master plan. However, a lesser sign area will be given preferential consideration by the Planning Commission, and in return will be considered for any one one (1) of the following: (a) increased sign height or (b) decreased sign setback. Additionally, when such sign is located off of a non-arterial (minor) street, the total sign area per sign face may only be up to 75% of the sign area permitted above.~~ ~~*Sign Panels per Sign Face*. Sign panels within any given business center~~	~~All such signs require a conditional use permit (CUP). In review of a CUP, the Planning Commission shall consider the standards set forth in Sec. 28-145 and the following:~~ ~~(1) The standards set forth in Sec. 28-252;~~ ~~(2) Individual tenants shall not have a separate monument sign;~~ ~~(3) Sign materials and sign colors must complement the building(s) located on the site and emulate the neighborhood;~~ ~~(4) A traffic safety analysis shall be submitted to verify adequate sight visibility (see Sec. 28-126).~~ ~~(5) The letters within the individual sign panels may be back-lit or the entire sign may be lit from above if it is attached to the sign structure (See Sec. 28-109). No ground mounted lighting shall be permitted.~~ ~~(6) All signs shall be maintained by the developer and/or association.~~

Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
		~~sign, shall be the same size and dimension. The name of the center is excluded from this provision and is not counted towards the total number of sign panels, but is counted towards the total sign area.~~ ~~*Height.* Seven (7) feet from the established grade for a monument (ground sign).~~ ~~*Length.* Up to sixteen (16) linear feet.~~	
(c~~d~~)	*Construction Site Signs* in the R-5, R-6, C-1, C-2, C-3, C-4, I-1 and I-2 Districts.	*Total Sign Area.* Nonresidential construction site sign size shall not exceed an aggregate of sixty-four (64) square feet; no one sign shall exceed thirty-two (32) square feet. *Height.* Shall not exceed ten (10) feet.	All signs shall be erected during the construction period. Such signs shall be removed no more than fourteen (14) days after the date that development or phase is completed. The developer may request a permit renewal from the Zoning Administrator, or his/her designee, following all of the pertinent procedures of the original approval if additional time is needed for the project or for additional phases. In addition to permit requirements, permit renewal requests will consider the current condition and quality of the existing sign and whether replacement or repair is necessary. No construction site signs shall be located in the public right-of-way.
(d~~e~~)	*Electronic and Other Changeable Message Board* Permitted in the R-4, R-6, C-1, C-2, C-3, C-4, I-1 and I-2 Districts, subject to a sign permit. Electronic Message Boards are only allowed on lots with at least one hundred (100) feet of continuous street frontage.	*Number.* One (1) per lot. *Total Sign Area.* The electronic or other changeable message board sign shall not exceed twenty-five percent (25%) of the total monument sign area proposed.	Only permitted as part of a permitted monument sign, cannot stand alone. An electronic or other changeable message board located on street frontage shall only have a static message or image that changes if the rate of change between two (2) static messages or images does not exceed more than one (1) change per five (5) minutes, each change is complete in one (1) second or less, and the maximum daylight sign luminance level does not exceed sixty-two thousand (62,000) candelas per meter squared at forty thousand (40,000) lux illumination beginning one-half (½) hour after sunrise and continuing until one-half (½) hour before sunset and does not exceed three hundred seventy-five (375) candelas per meter squared

Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
			at four (4) lux illumination at all other times. In addition, any sign permitted to have this changeable copy, must configure to default to a static display in the event of mechanical failure.
(e~~f~~)	*Gas Station Canopy Signage* Only permitted in the C-4, I-1, and I-2 Districts, subject to a sign permit	*Number.* Up to three (3). *Total Sign Area.* Shall not exceed eight (8) square feet per sign and each sign shall be contained in the canopy facade.	The face of the canopy shall not be internally illuminated, if proposed as such, the entire canopy area will be considered part of the sign, unless the canopy is a dark color and the letters are light and illuminated
(g~~f~~)	*Monument (Ground) Signs* Permitted in the R-4, R-6, C-1, C-2, C-3, C-4, I-1 and I-2 Districts, subject to a sign permit.	*Number.* One (1) monument/ground sign per lot in addition to permitted wall, awning, and window signage. *Total Sign Area.* Twenty (20) square feet per sign face in the R-4 and R-6 Districts, forty (40) square feet in the C-1, C-2 and C-3 Districts, and sixty (60) square feet in the C-4, I-1 and I-2 Districts. *Height.* Five (5) feet above grade in the R-1 through R-3, R-4, R-6, C-1, and C-2 Districts and six (6) feet above grade in the I-1 and I-2 Districts.	No part of monument sign may be placed within five (5) feet of a front lot line or within five (5) feet of a side lot line. In no case may the sign violate the provisions of Sec. 28-126, visibility at intersections. Sign materials and sign colors must complement the building(s) located on the site and emulate the high quality traditional character of the City.
(g~~h~~)	*Murals* Permitted only in R-4, R-6, C-1, C-2, C-3, C-4, I-1 and I-2 Districts and public parks, subject to site plan approval (see Sec. 28-135). A mural can be a portion of a construction site sign as defined by this Chapter. Murals must be constructed of appropriate materials and reasonably maintained.		

Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
(~~i~~h)	*Projecting Signs* Only permitted in the C-3 District, subject to a sign permit.	*Total Sign Area.* The sign shall not exceed sixteen (16) square feet in area with a maximum width of two (2) feet measured from the inside edge of the sign which shall be no more than six (6) inches from the exterior wall of the structure. *Height.* Projecting signs must be affixed to the front façade of the business and allow a nine (9) foot clearance from the bottom of the sign to the sidewalk. The top of the sign shall not be installed at a height taller than the bottom of the second floor or between the parapet and the windows of a single story structure.	The applicant is permitted a projecting sign in place of one (1) of the allowable wall signs. A revocable license is needed if the sign projects into a public right-of-way (see Sec. 28-166).
(~~j~~i)	*Sandwich Boards (A-Frame Signs):* Permitted in the C-1, C-2, and C-3 Districts subject to a sign permit.	*Number.* One (1) per building, regardless of the number of tenants. *Total Sign Area.* Shall not exceed a length of two (2) feet and a height of three (3) feet.	Each sign shall be placed outside only during the hours of operation and shall be stored indoors at all other times. Signs shall not be physically secured to light poles, vegetation, street furniture, or other permanent structures. Each sign shall be placed next to the building wall or adjacent to the curb in a manner which provides four (4) feet of free passage for pedestrians and does not interfere with normal pedestrian or automobile traffic. No sign shall be in the sight clearance triangle. No revocable license is required if the sandwich board is placed in a public right-of-way. The owner of the sandwich board shall provide a certificate of insurance and insurance endorsement listing the City of Jackson as an additional insured, and this certificate must be in a coverage amount established by the City Attorney to ensure the City's protection. All sign frames shall be constructed of a weatherproof material

Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
			and shall be kept in good repair.
(j~~k~~)	*Temporary Banners:* Permitted in all districts subject to a sign permit.	*Number.* One (1) per street front. *Total Sign Area.* Shall not exceed an area of thirty-two (32) square feet.	Shall be permitted to be displayed for up to thirty (30) days. Signs are limited to no more than three (3) events per calendar year. If mounted to the ground, a two sided sign is permitted but shall not exceed the maximum sign dimensions. No sign shall be in the sight clearance triangle. Any banner positioned within or suspended above a public right-of-way requires a revocable license (see Sec. 28-166).
(~~l~~k)	*Temporary Event Signs* Permitted in all districts subject to a sign permit.	*Number.* One (1) per event. *Total Sign Area.* Shall not exceed an area of twelve (12) square feet. Signs in the right-of-way may not be more the four (4) feet tall or four (4) feet wide.	Shall be permitted to be displayed for up to thirty (30) days. Signs are limited to up to three (3) events per calendar year. If mounted to the ground, a two sided sign is permitted but shall not exceed the maximum sign dimensions. No sign shall be in the sight clearance triangle. Any sign projecting greater than fifteen (15) inches into a public right-of-way requires a revocable license (see Sec. 28-166).
(l~~m~~)	*Wall Signs* Permitted in the R-4, R-6, C-1, C-2, C-3, C-4, I-1 and I-2 Districts, subject to a sign permit.	*Number.* One (1) wall sign or projecting sign per façade as permitted below. *Total Sign Area.* The sign's surface shall not exceed two (2) square feet for each lineal foot of the length of the primary building façade up to a maximum of one hundred (100) square feet. *Height.* Signs to be placed on the wall below the roof line for one story buildings and below the bottom of the second floor for multiple story buildings.	Wall signs may be placed anywhere on a building or accessory structure (such as a gas station or drive-through window canopy) provided it meets the height requirements. All or a portion of the permitted wall sign area may be used towards awning signage provided the proposed area meets the size restrictions of this Chapter and the awning meets design standards of Sec. 28-115(f)(3). Any sign projecting greater than fifteen (15) inches into a public right-of-way requires a revocable license (see Sec. 28-166).
~~(n)~~	~~*Window Signage*~~ ~~Permitted in the R-4, R-6, C-1, C-2, C-3, C-4, I-1 and I-2 Districts, subject to an~~	~~*Total Sign Area.* In total, the messages shall cover no more than 1/4 of the front window area.~~	~~Signs shall be affixed directly to the window. No direct illumination is permitted.~~

Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
	~~application and sign permit.~~		

Sec. 28-254. - Permit Requirements.

It shall be unlawful for any person to erect, structurally alter, or relocate any sign as defined herein unless specifically exempted hereunder, without first obtaining a permit from the Zoning Administrator and making payment of any fee required by the City. The Zoning Administrator shall review the sign permit applications for conformance with the requirements of this Chapter. The Zoning Administrator shall not issue a permit for erection of a proposed sign that is not in conformance with the requirements of this Chapter unless a variance is otherwise issued by the Zoning Board of Appeals.

Sec. 28-255. - Application Procedures.

Application for sign permits shall be made upon forms provided by the City and shall have attached thereto the following information:

(a) Applicant must fill out a City Sign Application form obtained from the Zoning Administrator.

(b) Information that must be included in the application is:

  (1) *Location.* A written description of the sign as well as an adequate staking of the requested sign location that would allow for on-site inspection.

  (2) A drawing of the sign and any structural supports, which gives all dimensions of the sign and structure (i.e., length, width, and height).

  (3) A schematic sketch or drawing of the site showing its relationship to the roadway and adjacent land uses and any landscaping to be used in conjunction with the sign. The sketch shall be drawn at a readable scale with a scale bar.

  (4) A schematic sketch or drawing of the building façade with dimensions (width) and schematic sketch or drawing with dimensions (length, width, and height) of all other signs on the property.

  (5) Information to confirm the sign will be installed or altered by a contractor registered with the City. No person shall engage in the business of erecting or installing signs without registering with the City to conduct such operations.

(c) Signs shall conform to all aspects of this Chapter.

(d) Application shall be made to the Zoning Administrator.

(e) Where it is alleged that there is an error in any order, requirement, decision, grant or refusal made by the Zoning Administrator in the interpretation of this chapter, the zoning board of appeals shall have the power to hear and decide appeals, filed as provided in Sec. 28-244.

Sec. 28-256. - Permit Fees.

A fee shall be paid for the issuance of a sign permit or renewal in accordance with a schedule of fees, which shall be adopted by the City Council. Such schedule of fees shall be designed to reimburse the City for all reasonable costs incurred to process, review, inspect, administer, and any other act that is necessary for the Zoning Administrator to make a decision.

Sec. 28-257. - Signs That Do Not Require a Permit.

The following signs do not require a permit but remain subject to the conditions and limitations set forth herein:

Table of Sign Standards for Signs That Do Not Require a Permit (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
(a)	*Drive-Thru Boards.* Permitted in the C-1, C-2, C-3, C-4, I-1 and I-2 Districts.	*Total Sign Area.* Total surface area not to exceed forty-eight (48) square feet. *Height.* No sign shall exceed a maximum height of six (6) feet from grade.	Direct illumination is prohibited.
(b)	*Flags:* Permitted in all districts	*Total Sign area:* Aggregate of all signs shall not exceed thirty-two (32) square feet	
(c)	*Incidental Signs:* *Permitted in all districts.*	*Total Sign Area:* Total number of signs shall not exceed an aggregate side face area of six (6) square feet. *Single Sign Area.* The total sign's surface for a single sign shall not exceed two (2) square feet.	Any sign located in a public right-of-way requires a revocable license (see Sec. 28-166). Direct illumination is prohibited.
(d)	*Ingress/Egress Signs.* Permitted in all districts.	*Total Sign Area.* Total surface area not to exceed three (3) square feet per sign face. *Height.* No sign shall exceed a maximum height of five (5) feet from grade if mounted to the ground.	Such signs must be attached to existing sign posts if available or as otherwise allowed the Zoning Administrator. The plan for the location of such signage must be approved by the Zoning Administrator. Any sign located in a public right-of-way requires a revocable license (see Sec. 28-166). Direct illumination is prohibited.
(e)	*Parking Lot Signs.* Permitted in all districts.	*Total Sign Area.* Total surface area shall not exceed sixteen (16) square feet per sign face. *Height.* No sign shall exceed a maximum height of six (6) feet from grade if mounted to the ground.	Any sign located in a public right-of-way requires a revocable license (see Sec. 28-166). Direct illumination is prohibited.
(f)	*Temporary Freestanding Commercial and Industrial Yard Signs and Swinging Signs.* Permitted in the C-1, C-2, C-3, C-4, I-1 and I-2 Districts	*Number.* Total number of signs shall not exceed an aggregate side face area of twenty (20) square feet. *Single Sign Area.* The total sign's surface for a single sign shall not exceed eight (8) square feet. *Height.* No sign shall exceed a maximum height of four (4) feet.	No sign shall be in place for a period exceeding six (6) consecutive months. Swinging signs may be wall or ground mounted and only in the C-3 district. Any sign located in a public right-of-way requires a revocable license (see Sec. 28-166). Direct illumination is prohibited.
(g)	*Temporary Freestanding Residential Yard Signs and Swinging Signs.* Permitted in the R-1, R-2, R-4, R-4,	*Number.* Total number of signs shall not exceed an aggregate side face area of eighteen (18) square feet. *Total Sign Area.* The total sign's surface for a single	No sign shall be in place for a period exceeding three~~wo~~ (3~~2~~) consecutive months. Swinging signs may be wall or ground mounted and

Table of Sign Standards for Signs That Do Not Require a Permit (in this Table)			
	Sign Types, Districts Permitted, Required Approvals	**Size Restrictions**	**Additional Restrictions**
	R-5 and R-6 Districts	sign shall not exceed six (6) square feet. *Height.* No sign shall exceed a maximum height of four (4) feet.	only in the R-4 and R-6 districts. Any sign located in a public right-of-way requires a revocable license (see Sec. 28-166). Direct illumination is prohibited.
(h)	*Warning Signs.* Permitted in all districts.	*Total Sign Area.* For warning signs located in the R-1, R-2, R-3 and R-5 Districts, the total surface area for a single sign face shall not exceed three (3) square feet. For warning signs located in the R-4 and R-6 Districts, the total surface area for a single sign face shall not exceed four (4) square feet. For warning signs located in the C-1, C-2, C-3, C-4, I-1 and I-2 Districts, the total surface area for a single sign face shall not exceed six (6) square feet.	When required by local, state or federal law, the sign shall be placed in a conspicuous location that is reasonably expected to notify persons of potential hazard. Unless state or federal law requires a different size. Any sign located in a public right-of-way requires a revocable license (see Sec. 28-166). Direct illumination is prohibited.
(i)	*Window Signs:* Permitted in ~~the R-1, R-2, and R-3~~all d~~D~~istricts.	*Total Sign Area:* In total the message shall cover no more than ¼ of the front window area.	Signs shall be affixed directly to the window. ~~and direct illumination is prohibited~~Front lit illumination is prohibited in all districts. Back lit illumination is allowed in the C-1, C-2, C-3, C-4, I-1, and I-2 districts.

Sec. 28-258. - Similar Sign Determination.

It is recognized by the City that not all sign types can be identified within the scope of this Chapter. Therefore, the City's Zoning Administrator has the authority to make a 'Similar Sign Determination.' The Zoning Administrator shall evaluate the physical characteristics, location, and other relevant factors in determining which sign type defined in this Chapter is most similar. Based on that determination, this sign type shall always be included in the comparable sign category.

Sec. 28-259. - Non-Conforming Signs.

The goal is to eliminate nonconforming signs, except as otherwise specifically set forth in this Section. Any lawfully erected sign, which is made unlawful by this Chapter, may continue exactly as the sign existed at the time when the sign became unlawful under the provisions of this Chapter.

Sec. 28-260. - Prohibited Signs.

Unless otherwise permitted by this Chapter, it shall be unlawful for any person to erect, structurally alter, restore, or relocate any of the following signs:

(a) A sign which copies or imitates or in any way approximates an official highway sign or any word phrase, symbol or character in such a manner as to interfere with, mislead, or confuse traffic; any sign which obscures a sign displayed by a public authority for the purpose of giving traffic instruction or direction or other public information; or any sign that is erected in such a manner as to interfere with, obstruct the view of, or be confused with an authorized traffic sign, signal or device.

(b) Any sign that has been unlawfully erected, structurally altered, or relocated in violation of any of the provisions of this Chapter or of any other chapter of the City Code shall be prohibited and removed in accordance with the provisions of Sec. 28-130.

(c) A sign which displays flashing or intermittent lights or lights of changing degrees of intensity, or a sign that moves either by mechanical means or reaction to air currents, other than as noted in this Chapter.

(d) A sign that obstructs any window or door opening used as a means of egress or a sign that interferes with an opening required for legal ventilation.

(e) A sign or illumination that causes any direct glare into or upon any building other than the building to which the sign is accessory.

(f) Off-premises signs and billboards, except as otherwise specified in this Chapter.

(g) Swinging signs, except in the C-3 District.

(h) Abandoned signs (see Sec. 28-5).

    (1) Any text or images displayed upon the face(s) of an abandoned sign must be removed or replaced with blank faces.

    (2) Abandoned nonconforming signs, including the structure, shall be removed immediately.

    (3) The Zoning Administrator shall require the removal of other abandoned signs which have fallen into disrepair.

(i) Signs which contain statements, words, or pictures of an obscene or pornographic nature.

(j) Signs which emit audible sound.

(k) Exterior string lights including rope lights, fiber optics or other similar types of lights intended to draw attention to a sign.

(l) Non-regulatory signs (e.g., posters, notices, advertisements, etc.) placed in any public right-of-way, attached to a utility pole, meter posts or affixed to a tree in or along any street right-of-way within the City.

(m) Portable signs, as defined, unless otherwise provided for in this Chapter.

(n) Signs affixed to a parked vehicle or truck trailer which is being used principally for advertising purposes and parked in a location that is selected for that purpose (e.g., a vehicle parked close to a street in a large commercial parking lot, etc.).

(o) Banners, balloons, pennants, festoons, spinners, or streamers, unless specifically permitted in this Chapter.

(p) Inflatables.

(q) Roof signs.

(r) Shingled roof signs.

(s) Any sign which:

(1) Is structurally unsafe;

(2) Is constructed of a material that is determined by the permit issuing authority to be temporary in nature or a weak material such as oriented strand board (OSB), tarp, canvas, large balloon, banner, or plastic;

(3) Constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, or abandonment;

(4) Constitutes a hazard to safety or health by reason of blocking views;

(5) Is capable of causing electric shock to a person who comes in contact with it;

(6) Is located in public street or utility right-of-way, except where expressly permitted herein; or

(7) Is not kept in good repair, such that it has broken or missing parts, missing letters or panels, or nonoperational lights.

(8) Is attached to a tree or other vegetation.

Sec. 28-261. - Construction and Maintenance Requirements for Signs.

(a) Signs shall be designed to be compatible with the building materials and landscaping used on the property to promote an overall unified and aesthetic effect in accordance with the standards set forth herein.

(b) Signs shall not be constructed from materials that are remnants or manufactured for a different purpose.

(c) All monument signs shall have a combination of low shrubbery and annual plantings at the base.

(d) The maximum distance between parallel sign faces on a double-faced sign shall be twenty (20) inches, excluding billboards.

(e) Every sign shall be constructed and maintained in a manner consistent with Michigan Building Code provisions and maintained in good structural condition at all times. All signs shall be kept neatly painted, stained, sealed or preserved including all metal parts and supports. All lighting shall be functional.

Sec. 28-262. – Visibility at intersections.

In no case shall the sign violate the provisions of Sec. 28-126 - Visibility at intersections.

Section 3. Effective date.

This ordinance takes effect thirty (30) days from the date of adoption.

JACKSON
Founded 1829

City Assessor

161 W. Michigan Ave. - Jackson, MI 49201
Phone: (517) 788-4033 • Facsimile (866) 902-7891

MEMO TO: Mayor and City Councilmembers

FROM: David Taylor, City Assessor DT

DATE: March 29, 2016

SUBJECT: Corrective Resolution for Special Assessment Roll 4260

Recommendation: Approve Corrective Resolution for Special Assessment Roll No. 4260 for Delinquent Miscellaneous Housing Code Enforcement Account Receivables, confirmed November 17, 2015.

Attached please find a corrective resolution for Special Assessment Roll No. 4260 for Delinquent Miscellaneous Housing Code Enforcement Account Receivables, confirmed November 17, 2015.

The Neighborhood and Economic Operations department determined that the attached list of parcels had either received payment, the inspection never took place or were incorrectly billed for an inspection that never took place and have requested that the assessment be removed from the Special Assessment Roll. The total amount of assessments to be removed from the assessment roll is $1,866.94.

I recommend approval of the above mentioned resolution. Your consideration and concurrence is appreciated.

Attachments

CORRECTIVE RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did make assessments for delinquent miscellaneous Code Enforcement accounts receivable, which assessments were by him placed on Assessment Roll No. 4260 and were reported to the City Council at its regular meeting held on the October 27, 2015; and

WHEREAS, on 17th of November, 2015, the City Council held a public hearing and confirmed said special assessment roll; and

WHEREAS, parcels listed in exhibit A attached hereto, have Special Assessments totaling $1,866.94 from Invoices also listed in exhibit A; and

WHEREAS, the Neighborhood and Economic Operations department has determined that the parcels that were specially assessed listed in exhibit A were incorrectly billed for service and have requested that the assessment be waived.

NOW, THEREFORE, BE IT RESOLVED, that the special assessments listed in exhibit A in the amount totaling $1,866.94 is hereby deleted.

* * * * * * *

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

I, Andrew J. Wrozek, Jr., City Clerk in an 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 this 29rd day of March, 2016.

IN WITNESS WHEREOF, I have hereto affixed
My signature and the Seal of the City of Jackson,
Michigan, on this 30th day of March, 2016.

_____ Andrew J. Wrozek, Jr., City Clerk

EXHIBIT A

Parcel	Invoice #(‘s)	Amount	Roll #	Responsible party	Reason For Correction
1-042600000	33871	436.87	4260	NEO	Partial Payment
1-046500000	30417 30749 30939	381.58	4260	NEO	Invoiced in Error
3-204700000	33903 30890	102.52	4260	NEO	Voided
4-061900000	33379	358.76	4260	NEO	Partial Payment
8-020300000	32868 33137	232.83	4260	NEO	Invoiced in Error
8-1607.1000	33914	354.38	4260	NEO	Voided
	TOTAL	1,866.94			

Neighborhood & Economic Operations

Building a Stronger Jackson

161 W. Michigan Avenue • Jackson, MI 49201-1303• Fax (866) 971-2151

Building Inspection	Code Enforcement	Engineering	Planning & Economic Development
(517) 788-4012	(517) 788-4060	(517) 788-4160	(517) 768-6433

TO: **Dave Taylor, City Assessor's Office**

DATE: December 14, 2015

FROM: Sheila M. Prater, Neighborhood and Economic Operations Department SMP

SUBJECT: **Removal of Invoice #30417, 30749 and 30939 from Special Assessment Roll #4260**

The above referenced invoices were issued by our office in December 2014, April 2015 and January 2015 for inspections of a single family dwelling located at 917 N Blackstone St.

The inspections never occurred and the file has been closed as owner occupied therefore, we now ask that the special assessment be removed from the property.

EQUAL HOUSING OPPORTUNITY

Neighborhood & Economic Operations

Building a Stronger Jackson

161 W. Michigan Avenue • Jackson, MI 49201-1303• Fax (866) 971-2151

Building Inspection (517) 788-4012 | Code Enforcement (517) 788-4060 | Engineering (517) 788-4160 | Planning & Economic Development (517) 768-6433

TO: **Dave Taylor, City Assessor's Office**

DATE: December 16, 2015

FROM: Sheila M. Prater, Neighborhood and Economic Operations Department SMP

SUBJECT: **Removal of Invoice #33903 and 30890 from Special Assessment Roll #4260**

The above referenced invoices were issued by our office in January and June 2015 for code enforcement inspections and citations that had been issued.

The owner came into compliance with the City ordinance at the time of reinspection and the invoices should have been voided at the time but were not. We now ask that the special assessment be removed from the property.

EQUAL HOUSING OPPORTUNITY

Neighborhood & Economic Operations

Building a Stronger Jackson

161 W. Michigan Avenue • Jackson, MI 49201-1303• Fax (866) 971-2151

Building Inspection (517) 788-4012 | Code Enforcement (517) 788-4060 | Engineering (517) 788-4160 | Planning & Economic Development (517) 768-6433

TO: **Dave Taylor, City Assessor's Office**

DATE: February 4, 2016

FROM: Sheila M. Prater, Neighborhood and Economic Operations Department Sheila

SUBJECT: **Removal of Invoice #00033379 from Special Assessment Roll #4260**

The above referenced invoice was issued by our office in May 2015, for the inspection of a two family dwelling located at 1004 S Jackson St.

The invoice had a partial payment taken as follows:

10/22/2015: $100.00 paid, receipt #90793726
11/13/2015: $150.00 paid, receipt #90798714
1/28/20161: $110.01 paid, receipt #90819196

This should have been removed from the roll in October when the first payment was made. The balance was paid off in full January 28, 2016.

We now ask that the special assessment be removed from the property.

EQUAL HOUSING OPPORTUNITY

Neighborhood & Economic Operations

Building a Stronger Jackson

161 W. Michigan Avenue • Jackson, MI 49201-1303• Fax (866) 971-2151

Building Inspection (517) 788-4012 | Code Enforcement (517) 788-4060 | Engineering (517) 788-4160 | Planning & Economic Development (517) 768-6433

TO: **Dave Taylor, City Assessor's Office**

DATE: December 11, 2015

FROM: Sheila M. Prater, Neighborhood and Economic Operations Department Sheila

SUBJECT: **Removal of Invoice #32868 and 33137 from Special Assessment Roll #4260**

The above referenced invoices were issued by our office April and May 2015 for the inspection of a single family dwelling located at 214 N Gorham St.

The invoice was issued in error as the inspection was never conducted and the inspection has been rescheduled for January 2016.

We now ask that the special assessment be removed from the property.

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Neighborhood & Economic Operations

Building a Stronger Jackson

161 W. Michigan Avenue • Jackson, MI 49201-1303• Fax (866) 971-2151

Building Inspection (517) 788-4012 | Code Enforcement (517) 788-4060 | Engineering (517) 788-4160 | Planning & Economic Development (517) 768-6433

TO: **Dave Taylor, City Assessor's Office**

DATE: December 11, 2015

FROM: Sheila M. Prater, Neighborhood and Economic Operations Department Sheila

SUBJECT: **Removal of Invoice #33914 from Special Assessment Roll #4260**

The above referenced invoice was issued by our office in June 2015 for the inspection of a single family dwelling located at 740 N East Ave.

The invoice was issued but then voided October 9, 2015, however was included in the special assessment roll in error.

We now ask that the special assessment be removed from the property.

EQUAL HOUSING OPPORTUNITY

Neighborhood & Economic Operations

Building a Stronger Jackson

161 W. Michigan Avenue • Jackson, MI 49201-1303• Fax (866) 971-2151

Building Inspection (517) 788-4012 | Code Enforcement (517) 788-4060 | Engineering (517) 788-4160 | Planning & Economic Development (517) 768-6433

TO: **Dave Taylor, City Assessor's Office**

DATE: February 4, 2016

FROM: Sheila M. Prater, Neighborhood and Economic Operations Department Sheila

SUBJECT: **Removal of Invoice #00033871 from Special Assessment Roll #4260**

The above referenced invoice was issued by our office in June 2015, for the inspection of a three family dwelling located at 808 N Blackstone St.

The invoice had a partial payment taken as follows:

09/04/2015: $100.00 paid, receipt #90781408
10/15/2015: $100.00 paid, receipt #90792170

02/04/2016: $100.00 paid, receipt #90821320

This should have been removed from the roll in September when the first payment was made. The owner is continuing to make payments until such time the balance is paid in full.

We now ask that the special assessment be removed from the property.

EQUAL HOUSING OPPORTUNITY

JACKSON
Founded 1829

City Assessor

161 W. Michigan Ave. - Jackson, MI 49201
Phone: (517) 788-4033 • Facsimile (866) 902-7891

MEMO TO: Mayor and City Councilmembers

FROM: David Taylor, City Assessor DT

DATE: March 29, 2016

SUBJECT: Corrective Resolution for Special Assessment Roll 4260

Recommendation: Approve Corrective Resolution for Special Assessment Roll No. 4260 for Delinquent Miscellaneous Housing Code Enforcement Account Receivables, confirmed November 17, 2015.

Attached please find a corrective resolution for Special Assessment Roll No. 4260 for Delinquent Miscellaneous Housing Code Enforcement Account Receivables, confirmed November 17, 2015.

The Neighborhood and Economic Operations department who issued the invoices determined that the parcels listed was incorrectly billed for invoice #30890 for the amount of $51.89 and have requested that the assessment be reduced to exclude this invoice.

I recommend approval of the above mentioned resolution. Your consideration and concurrence is appreciated.

Attachments

CORRECTIVE RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did make assessments for delinquent miscellaneous Code Enforcement accounts receivable, which assessments were by him placed on Assessment Roll No. 4260 and were reported to the City Council at its regular meeting held on the October 27, 2015; and

WHEREAS, on 17th of November, 2015, the City Council held a public hearing and confirmed said special assessment roll; and

WHEREAS, parcel 3-204700000 has Special Assessments totaling $102.52 from two separate invoices; invoice #30890 for $51.89 & #33903 for $50.63

WHEREAS, on March 1st 2016, the Neighborhood and Economic Operations department who issued the invoices determined that the parcels listed was incorrectly billed for invoice #30890 for the amount of $51.89 and have requested that the assessment be reduced to exclude this invoice.

NOW, THEREFORE, BE IT RESOLVED, that the special assessment amount totaling $102.52 is hereby reduced to $51.26.

* * * * * * *

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

I, Andrew J. Wrozek, Jr., City Clerk in an 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 this 29th day of March, 2016.

IN WITNESS WHEREOF, I have hereto affixed
My signature and the Seal of the City of Jackson,
Michigan, on this 30th day of March, 2016.

_____ Andrew J. Wrozek, Jr., City Clerk

_____ William C. Jors, Mayor

CITY OF JACKSON
Founded 1829

Neighborhood & Economic Operations

161 W. Michigan Ave. • Jackson, MI 49201
Phone: (517) 788-4060, (517) 788-4012 • Facsimile: (866) 971-2151

TO: **Dave Taylor, City Assessor's Office**

DATE: March 1, 2016

FROM: Sheila M. Prater, Neighborhood and Economic Operations Department

SUBJECT: **Removal of Invoice #00030890 from Special Assessment Roll #4260**

The above referenced invoice was issued by our office in January 23, 2015, for a code enforcement citation issued on January 22, 2015.

Brian Taylor had discussed with the owner the citation at the time it was issued and agreed that the invoice for this citation would be voided. Our office failed to void the invoice and it was sent to special assessment.

At this time we request a corrective resolution removing the above referenced invoice.

RECEIVED
MAR 01 2016
ASSESSOR'S OFFICE
City of Jackson

EQUAL HOUSING OPPORTUNITY

Department of Neighborhood & Economic Operations

161 W. Michigan Ave
Jackson, MI 49201-1303
Telephone: (517) 788-4012

Garbage and Rubbish Notice of Violation

01/23/2015

PARTLOW ROBERT
806 FIRST ST
JACKSON MI 49203

TO: OWNER/OCCUPANT OF: **806 FIRST ST , 3-204700000** UNITS: **1.00**

DATE/TIME OF INSPECTION: **01/22/2015**

INSPECTOR NAME: **BRIAN TAYLOR, Code Enforcement Officer**

You are Hereby Notified That the Above Referenced Property is in Violation of the City of Jackson Refuse Ordinance. If this is your first violation you will be assessed a $50.00 ordinance enforcement fee. Each additional offense will be assessed a $120.00 ordinance enforcement fee.

The Ordinance section and conditions that constitute a violation of the Ordinance are:

12-2(a)(4)
DEPOSIT, PLACE, OR STORE REFUSE ON ANY PORCHES, INCLUDING OPEN, UNENCLOSED PORCHES AND CLOSED PORCHES.

INSPECTOR COMMENTS: Remove couch and indoor furniture and debris from front porch any any other trash and debris from entire site

We will re-inspect your property on or after **01/30/2015** to see if the violation(s) stated above have been corrected. If the violation(s) stated above have been corrected at the time of the re-inspection, we will close this case. If the violation(s) have not been corrected this citation will be referred to a private contractor to remove the items listed above, and the cost of this service will be assessed to the property owner(s).

The owner and occupant of this property may be issued a "Notice of Hearing" to appear before the Administrative Hearings Bureau for failure to correct violations of the Rubbish Ordinance. Whenever a property receives two (2) or more notices of violation during any 12-month period, a "Notice of Hearing" for repeated violations of the rubbish ordinance may be issued requiring appearance before the City of Jackson Administrative Hearings Bureau and subject to additional fines and costs.

Special Assessment Info For 3-204700000
2015 Installment Information

Sp Assessment	Cur Prin	Cur Int	Adm Fee	Penalty	Adtl Pen	Cert Fee	Complete Installment
3258	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District 3258 (INACTIVE DISTRICT)

Total Principal Balance: 0.00

Original Assessment: 832.90 Interest Rate: 4.8500 # of Yrs: 6
Due Date.....: / / Start Year...: 1995 Install#: 0
2015 Installment Payment Date: / /
2015 Installment Amount Paid.: 0.00
Status : Active Parcel
PAYOFF AMT : 0.00

4260	102.52	0.00	0.00	0.00	0.00	0.00	102.52

DELQ 251 HOUSE CODE ENF

Total Principal Balance: 102.52

Original Assessment: 102.52 Interest Rate: 0.0000 # of Yrs: 1
Due Date.....: 01/18/2016 Start Year...: 2015 Install#: 1
2015 Installment Payment Date: **NOT PAID**
2015 Installment Amount Paid.: 0.00
Status : Active Parcel
PAYOFF AMT : 102.52

$51.26

CITY OF JACKSON
Founded 1829

City Attorney's Office

161 W. Michigan Ave. • Jackson, MI 49201
Phone: (517) 788-4050, (517) 788-4023 • Facsimile: (866) 971-2117

MEMO TO: Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney
Robert C. Rottach, Assistant City Attorney

DATE: March 29, 2016

SUBJECT: Dangerous Structure Posting Duration Requirement

Recommendation: Please APPROVE the attached proposed Ordinance.

Attached is the Department Report and proposed Ordinance.

DEPARTMENTAL REPORT

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney
Robert C. Rottach, Assistant City Attorney

DATE: Council Meeting - March 29, 2016

RECOMMENDATION: Please APPROVE the attached Ordinance

SUMMARY

The attached proposed Ordinance removes the unnecessary requirement that the City shall ensure that the posting on dangerous structures under Ordinance Section 17-27(d)(1) shall remain until the required repairs, rehabilitation, or demolition is completed.

BUDGETARY CONSIDERATIONS

Under current staffing, financing, and resources, the City does not have the ability to monitor each and every property that has been determined to be a dangerous structure by the City's Chief Building Official pursuant to City Code of Ordinances, Chapter 17, Article 2, on a daily basis to ensure that the posting remains affixed to the structure on the property until the required repairs, rehabilitation, or demolition is completed.

Although the current language has not yet exposed the City to liability in litigation (as far as I am aware), it is conceivable that a court could find the City liable for damages to a property owner if the notice required by Ordinance Section 17-27(d)(1) does not remain on the property until the required repairs, rehabilitation, or demolition is completed.

HISTORY, BACKGROUND and DISCUSSION

In a recent matter, it was pointed out to the City that a notice required by Ordinance Section 17-27(d)(1) was initially posted by the City as required by the ordinance; however, the notice was removed by someone other than the City and not re-posted prior to the required repairs, rehabilitation, or demolition being completed.

With this ordinance requirement removed, the Section 17-27(d)(1) notice is still required to be posted and persons are prohibited from removing the notice without written permission of the City's building inspection division. To protect prospective owners and interest holders, the City also records with the Jackson County Register of deeds all dangerous structure condemnation notices.

Procedural due process does not require that the City ensure that the posting on dangerous structure under Ordinance Section 17-27(d)(1) remain until the required repairs, rehabilitation, or demolition is completed. The City's dangerous structure abatement procedure in Chapter 17, Article 2 complies with and in some aspects exceeds the Constitution's requirements for procedural due process.

The ordinance requirement to ensure that the posting on dangerous structure under Ordinance Section 17-27(d)(1) remains until the required repairs, rehabilitation, or demolition is completed is an additional and unnecessary burden that the current language in the ordinance places on the City. The City does not have the staff and resources to satisfy this requirement for each property, thus, this unnecessary burden could potentially expose the City to liability.

POSITION

Please APPROVE the attached proposed Ordinance.

ATTACHMENTS

ORDINANCE 2016 - _____

An Ordinance amending Chapter 17, Article 2, Section 17-27 of the City of Jackson Code of Ordinances to remove the unnecessary requirement that the City shall ensure that the posting on dangerous structures under Ordinance Section 17-27(d)(1) shall remain until the required repairs, rehabilitation, or demolition is completed, for the health, safety, and welfare of the citizens of the City of Jackson, Michigan.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. Purpose.

The City Council adopts this ordinance to remove the unnecessary requirement that the City shall ensure that the posting on dangerous structures under Ordinance Section 17-27(d)(1) shall remain until the required repairs, rehabilitation, or demolition is completed, for the health, safety, and welfare of the citizens of the City of Jackson, Michigan.

Section 2.

That Chapter 17, Article 2, Section 17-27 of the City of Jackson Code of Ordinances shall read as follows:

Sec. 17-27. - Abatement of nuisances; procedure.

(a) Dangerous buildings as public nuisances. All dangerous buildings are hereby determined to be public nuisances and shall be abated by repair, rehabilitation, or demolition in accordance with the procedures specified in this article.

(b) Departmental examination. The building inspection division of the department of neighborhood and economic operations shall examine or cause to be examined any building or structure it believes to be abandoned, unsafe, or damaged, and if same is found to be a dangerous building, the division shall commence proceedings to cause its repair, rehabilitation or demolition. Whenever a building or structure designed or zoned for use as a residence has remained vacant and boarded up for a period in excess of six (6) continuous months, it shall be subject to periodic inspection by the building inspection division of the department of neighborhood and economic operations under the provisions of chapter 14 of this Code.

(c) Commencement of proceedings; notice and order.

(1) The building inspection division of the department of neighborhood and economic operations shall commence proceedings under this section by issuing a notice and order directed to the owner or owners of record of a building or structure alleged to be dangerous. This notice and order shall require the owner of the building or structure

alleged to be dangerous to commence, within the period of time established by the inspection division, the required repairs, rehabilitation or demolition of the building or structure. All required work shall be completed within the period of time set forth in the notice and order by the inspection division. If a building is occupied, the notice and order shall require the affected building, structure, or portion thereof to be vacated and not reoccupied until all required work has been completed and approved by the inspection division.

(2) Service of the notice and order shall be made upon the owner or owners of record by:

a. Personally delivering a copy to the owner; or

b. Mailing a copy by certified mail, postage prepaid, return receipt requested, to the owner as indicated by the records of the city assessor and posting a copy thereof upon a conspicuous part of the building or structure.

(d) Posting of signs on buildings deemed to be dangerous; recording documents.

(1) The building inspection division shall cause to be posted in a conspicuous place on any dangerous building or structure a notice to read:

"Do Not Enter—Unsafe to Occupy"

~~Such notice shall remain posted until the required repairs, rehabilitation or demolition is completed.~~ Such notice shall not be removed without written permission of the building inspection division, and no person shall enter this building except for the purposes of repairing, rehabilitating, or demolishing same.

(2) The building inspection division shall record with the county register of deeds all dangerous structure condemnation notices and orders and building code board of examiners and appeals decisions upholding notices and orders within twenty (20) days of such notice, decision or order.

(e) Abatement procedures. If at the expiration of the time limit in the notice and order the owner has not complied with the requirements thereof, the building inspection division may institute proceedings hereunder to abate the nuisance.

(f) Hearing; testimony; order; findings; noncompliance; costs.

(1) Upon the request of the building inspection division in cases where a respondent has not complied with a notice and order issued under this article, the building code board of examiners and appeals shall conduct a hearing in order to determine whether the notice and order of the inspection division should be upheld.

(2) At least ten (10) days prior to the hearing referred to above, the building inspection division shall notify by first class mail the owner as shown by the city assessor's records. This notice shall consist of a copy of a complaint alleging noncompliance with the notice and order and a notice of hearing specifying the time and place of the hearing.

(3) At least ten (10) days prior to the hearing referred to above, the building inspection division shall cause the notice of hearing to be posted in a conspicuous place on any dangerous building or structure.

(4) The building code board of examiners and appeals shall take testimony and consider evidence presented by the building inspection division. In addition, the owner of the property and any interested party may present testimony and evidence if they so desire. Any board member may inspect any structure involved in the hearing prior to its commencement. The building code board of examiners and appeals shall render written findings of fact and a decision at the conclusion of the hearing either upholding the notice and order; upholding the notice and order with modifications; or dismissing the notice and order.

a. If the building code board of examiners and appeals determines, based upon the evidence presented at the hearing, that the structure referred to in the inspection division's notice and order is a dangerous building or structure, it shall uphold such order; or

b. If the building code board of examiners and appeals determines, based upon the evidence presented at the hearing, that the structure referred to in the inspection division's notice and order is a dangerous building or structure, but that the notice and order requires more than is reasonably necessary to abate the nuisance, it shall uphold such order with modifications thereto consistent with any action it deems necessary to abate such nuisance; or

c. If the building code board of examiners and appeals determines, based upon the evidence presented at the hearing, that the structure referred to in the inspection division's notice and order is not a dangerous building, the notice and order shall be dismissed.

(5) If the owner fails to comply with the decision of the board, the building inspection division shall take any and all action needed to bring the building or structure into compliance. The owner in whose name the property appears upon the last local assessment records shall be billed, if possible, for all costs of such action at the address shown on such records. If such owner fails to pay the same within thirty (30) days after mailing of the bill, the city council may cause such costs to be levied and assessed as a special assessment upon the property and against the owner, and the city may bring suit against the owner of record to recover such costs.

(g) Judicial review. An owner aggrieved by any final decision or order of the building code board of examiners and appeals may appeal the decision or order to the circuit court by filing a petition for an order of superintending control within twenty (20) days from the date of the decision or order.

(h) Consent provision. The owner of any building or structure may at any time admit in writing that such building is a dangerous building within the meaning of this section and consent that such building may be demolished.

(i) Emergency order of the city manager. Where it reasonably appears that there is immediate danger to the life or safety of any person unless a dangerous building is immediately altered, repaired or demolished, and notwithstanding the procedures set forth in this article, the city manager may cause the immediate repair, alteration, or demolition of such structure, and the cost thereof to be charged against the premises and the owner as provided in this section.

(j) Owner defined. For purposes of this section, the term "owner" means the person shown as owner by the records of the city assessor.

(k) Building inspector not considered as ex officio member of board of appeals. The building inspector shall not serve as an ex officio member of the building code board of examiners and appeals in any proceeding instituted under this section.

(l) Transfer of ownership. It shall be unlawful for the owner of any building or structure alleged to be dangerous who has received a notice and order, or upon whom a notice and order bas been served pursuant to subsection (c)(2) of this section, to sell, transfer, or otherwise dispose of to another until the provisions of the notice and order have been complied with, or until such owner shall first furnish the grantee or transferee a true copy of said notice and order issued by the building official, and shall furnish to the building official a signed and notarized statement from the grantee or transferee acknowledging the receipt of such notice and order, and fully accepting the responsibility, without condition, for making the required repairs, rehabilitation, or demolition to the alleged dangerous building or structure as required by such notice and order.

(m) Penalties. Any person who willfully refuses to vacate a building ordered vacated under this section, who reoccupies or causes or allows such a building to be reoccupied without satisfying all requirements of a notice and order issued under subsection (c)(1) of this section, who, without permission, removes a notice posted on a building pursuant to subsection (d) of this section, or who transfers property in violation of subsection (l), shall be guilty of a misdemeanor and punished upon conviction thereof as provided in section 1-18 of this Code.

(n) Fees. The city council shall establish by resolution, fees for charges in relation to costs or expenses incurred by the city in initiating or commencing proceedings before the building code board of examiners and appeals (board). Such fees shall include, but not necessarily be limited to, costs or expenses incurred for inspections conducted by city staff prior to board hearings, for actual proceedings before the board, and other costs or expenses relating to prosecution of a case before the board. All fees established pursuant to this subsection shall include the costs associated with reasonable overhead and administrative costs.

If an owner fails to pay an invoice for fees directed to him or her under this subsection, within thirty (30) days of mailing of said invoice, the city may cause the cost reflected in said invoice to be assessed against the premises as a special assessment, pursuant to Serial Section 273 of the City Charter, and the city may institute an action against the owner for the collection of said costs in any court of competent jurisdiction. However, the city's attempt to collect such costs by any process shall not invalidate or waive any lien tiled against the property.

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

ORDINANCE 2016 - _____

An Ordinance amending Chapter 17, Article 2, Section 17-27 of the City of Jackson Code of Ordinances to remove the unnecessary requirement that the City shall ensure that the posting on dangerous structures under Ordinance Section 17-27(d)(1) shall remain until the required repairs, rehabilitation, or demolition is completed, for the health, safety, and welfare of the citizens of the City of Jackson, Michigan.

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(b) Departmental examination. The building inspection division of the department of neighborhood and economic operations shall examine or cause to be examined any building or structure it believes to be abandoned, unsafe, or damaged, and if same is found to be a dangerous building, the division shall commence proceedings to cause its repair, rehabilitation or demolition. Whenever a building or structure designed or zoned for use as a residence has remained vacant and boarded up for a period in excess of six (6) continuous months, it shall be subject to periodic inspection by the building inspection division of the department of neighborhood and economic operations under the provisions of chapter 14 of this Code.

(c) Commencement of proceedings; notice and order.

(1) The building inspection division of the department of neighborhood and economic operations shall commence proceedings under this section by issuing a notice and order directed to the owner or owners of record of a building or structure alleged to be dangerous. This notice and order shall require the owner of the building or structure

alleged to be dangerous to commence, within the period of time established by the inspection division, the required repairs, rehabilitation or demolition of the building or structure. All required work shall be completed within the period of time set forth in the notice and order by the inspection division. If a building is occupied, the notice and order shall require the affected building, structure, or portion thereof to be vacated and not reoccupied until all required work has been completed and approved by the inspection division.

(2) Service of the notice and order shall be made upon the owner or owners of record by:

a. Personally delivering a copy to the owner; or

b. Mailing a copy by certified mail, postage prepaid, return receipt requested, to the owner as indicated by the records of the city assessor and posting a copy thereof upon a conspicuous part of the building or structure.

(d) Posting of signs on buildings deemed to be dangerous; recording documents.

(1) The building inspection division shall cause to be posted in a conspicuous place on any dangerous building or structure a notice to read:

"Do Not Enter—Unsafe to Occupy"

Such notice shall not be removed without written permission of the building inspection division, and no person shall enter this building except for the purposes of repairing, rehabilitating, or demolishing same.

(2) The building inspection division shall record with the county register of deeds all dangerous structure condemnation notices and orders and building code board of examiners and appeals decisions upholding notices and orders within twenty (20) days of such notice, decision or order.

(e) Abatement procedures. If at the expiration of the time limit in the notice and order the owner has not complied with the requirements thereof, the building inspection division may institute proceedings hereunder to abate the nuisance.

(f) Hearing; testimony; order; findings; noncompliance; costs.

(1) Upon the request of the building inspection division in cases where a respondent has not complied with a notice and order issued under this article, the building code board of examiners and appeals shall conduct a hearing in order to determine whether the notice and order of the inspection division should be upheld.

(2) At least ten (10) days prior to the hearing referred to above, the building inspection division shall notify by first class mail the owner as shown by the city assessor's records. This notice shall consist of a copy of a complaint alleging noncompliance with the notice and order and a notice of hearing specifying the time and place of the hearing.

(3) At least ten (10) days prior to the hearing referred to above, the building inspection division shall cause the notice of hearing to be posted in a conspicuous place on any dangerous building or structure.

(4) The building code board of examiners and appeals shall take testimony and consider evidence presented by the building inspection division. In addition, the owner of the property and any interested party may present testimony and evidence if they so desire. Any board member may inspect any structure involved in the hearing prior to its commencement. The building code board of examiners and appeals shall render written findings of fact and a decision at the conclusion of the hearing either upholding the notice and order; upholding the notice and order with modifications; or dismissing the notice and order.

a. If the building code board of examiners and appeals determines, based upon the evidence presented at the hearing, that the structure referred to in the inspection division's notice and order is a dangerous building or structure, it shall uphold such order; or

b. If the building code board of examiners and appeals determines, based upon the evidence presented at the hearing, that the structure referred to in the inspection division's notice and order is a dangerous building or structure, but that the notice and order requires more than is reasonably necessary to abate the nuisance, it shall uphold such order with modifications thereto consistent with any action it deems necessary to abate such nuisance; or

c. If the building code board of examiners and appeals determines, based upon the evidence presented at the hearing, that the structure referred to in the inspection division's notice and order is not a dangerous building, the notice and order shall be dismissed.

(5) If the owner fails to comply with the decision of the board, the building inspection division shall take any and all action needed to bring the building or structure into compliance. The owner in whose name the property appears upon the last local assessment records shall be billed, if possible, for all costs of such action at the address shown on such records. If such owner fails to pay the same within thirty (30) days after mailing of the bill, the city council may cause such costs to be levied and assessed as a special assessment upon the property and against the owner, and the city may bring suit against the owner of record to recover such costs.

(g) Judicial review. An owner aggrieved by any final decision or order of the building code board of examiners and appeals may appeal the decision or order to the circuit court by filing a petition for an order of superintending control within twenty (20) days from the date of the decision or order.

(h) Consent provision. The owner of any building or structure may at any time admit in writing that such building is a dangerous building within the meaning of this section and consent that such building may be demolished.

(i) Emergency order of the city manager. Where it reasonably appears that there is immediate danger to the life or safety of any person unless a dangerous building is immediately altered, repaired or demolished, and notwithstanding the procedures set forth in this article, the city manager may cause the immediate repair, alteration, or demolition of such structure, and the cost thereof to be charged against the premises and the owner as provided in this section.

(j) Owner defined. For purposes of this section, the term "owner" means the person shown as owner by the records of the city assessor.

(k) Building inspector not considered as ex officio member of board of appeals. The building inspector shall not serve as an ex officio member of the building code board of examiners and appeals in any proceeding instituted under this section.

(l) Transfer of ownership. It shall be unlawful for the owner of any building or structure alleged to be dangerous who has received a notice and order, or upon whom a notice and order bas been served pursuant to subsection (c)(2) of this section, to sell, transfer, or otherwise dispose of to another until the provisions of the notice and order have been complied with, or until such owner shall first furnish the grantee or transferee a true copy of said notice and order issued by the building official, and shall furnish to the building official a signed and notarized statement from the grantee or transferee acknowledging the receipt of such notice and order, and fully accepting the responsibility, without condition, for making the required repairs, rehabilitation, or demolition to the alleged dangerous building or structure as required by such notice and order.

(m) Penalties. Any person who willfully refuses to vacate a building ordered vacated under this section, who reoccupies or causes or allows such a building to be reoccupied without satisfying all requirements of a notice and order issued under subsection (c)(1) of this section, who, without permission, removes a notice posted on a building pursuant to subsection (d) of this section, or who transfers property in violation of subsection (l), shall be guilty of a misdemeanor and punished upon conviction thereof as provided in section 1-18 of this Code.

(n) Fees. The city council shall establish by resolution, fees for charges in relation to costs or expenses incurred by the city in initiating or commencing proceedings before the building code board of examiners and appeals (board). Such fees shall include, but not necessarily be limited to, costs or expenses incurred for inspections conducted by city staff prior to board hearings, for actual proceedings before the board, and other costs or expenses relating to prosecution of a case before the board. All fees established pursuant to this subsection shall include the costs associated with reasonable overhead and administrative costs.

If an owner fails to pay an invoice for fees directed to him or her under this subsection, within thirty (30) days of mailing of said invoice, the city may cause the cost reflected in said invoice to be assessed against the premises as a special assessment, pursuant to Serial Section 273 of the City Charter, and the city may institute an action against the owner for the collection of said costs in any court of competent jurisdiction. However, the city's attempt to collect such costs by any process shall not invalidate or waive any lien tiled against the property.

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

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MEMO TO: Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney (B)
Robert C. Rottach, Assistant City Attorney (RR)

DATE: Council Meeting - March 29, 2016

SUBJECT: Resolution Opposing Senate Bill 630 and House Bill 5150

Recommendation: Approve the Resolution Opposing Senate Bill 630 and House Bill 5150

Attached, please find an agenda report and the Resolution.

The recommended action is to approve the Resolution Opposing Senate Bill 630 and House Bill 5150. Your consideration and concurrence is appreciated.

DEPARTMENT REPORT

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney
Robert C. Rottach, Assistant City Attorney

DATE: Council Meeting - March 29, 2016

RECOMMENDATION: Please APPROVE the attached Resolution.

SUMMARY

The attached Resolution states that the City Council opposes Senate Bill 630 and House Bill 5150, collectively referred to as "the Bills."

BUDGETARY CONSIDERATIONS

To the extent that a sizeable monetary judgment or if multiple monetary judgments are awarded against the City of Jackson, the Bills require that money allocated to pay for essential services such as police, fire, streets, sidewalks, infrastructure, water and wastewater treatment, parks and recreation programs, leaf pickup, and other important programs and services would be diverted to pay the judgment levy. Furthermore, the Bills could compel the City to eliminate services and programs, layoff dozens of employees, and force the City of Jackson into a financial emergency and even bankruptcy.

HISTORY, BACKGROUND and DISCUSSION

In 1961, the State Legislature passed the Revised Judicature Act, which authorizes a party that receives a monetary judgment against a municipality to require the municipality to place a judgment levy on the next tax roll or issue judgment bonds to pay the judgment award. See MCL 600.6093 and 600.6097. What saves a municipality from financial ruin is that these laws provides that the judgment levy or bonds placed on the tax roll are *in addition* the usual taxes collected by the municipality. This protects a municipality, and most importantly its residents, from crippling financial losses, employee layoffs, and devastating service and program cuts, if a monetary judgment is awarded against a municipality, since the judgment levy is *in addition* to the usual taxes collected.

In December of 2015, Senator Mike Shirkey introduced Senate Bill 630 ("SB 630") and Representative Earl Poleski introduced House Bill 5150 ("HB 5150"). The Bills mandate that the judgment levy imposed by a monetary judgment against a municipality would be commandeered from the next regular property tax levy, rather than being collected in addition the usual taxes collected by the municipality. Furthermore, the Bills dictate that if the municipality wants to issue judgment bonds to pay over a period of years, the judgment bonds would have to be approved by the electors of municipality. The Bills also prohibit a municipality

from issuing judgment bonds if the monetary judgment involved an improper tax, fee, or assessment. In addition, the Bills threaten municipal officials or employees with a criminal misdemeanor and imprisonment if the municipal officials or employees fail to comply with a provision in the Bills.

The Michigan Municipal League ("MML") informed the City that Sen. Shirkey and Rep. Poleski introduced the Bills based on information contained in a publication from the Citizens Research Council from June 2015 ("CRC Publication"). The CRC Publication is an extremely slanted and one-sided article that completely fails to analyze or even consider the financial impact and consequences that a municipality would suffer if the language in the Bills was passed into law.

A good example of the flawed reasoning behind the CRC Publication is its own example regarding the City of Inkster. According to the CRC Publication, the City of Inkster had two judgment levies totaling 6.92 mills as the result of lawsuits involving allege police misconduct. The CRC Publication concedes that:

> "Inkster's judgment levy results from the actions of a public servant employed by the city. The alleged abuse did not result from directives by the city leaders, but did occur while in employment by the city. The city did not budget for the settlement costs that might arise in such instances and does not have a sufficient fund surplus to make the ordered remuneration. In Inkster's case, the financial obligation was simply unforeseen and impossible to plan for in advance."

The CRC admits that there was nothing that the City of Inkster could have to done to avoid the judgment, yet the CRC claims that Bills are still needed despite the fact that they will rub salt in the City's wounds by draining the City's finances. Not only do the Bills do absolutely nothing to help out a city like Inkster in this situation, the Bills would make the matter exponentially worse by depleting the expected tax revenues of the City of Inkster so that it would be forced to lay off employees, forgo training, cut services, and eliminate programs.

The notion behind the CRC Publication and the Bills is that if a municipal employee or municipality loses a lawsuit, the municipality should suffer the punishment. The Bills claim to protect taxpayers from added assessments at the expense of the municipality that serves them. The premise behind the Bills is incredibly small minded, short sighted, and misguided. The Bills seem to imply that municipalities work against its citizens rather than work for them. However, this belief could not be further from the truth.

Municipalities were created by the citizens, municipal officials are elected by the citizens, and most importantly municipalities work for their citizens. Municipalities provide the vast majority of services and programs that citizens and corporations use and benefit from on a daily basis, such as: police, fire, code enforcement, utilities, infrastructure, streets, sidewalks, water and wastewater treatment, parks and recreation programs, and leaf pickup, just to name a few. Almost all, if not all, of municipal services are paid for from general property taxes that are collected. However, if the Bills are passed into law, these taxes would not go to pay for the services listed above, rather the tax money would go towards paying the judgment. Citizens of the municipality might avoid a small one-time assessment increase if the Bills are passed into law; however, they would be self-inflicting pain on themselves by reducing the municipal services that directly benefit them.

POSITIONS

For the reasons discussed above, please APPROVE the attached Resolution.

ATTACHMENTS

RESOLUTION TO OPPOSE SENATE BILL 630 AND HOUSE BILL 5150

BY THE CITY COUNCIL:

WHEREAS, In 1961, the State Legislature passed the Revised Judicature Act, which authorizes a party that receives a monetary judgment against a municipality to require the municipality to place a judgment levy on the next tax roll or issue judgment bonds to pay the judgment award; and

WHEREAS, The current law provides that the judgment levy or bonds placed on the tax roll and collected are in addition to the usual taxes collected by the municipality; and

WHEREAS, The current law and process protects a municipality, and most importantly its residents, from crippling financial losses, employee layoffs, and devastating service and program cuts, if a monetary judgment is awarded against a municipality, since the judgment levy is in addition to the usual taxes collected; and

WHEREAS, In December of 2015, Senator Mike Shirkey introduced Senate Bill 630 ("SB 630") and Representative Earl Poleski introduced House Bill 5150 ("HB 5150"), collectively referred to as "the Bills"; and

WHEREAS, The Bills mandate that the judgment levy imposed by a monetary judgment against a municipality would be commandeered from the next regular property tax levy, rather than being collected in addition the usual taxes collected by the municipality; and

WHEREAS, Currently under the law, if a one-time judgment levy would impose a substantial hardship, a City may decide to issue judgment bonds to pay the monetary judgment over a period of years.

WHEREAS, However, the Bills dictate that if the municipality wants to issue judgment bonds to pay over a period of years, the judgment bonds would have to be approved by the electors of the municipality; and

WHEREAS, The Bills also prohibit a municipality from issuing judgment bonds if the monetary judgment involved an improper tax, fee, or assessment; and

WHEREAS, The Bills make it a criminal misdemeanor subject to a maximum of ninety-three (93) days of imprisonment if a municipal official or employee fails to comply with the language in the Bills; and

WHEREAS, If a sizeable monetary judgment or if multiple monetary judgments are awarded against the City of Jackson or another municipality, the Bills require that money allocated to pay for essential services such as police, fire, streets, sidewalks, infrastructure, water and wastewater treatment, parks and recreation programs, leaf pickup, and other important programs and services would be diverted to pay the judgment levy; and

WHEREAS, Furthermore, the Bills could compel the City to eliminate services and programs, layoff dozens of employees, and force the City of Jackson or another municipality into a financial emergency or municipal bankruptcy; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Jackson City Council opposes Senate Bill 630 and House Bill 5150, and respectfully requests that all state legislators oppose this legislation.

* * * * *

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

I, Andrew J. Wrozek, 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 _____, 2016.

IN WITNESS WHEREOF, I have hereto affixed
my signature and the seal of the City of Jackson,
Michigan, on this ___ day of _____, 2016.

_____
Andrew J. Wrozek, Jr., City Clerk

CITY OF JACKSON
Founded 1829

City Attorney's Office

161 W. Michigan Ave. • Jackson, MI 49201
Phone: (517) 788-4050, (517) 788-4023 • Facsimile: (866) 971-2117

MEMO TO: Mayor and City Councilmembers

FROM: **Bethany M. Smith, City Attorney**

DATE: March 29, 2016

SUBJECT: Authorize the Mayor to Execute a *Certification of Permission of Abutting Property Owner* Granting Bishop Land Service Permission to Conduct Seismic Testing Adjacent to City Owned Property.

Recommendation: Authorize the Mayor to Execute a *Certification of Permission of Abutting Property Owner* Granting Bishop Land Service Permission to Conduct Seismic Testing Adjacent to City Owned Property.

Attached are a Department Report, a Certification of Permission of Abutting Property Owner form, and information on seismic testing.

I recommend approval of the above mentioned recommendation. Your consideration and concurrence is appreciated.

DEPARTMENTAL REPORT

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Bethany M. Smith, City Attorney

DATE: March 29, 2016

RECOMMENDATION: Authorize the Mayor to Execute a *Certification of Permission of Abutting Property Owner* Granting Bishop Land Service Permission to Conduct Seismic Testing Adjacent to City Owned Property.

SUMMARY

The recommended action is to authorize the Mayor to execute a form called a *Certification of Permission of Abutting Property Owner* granting permission to Bishop Land Service to conduct Seismic Testing adjacent to city owned properties.

BUDGETARY CONSIDERATIONS

There are no budgetary considerations.

HISTORY, BACKGROUND and DISCUSSION

Bishop Land Service wants to conduct seismic testing on Washington Avenue in the City. Bishop Land Service will use the "vibratory method" described on the attached *Special Conditions for Seismic Explorations*. Basically, they will drive a truck slowly down the road which with a pad will vibrate up and down on the road surface in order to attempt to detect the presence of oil under the surface. More details are in the attached documents. A map of the City owned properties is attached.

Bishop Land Service guarantees that no damage will be done to the road and right of way. A bond of $50,000 will be provided, as well as evidence of insurance. MDOT has already approved this testing, however MDOT requires the *Certification* to be obtained. The truck with the equipment has been promised to be no louder than a street sweeping truck.

DISCUSSION OF THE ISSUE

The seismic testing does not appear to cause any harm to the City or its property other than some noise while the testing vehicle is in operation. A bond and insurance will be provided to cover any unforeseen damages that occur. A finding of the presence of oil could lead to future revenues for the City.

POSITION

The City Attorney's Office recommends execution of the Certification of Permission of Abutting Property Owner by the Mayor.

ATTACHMENTS: Certification of Permission of Abutting Property Owner
Special Conditions for Seismic Explorations information
Map of City owned properties affected

BISHOP LAND SERVICE
P.O. BOX 366, Mesick,Mi.,49668
231-885-2405, bls01@acegroup.cc

Dear-City of Jackson Rep.

MAP# 18 PARCEL#5-025800000 Consumers Energy Co. property.

West Bay Geophysical desires to conduct a Seismic Survey in search for possible, reserves of petroleum and/or natural gas in City of Jackson, Washington Ave.
All workmen and equipment shall remain within the road r.o.w. The survey should take 2 to 3 day's, to complete, weather permitting, and all evidence of work will be removed upon completion.
As a condition of the Road permit, M.D.O.T. requires us to contact Landowners adjoining the, survey route, and obtain your consent to do so.
West Bay Geophysical assumes all liabilities for any surface damage resulting from their work and, will be required to post a performance bond with Michigan Dept. of Transportation.
It is understood and agreed that permission herein granted will be applicable only insofar as your rights, are concerned. West Bay Geophysical agrees to protect you from any and all claims resulting from, their workmanship by virtue of this permit.
West Bay Geophysical carries and maintains in force automobile, general liability and property damage, insurance to cover their operations.
The following is a brief description of the operations.

1. Wire pin flags will be placed along the side of the road to show the survey location.
2. Recording sensors will then be placed along the roadside.
3. We then drive a "Mini-Vibe" tractor on the road. The tractor has on it's belly a 3 ft. round pad, which is lowered onto the surface of the ground. Gentle vibrations are sent thru the pad into, the earth for 6 seconds.Then we lift the pad, move forward several feet, lower the pad and, start the process all over again. This process is repeated until the survey is complete.
   No damage is done to the road surface or adjoining properties and all evidence of work will, be removed upon completion of the survey.Signs are posted in accordance with M.D.O.T.
   We kindly request that you evidence granting permission requested by signing and returning one copy of this letter at your earliest possible convenience.
   If you have any questions or concerns, please call me at 586-206-6678

Sincerely,

LARRY GARVIN

PERMISSION GRANTED

BY,_____ DATE_____

PHONE:_____

SPECIAL CONDITIONS FOR SEISMIC EXPLORATIONS

This permit is issued subject to the acceptance of the following provisions:

A. LIMITED ACCESS ROW

1. No drilling and blasting, or vibratory exploration is allowed within limited access ROW.
2. Operations within limited access ROW are restricted only to the placement of seismic cable crossing the right of way and as detailed on the permit.
3. All operations within limited access ROW are subject to the following constraints unless specifically approved by the Michigan Department of Transportation (MDOT):
   a. Access to the work area shall be from private property or country roads and shall not be from the roadway.
   b. Equipment, vehicles or personnel shall not operate within 30 feet from the edge of pavement of roadways or ramps.

B. DRILL AND BLAST METHOD

1. Holes shall not be drilled closer than 15 feet to the outside shoulder point or curb of the roadway. The minimum depth of holes drilled shall be 10 feet.
2. MDOT reserves the right to prohibit blasting if the blasting traverses critical swamp or other sensitive areas. However, the permit holder is responsible to assure that all permitted activities are conducted in full compliance with all pertinent laws and regulations -including those intended to protect the environment.
3. Blasting Operations:
   a. Prior to the detonation of any explosives, the permit holder shall provide maintaining traffic signs in accordance with the Michigan Manual of Uniform Traffic Control Devices, plan 6F.38 (Signs for Blasting Areas).
   b. The permit holder shall gather and remove all wire, debris and other material which may have resulted from the operation at the end of each day of operation.
   c. Blast locations shall be checked by the permit holder after each detonation to assure that all explosives have been discharged. Any explosive not discharged shall immediately be removed or detonated.
   d. All holes shall be backfilled according to section E of these special conditions.

C. VIBRATORY METHOD

1. The vibratory method may be conducted on full-width stable gravel shoulders or full-width bituminous shoulders of adequate section. MDOT may also occasionally allow this method on the traveled lane of highways constructed of concrete, or bituminous on stable base, when shoulders are deemed inadequate and when the operation is deemed to not be a hazard to the traveling public.
2. The vibratory method shall not be permitted on bituminous roadways consisting of bituminous material placed on sand in high water table areas, or within muck or swamp areas. Operations on gravel or bituminous shoulders may be prohibited in similar areas.
3. Operations shall be conducted only in the direction of traffic; and when on multi-lane highways, confined to the outer lane.

D. GENERAL REQUIREMENTS FOR ALL OPERATIONS

1. No work shall be performed on Sundays or from 3:00 p.m. on the day preceding a holiday until the normal starting time on the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.
2. All work shall be performed during daylight hours.
3. Work shall cease during periods of inclement weather -when reduced visibility or slippery conditions impair trunkline traffic.
4. MDOT may require the operation be restricted to off-peak traffic periods.
5. Operations may be prohibited during periods of highway load restrictions.
6. No operation shall be permitted within 150 feet of a grade separation or bridge.
7. In addition to the maintaining traffic warning signs required in blasting areas, the permit holder shall provide "flag persons" and advance signing as may be necessary to protect the traveling public in accordance with the "Michigan Manual of Uniform Traffic Control Devices."
8. This permit is valid only for the period of time stated on the permit.
9. Prior to starting any operation, the permit holder shall send an Advance Notice of Permitted Activity in Highway Right of Way, (Form 2204) to the appropriate Transportation Service Center (TSC). Such notification shall be accompanied by a "Certification of permission of Abutting Property Owner" for operations proposed on easement right of way. **In addition, when operating under an annual permit, Form 2204 shall be submitted a minimum of ten (10) days prior to commencing operations instead of the five (5) days as noted on Form 2204. Failure to do so may result in the revocation of the annual permit.**
10. In addition to the flagging and signing required in condition 7, the permit holder is responsible to sign, flag, or otherwise protect seismic exploration facilities and equipment from accidental damages or from interfering with normal highway operations and MDOT personnel.
11. The permit holder is responsible to assure that no damage occurs to the trunkline road and right of way; and to restore the road and right of way whenever damage occurs as a result of seismic exploration operations.
12. Any costs incurred by MDOT in correcting damages caused by the permit holders operations shall be billed to the permit holder.
13. The permit applicant shall provide a Blanket Bond, (Form 2232) in the amount of $50,000 which will be retained on file in the Central Real Estate office until completion of the work, or until such time as claims identified within this period are resolved. If a TSC requires additional performance bonding, an individual bond (Form 2202) shall be kept on the file with the individual permit.
14. The Certificate of Insurance, (Form 2020) shall be used to certify appropriate levels of insurance are held by the permit holder.

E. Acceptable Methods for Plugging Drill Holes

1. Ordinary Conditions

All test holes, except as listed below, shall be filled completely with suitable material removed from the hole or like material from another source. The top five feet will be compacted by hand tamping or hydraulic auger pressure. The surface area around the test hole site shall be restored to the original conditions.

2. Multiple Aquifers

When multiple aquifers (water-bearing sands between clay layers) are encountered, the impervious zones or zones between aquifers shall be sealed with a bentonite slurry or cement grout as deemed suitable.

3. Bedrock Corning

All water-bearing bedrock shall be cement grouted.

4. Artesian Water

When artesian water is encountered in hydraulic (wash) boring utilizing 2-inch flush joint casing, the flow shall be terminated by inserting a 2 ½ inch diameter plugged steel pipe into the hole a minimum of 5-foot. This plugged pipe shall be driven to the top of the aquifer with the remainder of the hole filled with cement grout or concrete.

5. Gas

When either methane or hydrogen sulfide gas is encountered, immediately contact MDOT's Emergency Administrator at 517-373-1898 (office) or 517-719-0505 (cell).

a. Methane

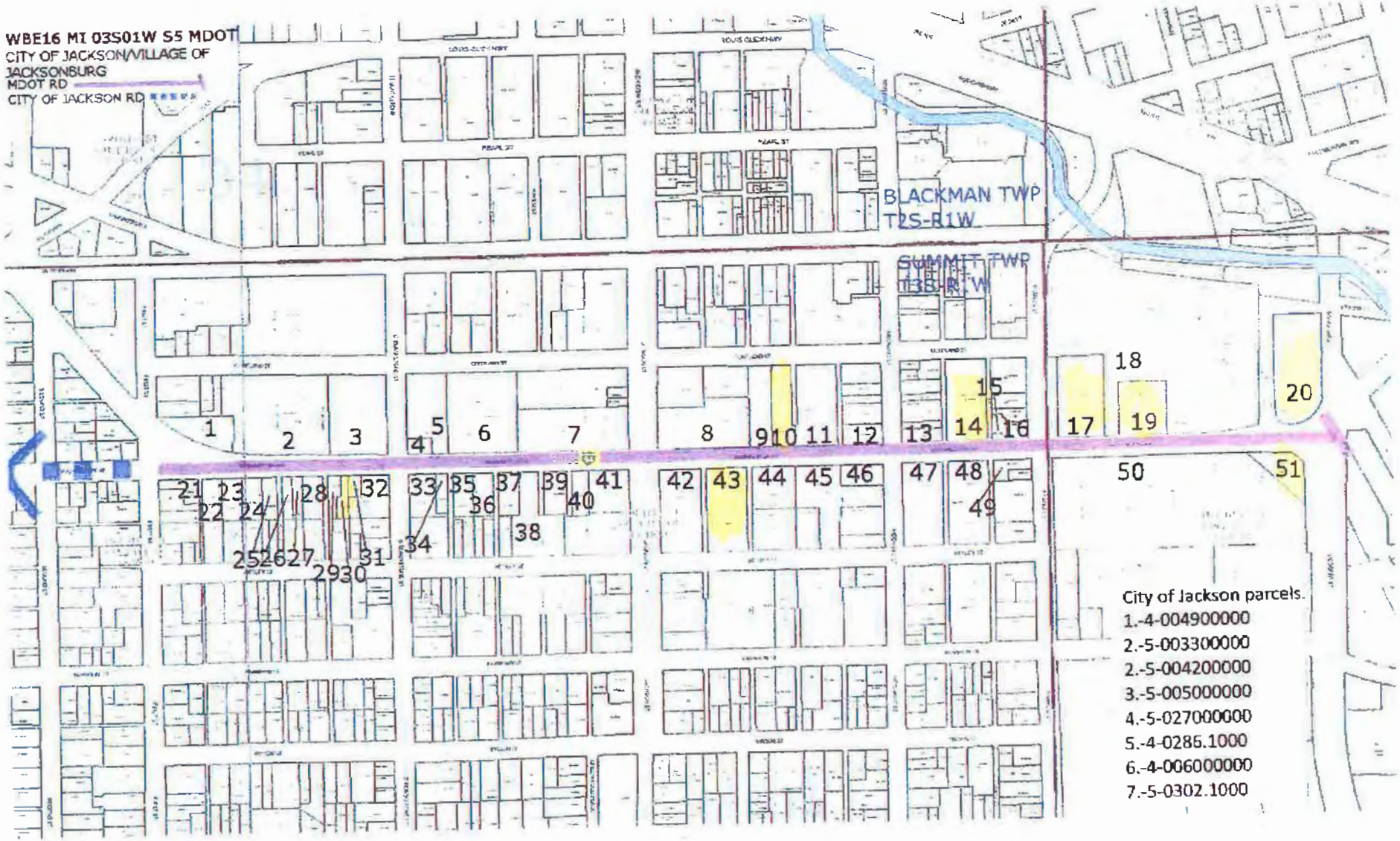
When methane gas is encountered, the gas shall be vented into the air and allowed to deplete itself. Burning will depend on surrounding conditions such as open country, rural areas, or commercial and residential areas. Where conditions will not allow the burning of the gas, it will be vented into the air until the gas pocket is depleted. After depleting of the gas, the hole will be grouted as above. The local authorities shall be notified and corrective methods coordinated with them.

b. Hydrogen Sulfide

When hydrogen sulfide gas is encountered in wash boring using 2-inch diameter casing, the hole shall be sealed by inserting a 2 ½ inch diameter plugged steel pipe into the hole a minimum of 5-foot. The pipe will be driven to the lowest elevation possible and the remainder of the hole filled with cement grout or concrete. When hydrogen sulfide gas is encountered with a hollow-tem auger, the seal shall be made by pouring or pumping cement grout or concrete down the augers and raising the augers as the grout or concrete fills the hole.

6. Cement Grout

Cement grout shall consist of a thick slurry of Portland cement and water to which may be added sand and calcium chloride. The ratio of five to six gallons of water to a 94-pound sack of cement is recommended.


WBE16 MI 03S01W S5 MDOT
CITY OF JACKSON/VILLAGE OF JACKSONBURG
MDOT RD
CITY OF JACKSON RD
BLACKMAN TWP
T2S-R1W
SUMMIT TWP
T3S-R1W
City of Jackson parcels.
1.-4-004900000
2.-5-003300000
2.-5-004200000
3.-5-005000000
4.-5-027000000
5.-4-0286.1000
6.-4-006000000
7.-5-0302.1000

CITY OF JACKSON
Founded 1829

Office of Mayor Bill Jors

161 W. Michigan Ave. - Jackson, MI 49201
Phone: (517) 788-4028 • Facsimile: (866) 384-1772

MEMO TO: City Councilmembers

FROM: Bill Jors, Mayor

DATE: March 29, 2016

SUBJECT: Jackson Housing Commission Compensation Recommendation

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Recommendation:

Approve a two (2) percent pay increase for all Jackson Housing Commission staff retroactive to April 1, 2015, in accordance with the recommendation made by the Jackson Housing Commission Board of Commissioners.

Attached is correspondence from Laurie Ingram, Executive Director of the Jackson Housing Commission regarding a recommendation of pay increase made by the Jackson Housing Commission Board of Commissioners.

Your consideration and concurrence is appreciated.

BJ:skh

Attachment

JHC
JACKSON HOUSING COMMISSION
ESTABLISHED IN 1946

301 Steward Ave., Bldg. C.
Jackson, MI 49201-1132
Phone: (517) 787-9241
Fax: (517) 787-6143
TDD/TTY: (800) 545-1833 ext. 879
www.jacksonhousing-mi.org

March 16, 2016

Honorable Mayor Bill Jors
City of Jackson
161 W. Michigan Ave.
14th Floor
Jackson, MI 49201

Jackson City Council Members
161 W. Michigan Ave.
Jackson, MI 49201

Dear Mayor Jors, and Jackson City Council Members:

I hope this letter finds you all well.

At the JHC Board of Commissioners meeting on March 16, 2016, a 2% annual raise was approved for all JHC staff. This increase is meant to be retroactive to April 1, 2015, the start of our fiscal year. This raise was included in the approved FY 2015-2016 budget, but the resolution and subsequent City Council approval was not approved, due to Executive Director turn-over.

I am hopeful that you will approve this request, as it is reflective of the hard-work and dedication that my staff has demonstrated this year.

I thank each of you for your consideration in this matter. Should you have any questions, please feel free to contact me, any time, at 517-990-3650.

Respectfully,

Laurie Ingram
Executive Director
Jackson Housing Commission

Cc: Michelle Pultz-Orthaus
President, Jackson Housing Commission Board of Commissioners

Patrick Burtch
City Manager, City of Jackson

Jackson Housing Commission
Jackson, MI

The following Resolution was introduced by Commissioner Pultz-Orthaus, read in full and considered:

RESOLUTION NO. 2016-06

WHEREAS, the Jackson Housing Commission Fiscal Year 2015 Budget was approved with Resolution 2015-10

WHEREAS, the approved budget included a 2% annual raise for all employees;

WHEREAS, the City of Jackson must approve all compensation;

THEREFORE BE IT RESOLVED THAT the Commission hereby approves a 2% annual raise for all Jackson Housing Commission employees for fiscal year 2015 and the raise shall be retroactive to April 1, 2015 upon approval of City Council.

Commissioner Stark **MOVED** to adopt the foregoing Resolution as introduced and read. Commissioner Woods **SECONDED** the motion and, upon voice vote the "AYES" and "NAYS" were as follows:

AYES: Pultz-Orthaus, Stark, Woods
NAYS: Montgomery
ABSENT: Davis-Dye
ABSTAIN:

President Orthaus declared the motion carried and the Resolution adopted.

I hereby certify that the above Resolution was adopted at a Regular Meeting of the Jackson Housing Commission on March 16, 2016.

Michelle Pultz-Orthaus
President

CITY OF JACKSON
Founded 1829

City Manager's Office

161 W. Michigan Ave. - Jackson, MI 49201
Phone: (517) 788-4035 • Facsimile: (517) 768-5820

MEMO TO: Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Manager

DATE: March 29, 2016

SUBJECT: Receipt of the 2016-2017 Draft Action Plan for Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) Funds

---

Recommendation:

Receive the 2016-2017 Draft Action Plan for CDBG and HOME funds and authorize distribution for the 30-day public comment period.

Attached is the memo from Jennifer Morris, Director of Neighborhood & Economic Operations, regarding the receipt of the 2016-2017 Draft Action Plan for Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds.

I recommend receiving of the 2016-2017 Draft Action Plan for CDBG and HOME funds and authorizing its distribution for the 30-day public comment period. Your consideration and concurrence is appreciated.

PHB

DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Manager

FROM: Jennifer Morris, Director of Neighborhood & Economic Operations

DATE: March 29, 2016

RECOMMENDATION: Receive the 2016-2017 Draft Action Plan for CDBG and HOME funds and Authorize Dissemination for the Required 30-Day Public Comment Period.

SUMMARY

Under HUD's entitlement program, the City of Jackson is required to submit an annual Action Plan as an application and update to the 2015-2019 Five-Year Consolidated Plan. The Action Plan is used to summarize the actions, activities, and programs to be financially supported with CDBG and HOME funds during the next year to address the priority needs and specific objectives identified in the Consolidated Plan, as well as certain other program requirements.

BUDGETARY CONSIDERATIONS

The draft Action Plan contains a correction to HOME allocations after staff discovered preliminary allocations made by City Council on February 23, 2016 weren't adjusted for the additional formula grant the City received from HUD. The HOME program requires that certain minimum and maximum funding thresholds are met as follows:

CHDO Set-Aside – *minimum* 15% of formula grant ($37,444.20) - **mandatory**
Administration – no more than 10% of formula grant ($24,962)
CHDO Operating Expense – no more than 5% of formula grant ($12,481) - **optional**

The HOME activities listed in the Action Plan reflect the mandatory minimum required to be set aside for the City's Community Housing Development Organization (CHDO), Community Action Agency, and Administrations adjusted to $24,000, which remains less than 10% of the grant amount. When City Council makes final allocations on April 26, 2016, recommendations to adjust these amounts under the HOME program will be made accordingly.

HISTORY, BACKGROUND and DISCUSSION

Attached is the draft 2016-2017 Action Plan, which was prepared using diverse resources, including consultation with various community organizations, HUD regulations, and an assortment of available data about the City. In order to meet the 30-day public comment period timeline specified by regulation, the draft Action Plan is available at City Hall in both the Clerk's Office and the Department of Neighborhood &

Economic Operations, the Jackson District Library's Carnegie Branch, Reed Manor, Shahan-Blackstone North, Chalet Terrace, Community Action Agency, and on the City's website.

DISCUSSION OF THE ISSUE

The Action Plan may undergo minor modifications during the 30-day comment period, such as inclusion of various tables, graphs, and maps to provide a more thorough picture of Jackson's needs; however, the basic intent will remain the same. At the conclusion of the 30-day comment period, any oral or written remarks received from the public will be incorporated into the Action Plan and submitted to City Council at its May 10, 2016 regular meeting for authorization to submit to HUD.

POSITIONS

I recommend receipt of the 2016-2017 Draft Action Plan for CDBG and HOME funds and distribution for the 30-day public comment period.

JACKSON
Founded 1829

Community Development Block Grant
HOME Investment Partnerships Program

2016-2017 Annual Action Plan

The Attached Document is a Draft Report
Please display until Tuesday, April 26, 2016.

Citizens are encouraged to provide comments regarding this report, community development or housing needs in writing to:

Department of Neighborhood & Economic Operations
ATTN: Laurie L. Huff
161 W Michigan Ave, Jackson, MI 49201
E-mail: lhuff@cityofjackson.org

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

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EXECUTIVE SUMMARY

AP-05 Executive Summary-

Introduction

The City of Jackson presents this One-Year Action Plan as the second year of its 2015-2019 Five-Year Consolidated Plan, this plan covers the period of July 1, 2016 through June 30, 2017 and is referred to as Program Year (PY) 2016 or Fiscal Year (FY) 2016. PY 2016 represents the City's 42nd consecutive year of receiving Community Development Block Grant (CDBG) formula allocation as an entitlement community, and the 25th year of receiving a HOME Investment Partnerships Program (HOME) formula allocation as a participating jurisdiction.

Summarize the objectives and outcomes identified in the Plan

Due to the continued decrease in formula allocations in both CDBG and HOME, the City's ability to effectively impact its neighborhoods and residents has been severely diminished. As such, the Jackson City Council must select projects that will achieve the greatest possible return for the community and its residents. Therefore, the City must concentrate its efforts to stabilize and improve the overall economy. This is accomplished through the various projects and activities described in the 2015-2019 Consolidated Plan, and implemented through this Annual Action Plan. Areas of concentration include housing, neighborhood, and infrastructure needs for the predominantly residential, low- to moderate-income areas.

Redevelopment of Downtown Jackson continues to flourish to further enhance these activities, and in response to a MSHDA-facilitated Target Market Analysis, City Council has made funds available to owners of downtown buildings to rehabilitate existing upper housing units to convert vacant space into livable areas for the funds are for low- to moderate-income citizens desiring to reside within the urban core.

Evaluation of past performance

The City of Jackson has historically utilized CDBG and HOME allocations for the implementation of activities that directly affect the community and residents by concentrating on upgraded public infrastructure, improved residential living conditions, and revitalized neighborhoods. As federal resources have diminished, the Jackson City Council developed and adopted goals and visions on how to improve Jackson's economic future. The Jackson Overall Economic Stabilization (JOES) program was designed and implemented as a multi-phased strategic plan to focus on budgetary initiatives concentrating on the City's housing stock, increased zoning and code enforcement, homeowner rehabilitation, and infrastructure asset management.

Summary of Citizen Participation Process and consultation process

The City encourages all citizens to participate in not only the CDBG/HOME planning process, but in all processes of the local government. At the beginning of each City Council meeting, citizens are allowed time to address the Mayor, City Manager, Council members and department heads on matters that are of concern to them. Council meetings are held on the second floor of City Hall, which can accommodate persons with disabilities. Additionally, meetings are televised live on a local public access station (JTV),

which also replays the meetings at various other times throughout the week, as means of accommodating those unable to attend to person.

Notice of the public hearing to receive citizen comments on housing and community development needs was published on January 17, 2016, in the *Jackson Citizen Patriot* (local and online paper) and on January 6, 2016 in *The Jackson Blazer*, a local bi-weekly publication spotlighting community and neighborhood events. The Jackson City Council conducted a public hearing on January 26, 2016 to seek public input on community development and housing needs before writing this Action Plan. A summary of comments received from this public hearing and during the Action Plan comment period appear in the next section.

Per the Department of Housing and Urban Development (HUD) regulation, a draft Action Plan was released for a 30-day public comment period beginning March 20, 2016. A notice of availability was published in the *Jackson Citizen Patriot* on March 20, 2016 and in *The Jackson Blazer* on March 17, 2016. A printed copy of the Action Plan was also made available for review at City Hall in both the Clerk's Office (first floor) and Department of Neighborhood & Economic Operations (third floor), the Jackson District Library Carnegie Branch, Community Action Agency, and the three (3) public housing complexes, (Reed Manor, Shahan-Blackstone North, and Chalet Terrace). An electronic version of the Action Plan is available on the City's website at http://www.cityofjackson.org/332/Grant-Reports.

Summary of public comments

Comments will be inserted following the Public Comment Period and noted within the Final 2016 Annual Action Plan.

Summary of comments or views not accepted and the reasons for not accepting them

Comments will be inserted following the Public Comment Period and noted within the Final 2016 Annual Action Plan.

Summary

Following Jackson's Overall Economic Stabilization (JOES) program, City Council aligned the limited grant funds received with projects that further the adopted goals and visions to strengthen the local economy. Specifically, CDBG and HOME funding is used to enhance the quality of life for low- to moderate-income residents by improving the community in which they live, work, and play. The priority objectives of this Action Plan support the JOES program as follows:

- Reduces the oversupply of blighted, vacant, abandoned, and dilapidated housing through demolition, thereby increasing demand and consequently stabilizing prices.
- Increases code enforcement, such as housing code inspections and citing blight violations, in an effort to improve living conditions, provide sanitary surroundings in neighborhoods, and instill a sense of pride in the community.
- Supports homeownership, single family rehabilitation, and downtown affordable through strategic rehabilitation, conversion, and new construction where practical.
- Manages and right-sizing public infrastructure assets.

THE PROCESS

PR-05 Lead & Responsible Agencies- 91.200 (b)

Agency/entity responsible for preparing/administering the Consolidated Plan

Agency Role: Grant Coordinator

Name: Laurie Huff

Department/Agency: Department of Neighborhood & Economic Operations

Narrative

The City of Jackson, through its Department of Neighborhood & Economic Operations, acts as lead agency for CDBG and HOME funding and administers the programs covered by the Consolidated Plan and this Action Plan. The Department of Neighborhood & Economic Operations is also charged with carrying out several of the funded activities. Various other City departments will conduct the balance of programs and projects through separate written agreements.

Consolidated Plan Public Contact Information

Questions and comments about the Consolidated Plan or this Action Plan should be directed to:

City of Jackson
Attn: Laurie Huff, Grant Coordinator
161 W Michigan Ave
Jackson MI 49201
517-768-6407
lhuff@cityofjackson.org

AP-10 Consultation- 91.100, 92.000(b), 91.215(l)

Introduction

In developing the Action Plan, the City launched a collaborative effort to consult with elected officials, City departments, community stakeholders, and program beneficiaries to inform and develop the priorities and strategies contained within the five (5) year and one (1) year plans. The City's outreach strategies included consultation with community organizations, non-profit service providers, Public Housing Authority, Jackson County Continuum of Care participants, and other such entities. Various research analyses of census data, American Community Surveys, day-to-day data collected by City departments, and pertinent other planning documents were incorporated into the Consolidated Plan and this Action Plan.

Coordination with the Jackson County Continuum of Care and efforts to address the needs of homeless persons and persons at risk of homelessness

The City of Jackson is represented on the Jackson Continuum of Care (CoC) general membership. Through regular attendance and participation in the CoC meetings, the City consults with the CoC to develop cooperative plans and strategies to leverage resources for emergency shelter, transitional housing, permanent supportive housing, and rapid re-housing services to serve the homeless or at-risk

populations. In turn, City staff keeps CoC members informed of changes in local goals, objectives, and performance measures.

Describe Agencies, Groups, Organizations who participated in the process

Consultation with community organizations included, but was not limited to:

Housing	**Social Service Agencies**
Community Action Agency	The Salvation Army
Jackson Affordable Housing	LifeWays Community Mental Health
Jackson Housing Commission	Training & Treatment Innovations
disAbility Connections	South Central Michigan Works!
AWARE, Inc.	Segue, Inc.
Jackson Interfaith Shelter	Department of Human Services
Homeless Veterans Program	Do'Chas II

The above noted organizations provided input via one-on-one discussions, e-mail exchanges with specific providers and roundtable discussions at various community meetings attended by these agencies. The programs and services these agencies provide are integral to offering a full spectrum of assistance to the community especially when coupled with those from the City.

1	**Agency/Group/ Organization**	COMMUNITY ACTION AGENCY
	Agency/Group/Organization Type	Housing Services- Housing Services- Children Services- Homeless Services- Education
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Homeless Needs- Chronically homeless Homeless Needs- Families with children Homelessness Needs- Veterans Homelessness Needs- Unaccompanied youth Non-Homeless Special Needs Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation was done via email and in a group setting to gather information regarding housing and homeless issues, plus other non-housing community development needs.

2	**Agency/Group/ Organization**	Jackson Housing Commission
	Agency/Group/Organization Type	Housing PHA Services- Housing

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation was conducted via email to gather information regarding public housing needs.

3	**Agency/Group/ Organization**	Jackson County Continuum of Care
	Agency/Group/Organization Type	Housing Services- Housing Services- Children Services- Elderly Persons Services- Homeless Services- Education Services- Persons with Disabilities Services- Victims of Domestic Violence Services- Health
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Homeless Needs- Chronically homeless Homeless Needs- Families with children Homelessness Needs- Veterans Homelessness Needs- Unaccompanied youth Non-Homeless Special Needs Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation conducted through regular participation in monthly meetings and via email.

4	**Agency/Group/ Organization**	disAbility Connections
	Agency/Group/Organization Type	Services- Persons with Disabilities
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation via email and in group setting to determine needs of the disable population.

Identify any Agency Types not consulted and provide rationale for not consulting

A variety of additional consultation was solicited on a limited basis, such as City departmental staff, realtors, and community stakeholders through meetings not limited to the Consolidated Plan or this Action Plan. Business and civic leaders are generally very involved with City planning and development activities through various boards, commissions, and public or private meetings; information was also gathered through these venues.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Community Action Agency	The Continuum of Care provides the framework and services for many of the activities designed to assist and house homeless individuals and families.
Public Housing Annual Plan	Jackson Housing Commission	The City of Jackson works with the Jackson Housing Commission (JHC) to ensure public housing goals are addressed in coordination with this Consolidated Plan. The JHC administers both public housing units in Jackson as well as Housing Choice Vouchers.
Master Plan	City of Jackson	Although currently under redevelopment, the City of Jackson's Master Plan will be adopted in 2016. Any adjustments that may be needed to align this Consolidated Plan with the Master Plan will be made after its adoption.
Analysis of Impediments to Fair Housing Choice	City of Jackson	Also in the process of revision, the City of Jackson will continue to affirmatively further fair housing and will address identified barriers to fair housing choice to the extent feasible.
Overall Economic Stabilization Program	City of Jackson	City leaders will closely follow the goals, visions, and

		strategies identified in this plan to improve Jackson's economy.
Target Market Analysis	City of Jackson Downtown Development Authority	Market strategy for urban housing formats, including a combination of new construction and adaptive reuse of existing buildings.

Narrative

The City of Jackson has established a firm commitment to enhance the quality of life for all residents, strengthen the City's economy, and collaborate with City stakeholders to ensure an overall positive impact.

AP-12 Participation- 91.105, 91.200(c)

Summary of citizen participation process/efforts to broaden and how it impacted goal-setting

The City of Jackson's regular involvement with other state and local governments allows for coordinated input while still retaining the unique needs and goals of the City. A direct result of these efforts is evidenced by the partnership with the Jackson County Health Department which has led to a Lead Paint Forum in April 2016. Additionally, the City and State of Michigan continue partnering on placemaking activities, including a major reconstruction of Michigan Avenue, converting the downtown loop from one-way to two-way traffic, and demolition of blighted residential structures.

EXPECTED RESOURCES

AP-15 Expected Resources- 91.22(c) (1,2)

Priority Table
Expected amount available Year 2

Program	Source of funds	Uses of funds	Annual Allocation	Program Income	Prior Year Resources	Total	Expected Amount Available Reminder of ConPlan	Narrative
CDBG	Public-Federal	Acquisition Admin and Planning Economic Development, Housing Public Improvements Public Services	$1,124,701	$125,000	$1,113,000	$2,362,701	$2,187,299	The expected amount available reflects a 5% expected decrease in funding throughout the 5 year con-plan as well as program income

HOME	Public-Federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rehabilitation New construction for ownership	249,628	0	$60,000	$309,628	$552,372	The expected amount available reflects a 5% expected decrease in funding throughout the 5 year con-plan as well as program income

Explain how federal funds will leverage those additional resources (private, state, and local funds), including a description of how matching requirements will be satisfied

The demolition of vacant, foreclosed, or abandoned residential properties in blighted condition remains a primary focus for City leaders as it continues to right-size the population's housing needs. Due to the 30% cap of annual CDBG grant expenditure being available for slum/blight activities, the City partnered with the Michigan State Housing Development Authority (MSHDA) to acquire and demolish blighted residential properties. The City received approximately $5.5 million for eligible reimbursements from MSHDA'S Help for Hardest Hit (H4HH) Blight Elimination program. The CDBG program has no match requirements.

All participating jurisdictions under the HOME program must contribute 25% of every dollar in HOME funds as a means to mobilize community resources in support of affordable housing. The HOME statute provides for a reduction of the matching contribution requirement under three (3) conditions: fiscal distress, severe fiscal distress, and for Presidentially-declared major disasters covered under the Stafford Act. As such, the City of Jackson continues to receive 100% exemption from the HOME match requirements due to severe fiscal distress.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the Plan

The City continues to acquire tax reverted parcels in strategic areas to provide for future commercial or residential redevelopment opportunities. Once the properties acquired through the MSHDA Help for Hardest Hit Blight program have reached the end of their five (5) year lien, they can be used for additional commercial redevelopment or infill housing opportunities.

The kitchen facilities in the City's King Community Center are in severe disrepair and/or are obsolete. Located in the heart of one of the more distressed areas of the City, the King Center serves disadvantaged youths, adults, and seniors on a daily basis through a variety of programs and events. Monday through Friday, 20-30 senior citizens attend the King Center Senior Activities program with lunch provided by the Jackson County Health Department. In the evening, hot meals are served to 60-100 youths between 5-17 years of age as part of the after school program. These meals are provided by the Jackson Public Schools nutrition program and prepared by the King Community Center Staff. Throughout the summer months, approximately 225 children and youths are served breakfast, lunch,

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and dinner daily through participation in a youth program. Currently, portions of the gym are used for meal preparation due to the lack adequate kitchen facilities.

Discussion

ANNUAL GOALS AND OBJECTIVES

AP-20 Annual Goals and Objectives

Goal Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Needs Addressed	Funding	Goal Outcome Indicator
1	CDBG Administration/ Planning	2016	2017	Admin/Planning	Administration of program	CDBG: $97,500	Administration of program
2	Residential Rehabilitation	2016	2017	Affordable Housing	Rehabilitation	CDBG: $155,316 HOME: $196,628	Homeowner Housing Rehabilitation: 8 Household Housing Units
3	Residential Demolition	2016	2017	Non-Housing Community Development	Residential Demolition	CDBG: $136,125	Buildings Demolished: 11 Buildings
4	Code Enforcement	2016	2017	Non-Housing Community Development	Code Enforcement	CDBG: $144,000	Housing Code Enforcement/Foreclosed Property Care: 300 Household Housing Units
5	Downtown Investor Owned Rehabilitation	2016	2017	Affordable Housing	Rehabilitation	CDBG: $300,000	Units constructed: 7 Household Housing Unit
6	HOME Administration	2016	2017	Administration	Administration of program	HOME: $21,000	Administration of program
7	Acquisition/ Rehabilitation/ Resale	2016	2017	Affordable Housing	CHDO Reserve	HOME: $32,000	Direct Financial Assistance to Homebuyers: 1 Household Assisted
8	Public Facilities and Infrastructure Improvements	2016	2017	Non-Housing Community Development	Public Facilities and Infrastructure Improvements	CDBG: $310,010	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit

Goal Descriptions

1	**Goal Name**	CDBG Administration/ Planning
	Goal Description	Staff and related costs required for overall program management, planning, coordination, monitoring, reporting, and evaluation.
2	**Goal Name**	Residential Rehabilitation
	Goal Description	Both CDBG and HOME funds will be utilized to provide rehabilitation loans to low-income homeowners to bring properties up to code. CDBG funds only will also support the City's Emergency Hazard Program in which low-income homeowners facing an emergency situation affecting the health, safety, and livability of the home will receive loans to immediately remediate the emergency situation, such as a leaking roof, sewer backup, or a non-working furnace.
3	**Goal Name**	Residential Demolition
	Goal Description	Vacant, foreclosed, or abandoned residential structures creating blight in their neighborhood will be demolished in CDBG eligible areas of the City. Assistance is limited to no more than 30% of the City's annual CDBG expenditures.
4	**Goal Name**	Code Enforcement
	Goal Description	City inspectors will continue housing code inspections to ensure tenants are provided decent, safe, and sanitary living conditions, as well as blight ordinance enforcement to beautify neighborhoods. Due to revenue generated from the City's Non-Owner Occupied Residential Property Registry (NOORPR) and Foreclosed, Vacant and Abandoned (FVA) Residential Property Registry, less CDBG funds are required to support this activity.
5	**Goal Name**	Downtown Investor Owned Rehabilitation
	Goal Description	Partnering with private property owners to create quality, affordable housing above the first story in downtown buildings. Grants are provided to convert vacant space to residential living quarters or rehabilitate existing units, furthering the goal to create a vibrant, viable downtown community in which to live, work, and play.
6	**Goal Name**	HOME Administration
	Goal Description	Staff and related costs required for overall program management
7	**Goal Name**	CHDO New Construction
	Goal Description	The City and its Community Housing Development Organization (CHDO), Community Action Agency, will complete construction of a new residential property to be sold to an income-qualified individual or family.
8	**Goal Name**	Public Facilities and Infrastructure Improvements
	Goal Description	Completion of two street reconstruction projects: ▪ Edward and Winthrop Streets ▪ Mechanic Street from Morrell to Washington

PROJECTS

AP-35 Projects- 91.220 (d)
Introduction

HUD has allocated $1,124,701 in CDBG funds to the City. Combined with the $125,000 in anticipated program income, the 2016-2017 budget is established at $1,249,701. The City's CDBG program anticipates that no less than 70% of the grant funding will be used for activities that provide a benefit to low- and moderate-income persons. Due to decreased funding, the City will utilize the 2016-2017 HOME allocation of $249,628 to service two (2) residential rehabilitations and finalize the construction of the CHDO project that will provide new, affordable housing for one income eligible homebuyer.

Projects

#	Project Name
1	CDBG Administration/Planning
2	Residential Rehabilitation- CDBG
3	Residential Demolition
4	Code Enforcement
5	Downtown Investor-Owned Rehabilitation
6	Code Enforcement Legal Services
7	Street Reconstruction- Edward/Winthrop
8	Street Reconstruction- Mechanic from Morrell to Washington
9	Parks, Recreation & Grounds- King Center Kitchen Renovation
10	Administration- HOME
11	CHDO Reserve
12	Residential Rehabilitation- HOME

Describe the reasons for allocation priorities and obstacles to addressing underserved needs

The Jackson City Council allocated funding as described above to align with its adopted JOES program goals, visions, and strategies. The City believes the greatest return for both public and private investment will result from concentrating the CDBG allocation to improve and upgrade public infrastructure, revitalize neighborhoods, and combining both CDBG and HOME funds to improve residential living conditions.

AP-38 Project Summary
Project Summary Information

1	**Project Name**	CDBG Administration/ Planning
	Goals Supported	CDBG Administration/ Planning
	Needs Addressed	CDBG Administration/ Planning
	Funding	CDBG: $97,500
	Description	Staff and related costs required for overall program management, planning, coordination, monitoring, reporting and evaluation.
	Target Date	06/30/2017

	Estimate the number of type of families that will benefit from the proposed activities	Not applicable to this activity
	Location Description	Staff in the City's Department of Neighborhood & Economic Operations are charged with administration and planning duties related to CDBG. Staff offices are located on the third floor of City Hall at 161 West Michigan Avenue, Jackson, MI 49201.
	Planned Activities	Overall program management, planning, coordination, monitoring, reporting, and evaluation.
2	**Project Name**	Residential Rehabilitation- CDBG
	Goals Supported	Residential Rehabilitation
	Needs Addressed	Rehabilitation
	Funding	CDBG: $155,316
	Description	Housing rehabilitation, emergency hazard, and exterior-only code enforcement loans; staff and related costs required for rehabilitation activities.
	Target Date	06/30/2017
	Estimate the number of type of families that will benefit from the proposed activities	Six (6) low- to moderate-income homeowners will receive a housing rehabilitation or emergency hazard loan.
	Location Description	Site specific projects will be identified during the grant year. Administration of this program will be conducted by the City's Department of Neighborhood & Economic Operations staff, located on the third floor of City Hall, 161 West Michigan Avenue, Jackson, MI 49201.
	Planned Activities	Provide no interest, low payment, 20 year loans to income qualified homeowners to remedy an emergency hazard situation, such as a non-working furnace or leaking roof, or to bring a home into compliance with the City's Housing Maintenance Code.
3	**Project Name**	Residential Demolition
	Goals Supported	Residential Demolition
	Needs Addressed	Residential Demolition
	Funding	CDBG: $136,125
	Description	Demolition of foreclosed, vacant, or abandoned residential structures which create a blighting influence in their neighborhood.
	Target Date	06/30/2017
	Estimate the number of type of families that will benefit from the proposed activities	Limited to no more than 30% of the City's annual CDBG expenditures, approximately eleven (11) residential structures containing eighteen (18) housing units will be demolished.
	Location Description	Specific sites within the City will be identified during the grant year; all projects will be located in CDBG- eligible low- to moderate-income neighborhoods.
	Planned Activities	Demolish blighted foreclosed, vacant, or abandoned residential structures, removing blighting influences within the neighborhood.
4	**Project Name**	Code Enforcement
	Goals Supported	Code Enforcement
	Needs Addressed	Code Enforcement

	Funding	CDBG: $144,000
	Description	Staff and related costs required for code enforcement activities such as blight ordinance enforcement and systematic housing code inspections.
	Target Date	6/30/2017
	Estimate the number of type of families that will benefit from the proposed activities	Three Hundred (300) non-owner occupied housing units in low- to moderate-income areas will be inspected to ensure tenants have decent, safe and sanitary living conditions. In addition, approximately three hundred (300) blight citations will be issued to properties violating garbage, vehicle, and noxious weed ordinances.
	Location Description	Specific sites within the City will be identified during the grant year; all activities will be located in CDBG- eligible low- to moderate-income neighborhoods.
	Planned Activities	Continued housing code and blight ordinance enforcement.
5	**Project Name**	Downtown Investor Owned Rehabilitation
	Goals Supported	Downtown Investor Owned Rehabilitation
	Needs Addressed	Rehabilitation
	Funding	CDBG: $300,000
	Description	Rehabilitation of downtown investor owned residential units
	Target Date	06/30/2017
	Estimate the number of type of families that will benefit from the proposed activities	Seven (7) low- to moderate-income families
	Location Description	Site specific projects will be identified during the grant year and targeted to the approved downtown area.
	Planned Activities	Provide grants of up to $40,000 per unit with a five (5) year affordability period past the first tenant occupancy for conversion or construction of a residential unit in an existing downtown building. Construction and rehabilitation costs are used for materials and labor associated with meeting the requirements of State statutes and local building, housing, and zoning codes and ordinances, improve energy efficiency, correct code violations, obtain necessary building permits and related fees, make necessary accessibility improvements, and to eliminate/minimize lead paint hazards as identified by a lead risk assessment.
6	**Project Name**	Code Enforcement- Legal Services
	Goals Supported	Code Enforcement
	Needs Addressed	Code Enforcement
	Funding	CDBG: $10,000
	Description	The City Attorney's Office provides legal services for various code enforcement activities including ordinance prosecution (Housing Code and blight elimination), and contract review and approval.
	Target Date	06/30/2017
	Estimate the number of type of families that will benefit from the proposed activities	Approximately three hundred (300) code enforcement cases of occupied housing units in low- to moderate-income areas will be issued to properties violating garbage, vehicle and noxious weed ordinances.

	Location Description	Administration of this program will be conducted by the City's Attorney's office, located on the twelfth floor of City Hall, 161 West Michigan Avenue, Jackson, MI 49201.
	Planned Activities	Review of code enforcement activities to address the elimination of blight and improve the housing stock in CDBG eligible areas. Consult with CDBG code enforcement inspectors regarding code, search warrant, garbage/clean-up, and legal issues. A staff attorney handles the legal work through the Administrative Hearings Bureau (AHB) to authorize issuance of code enforcement actions of CDBG eligible cases.
7	**Project Name**	Street Reconstruction- Edward/Winthrop
	Goals Supported	Public Facilities and infrastructure improvements
	Needs Addressed	Public Facilities and infrastructure improvements
	Funding	CDBG: $198,110
	Description	Reconstruction of Edward and Winthrop Streets
	Target Date	06/30/2017
	Estimate the number of type of families that will benefit from the proposed activities	One Thousand Sixty (1060) low/mod residents
	Location Description	Census Tract 5 Edward Street from Wildwood to Winthrop Winthrop Street from Edward to east end
	Planned Activities	Reconstruction of street with twenty-nine (29) foot width, new curb, gutter, and pavement.
8	**Project Name**	Street Reconstruction- Mechanic from Morrell to Washington
	Goals Supported	Public Facilities and infrastructure improvements
	Needs Addressed	Public Facilities and infrastructure improvements
	Funding	CDBG: $111,900
	Description	Reconstruction of 0.38 miles of Mechanic Street from Morrell Street (south end) to Washington Avenue (north end).
	Target Date	06/30/2017
	Estimate the number of type of families that will benefit from the proposed activities	Mechanic Street is a boundary street between Census Tract 10, Block Group 1 (555 low-moderate income residents) and Census Tract 11, Block Group 2 (945 low-moderate income residents).
	Location Description	Borders CT 10, BG 1; CT 11, BG 2 Mechanic Street from Morrell Street (south) to Washington Avenue (north).
	Planned Activities	Reconstruction of street with thirty-two (32) foot width, new curb, gutter, and pavement.
9	**Project Name**	Parks, Recreation & Grounds- King Center Kitchen Renovation
	Goals Supported	Create Suitable Living Environment
	Needs Addressed	Create Suitable Living Environment
	Funding	CDBG: $20,000
	Description	Architectural drawings and design for the renovation of the King Community Center Kitchen.
	Target Date	06/30/2017

	Estimate the number of type of families that will benefit from the proposed activities	Approximately 15,000 meals are served annually through the King Community Center Kitchen, including, but not limited to: disadvantaged seniors participating in daily Senior Activity Programs, children and youth taking part in the King Center After-School, and/or Summer Youth Programs. The kitchen is utilized by the community for annual school programs, neighborhood indoor events, church teas, and picnics with attendance rates of 200-400 people per event. Ninety (90%) percent of those attending King Center youth and senior programs are from low income households in a disadvantage area of the City.
	Location Description	Census Tract 11, Block Group 2 - 1107 Adrian Street, Jackson, Michigan.
	Planned Activities	Initial funding will support planning, design, and cost study for a complete kitchen renovation; construction costs to complete the project will be allocated as the project proceeds either through re-budgeting or 2017-2018 allocation.
10	**Project Name**	Administration- HOME
	Goals Supported	HOME Administration
	Needs Addressed	HOME Administration
	Funding	HOME: $24,000
	Description	Staff and related costs required for overall program management
	Target Date	06/30/2017
	Estimate the number of type of families that will benefit from the proposed activities	Not applicable for this activity
	Location Description	Staff from the City's Department of Neighborhood & Economic Operations will be responsible for administering the HOME grant funds. Staff offices are located on the third floor of City Hall, 161 West Michigan Avenue, Jackson, MI 49201.
	Planned Activities	Overall program management.
11	**Project Name**	CHDO Reserve
	Goals Supported	New Construction
	Needs Addressed	CHDO Reserve
	Funding	HOME: $37,445
	Description	Utilized for set aside no less than 15% of the City's 2016-2017 HOME allocation to a CHDO- eligible activity.
	Target Date	06/30/2017
	Estimate the number of type of families that will benefit from the proposed activities	One (1) low-to moderate-income family
	Location Description	511 S Webster St, Jackson, MI 49203
	Planned Activities	Funding will be used towards overall construction costs to the CHDO development of S11 S Webster. At completion of project the home will be sold to an income eligible homebuyer.
12	**Project Name**	Residential Rehabilitation- HOME
	Goals Supported	Residential Rehabilitation
	Needs Addressed	HOME Administration

	Funding	HOME: $188,183
	Description	Provision of no interest, low payment loans to bring a residential property up to housing code.
	Target Date	06/30/2017
	Estimate the number of type of families that will benefit from the proposed activities	Two (2) low-income families
	Location Description	Specific sites to receive rehabilitation assistance will be identified throughout the grant year.
	Planned Activities	Provide no interest, low payment 20-year loans to low-income homeowners to provide decent, safe and sanitary living conditions as prescribed in the City's Housing Maintenance Code.

AP-50 Geographic Distribution

Description of geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed.

The City continues to focus on areas that coincide with the JOES program goals, strategies, and vision. Thus, improvements to the downtown and immediately adjacent neighborhoods will continue on into 2016-2017. Projects include the Mechanic Street reconstruction, code enforcement, blight reduction through demolition, and the Downtown Investor-Owned Rehabilitation program.

The nature of the additional activities determine its geographic distribution. For instance, homeowner rehabilitation is based on a household's income which must be 80% or less of the Area Median Income (AMI) (50% or less of the Area Median Income for emergency hazard assistance) regardless of area eligibility, thus can be conducted city-wide. Infrastructure improvements and demolition will be limited to areas of the City that are primarily residential and determined by HUD to be made up of at least 51% low- to moderate-income residents. City staff will review proposed activities and the appropriate National Objective to assist in its eligibility determinations.

Rationale for the priorities for allocating investments geographically

With the exception of projects that require income eligibility, all activities will be conducted within HUD identified CDBG eligible areas within the City. Increased funding has been allocated to the Downtown Investor-Owned Rehabilitation as the downtown is the City's most vital neighborhood and serves as the community commons. Through the surge of recent development, the downtown offers a rich array of choice in commerce, entertainment, business, housing, and transportation. The most recent Target Market Analysis (2014), found that there is the potential annual need for 270 new dwelling units in the downtown, including 97 in the downtown core.

AFFORDABLE HOUSING

AP-55 Affordable Housing- 91.220
Introduction

The City of Jackson will utilize its CDBG and HOME funds to rehabilitate existing homeowner units and downtown investor-owned residential units. Due to increased interest and development pressure in the downtown area, the Downtown Investor-Owned Rehabilitation activity will allow for up to seven (7) converted vacant spaces or rehabilitated affordable housing units in a mixed-use setting. Partnering with Community Action Agency (CAA) as the City of Jackson's CHDO, a new home will be built in a transitional neighborhood and ready for sale to an income qualified individual or family. The following section indicates the City's one (1) year affordable housing goals.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	8
Special- Needs	5
Total	13

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	7
Rehab of Existing Units	6
Acquisition of Existing Units	0
Total	13

AP-60 Public Housing- 91.220 (h)
Introduction

The Jackson Housing Commission (JHC) has been in operation for over 50 years, providing 543 public housing units within three (3) Asset Management Projects (AMP) and administering 475 Housing Choice Vouchers (more commonly referred to as "Section 8#). The AMP locations are as follows:

- Chalet Terrace- located in the southeast corner of Census Tract 11, Chalet Terrace provides 100 public housing units in 44 separate buildings. This AMP also has 26 scattered site, single family homes in Census Tracts 11 and 12.
- Reed Manor- this location houses the Central Office and is the largest and oldest of the three AMPS. It is located on the western edge of Census Tract 6, north of the downtown loop and provides 292 public housing units in nine separate two-story building.
- Shahan-Blackstone North- provides 108 public housing units in 24 separate buildings located north of downtown near the northern jurisdictional boundary and, although it is over 30 years old, is the newest public housing complex. Shahan also has 14 scattered site, single family homes in close proximity in Census Tract 2.

Under the Housing Choice Voucher program, HUD voucher recipients are allowed to select housing in the private market. The CAA also administers over 300 vouchers for the Michigan State Development Authority (MSHDA). Even though the program provides a choice of where to live, the highest voucher

concentrations within the City are in Census Tracts 10 and 13, which is also one of the more distressed area of the City. The largest concentration of Section 8 vouchers in Jackson County is in Summit Township, immediately west of the City limits.

Actions planned during the next year to address the needs to public housing
During 2016-2017, the Jackson Housing Commission will focus on integrating services, which will stabilize tenant base, and also promote personal and economic self-sufficiency. The Jackson Housing Commission will have a full-time on-site case manager to address needs, connect to community resources, and act as a liaison and advocate for tenants.

Actions to encourage public housing residents to become more involved in management and participate in homeownership
The Jackson Housing Commission intends to work with community agencies to begin teaching job skills/work readiness workshops, health and nutrition classes, and an on-site HeadStart program.

AP-65 Homeless and Other Special Needs Activities

Introduction

The City of Jackson has neither the facilities nor resources available to provide an impact on homeless and other special needs activities. The Jackson County Continuum of Care (CoC), and its participating public/private agencies receive direct funding from HUD for transitional and permanent supportive housing programs. Emergency Solutions Grant allocations from the Michigan State Housing Development Authority is also available to address homelessness prevention and rapid re-housing.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness

While the City may not have the resources or facilities to render a direct impact on homelessness, it does offer assistance to disadvantaged homeowners with housing maintenance and repair. The City does so by providing low cost, low interest, forgivable loans for emergency hazard or full rehabilitation, thereby keeping the home affordable and potentially preventing a family from becoming homeless.

Reaching out to homeless persons (especially unsheltered person) and assessing their individual needs

Outreach is conducted by the various agencies participating in the CoC, usually directed to the specific population an agency serves. Proper case management and use of assessment tools facilitate connecting those in need to programs and resources available in the community. By assessing each household individually, case managers are able to design action plans to help individuals and families stabilize their housing while receiving assistance in managing other life situations.

Addressing the emergency shelter and transitional housing needs of homeless persons

While the City of Jackson will not be specifically addressing emergency shelter and transitional needs of homeless persons, it will consider providing assistance on a case-by-case basis when requested to ensure the infrastructure needs of emergency shelters are addressed. Continued inspections of shelters and transitional housing units by City inspectors will ensure tenants are living in decent, safe, and sanitary conditions.

Helping homeless person (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Other public and private funds are available within the community to address these situations and are more appropriately led by agencies trained and qualified in addressing the transition to permanent housing and independent living. The City of Jackson has determined it does not receive sufficient funds to support these types of programs while it focuses on improving the community as a whole.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

Other public and private funds are available within the community to address these situations and are more appropriately led by agencies trained and qualified in helping low-income individuals and families avoid becoming homeless. The City of Jackson has determined it does not receive sufficient funds to support these types of programs while it focuses on improving the community as a whole.

AP-75 Barriers to affordable housing- 91.22 (j)
Introduction:

At the time this Action Plan was drafted, the City of Jackson's updated Master Plan was out for public comment and has not been adopted.

Actions it planned on remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City is committed to the principle that all individuals should have an equal opportunity to access housing choices regardless of their religion, race, color, national origin, sex, familial status, or disability. The City's Fair Housing Ordinance found in Chapter 14, Article IV of the City of Jackson Code of Ordinances adds an additional protected class above those required under federal law, making it illegal to discriminate based on an individual's legal source of income. To that end, the City will continue to plan for and assemble vacant lots for construction of new housing when feasible.

Through regular and frequent housing code inspections, the City promotes and maintains its affordable housing stock, as well as provision of emergency hazard loans to very-low income households, rehabilitation loans to low-to moderate-income households, and eligible activities under HOME program to provide homebuyer assistance.

At this time, the City is waiting for the conclusion of the public comment period and the adoption of the revised Master Plan. However, the City's zoning ordinance provides for more than sufficient land use

and density categories that permit the building of affordable housing. Coupled with the City's efforts to right-size the supply to that commensurate with the demand, it is anticipated that the production of new affordable housing units in downtown and those constructed via the partnership with the CHDO will achieve the goals outlined in the JODES program. Furthermore, upon adoption of the Master Plan, the City will finalize its Analysis of Impediments to Fair Housing Choice and revisit strategies to remove or ameliorate potential barriers to affordable housing.

AP-85 Other Actions- 91.220 (k)

Introduction

The City of Jackson will take measures to address the other actions listed below as limited financial resources allow.

Actions planned to address obstacles to meeting underserved needs

With the continued reduction in CDBG funding received from HUD, the City is unable to provide public service funding as a direct benefit to address underserved needs. During the allocation process, the City considers overall investments and improvements to uplift the economic conditions of the community as a whole when determining which projects to fund that ultimately benefits those with unmet needs.

Actions planned to foster and maintain affordable housing

The City of Jackson administers several programs which foster and maintain affordable housing. Income qualified homeowners are invited to apply for zero-interest, low repayment rehabilitation loans to assist in the long term maintenance and livability of a residential property, or to alleviate a hazardous condition through an emergency hazard loan. Downtown Investor-Owned Rehabilitation allows for additional affordable units within the City's most vital neighborhood and community commons. Continued and consistent inspections of non-owner occupied housing units will ensure tenants have decent, safe, and sanitary living conditions. Although the City is continuing to demolish an oversupply of vacant and obsolete housing in blighted condition, long term plans are to replace a portion of that housing stock with new, updated, and energy efficient housing units.

Actions planned to reduce lead-based paint hazards

The City of Jackson will continue its rehabilitation program which addresses lead paint hazards through testing, requiring lead-safe work practices, encapsulating or abating lead hazards during the rehabilitation process, and obtaining clearance reports. Vacant and aging housing stock in dilapidated condition will be demolished using lead-safe work practices, thereby eliminating the hazardous condition.

Contractors applying for building permits receive information regarding the Lead-Based Paint Renovation, Repair and Painting (RRP) rule. Code enforcement offices continue to educate property owners and tenants by dispersing lead information packets within the community. At the time of drafting this document, the City has proposed an amendment to Section 17-7 of the City Code of Ordinances to require submission of a Lead Risk Assessment for all Non-Owner Occupied Property Registrations. This proposed ordinance amendment will assist in curbing lead risks and the harmful effects in non-owner occupied dwellings.

Actions planned to reduce the number of poverty-level families

The City of Jackson has neither the resources nor facilities to carry out programs directly targeted at reducing the number of households living at or below the poverty level. Through the use of CDBG and HOME funds, the City offers services and programs to assist its low- and moderate-income residents to ensure they have decent, safe, and sanitary housing to reside in safe and clean neighborhoods. These services and programs include, but are not limited to, housing code inspections of non-owner occupied residential properties, emergency hazard loans, homeowner rehabilitation loans, downtown investor-owned rehabilitation grants, and demolition of vacant, foreclosed, and abandoned blighted residential properties.

Actions planned to develop institutional structure

City leaders and staff will continue to participate in developing institutional relationships through direct contact with public and private agencies, and participating in community-based boards and commissions to remain cognizant of the area's needs. Continued coordination between public, private, and faith-based entities are encouraged to increase the institutional structure to provide the greatest benefit to the community and constituents.

Actions planned to enhance coordination between public and private housing and social service agencies

City staff serve as President of the Jackson Housing Commission (JHC) Board of Commissioners and participates in other meetings, such as the Continuum of Care, which focus on homelessness, affordable housing, and social service needs. Active participation on these and other community boards and commissions is conducive to a collaborative, well planned, focused effort to meet the community's needs.

With the installation of a new Executive Director at the end of 2015, the Jackson Housing Commission (JHC) will be focused on integrating services to stabilize the tenant base and promote personal and economic self-sufficiency. The JHC will employ a full-time on-site case manager to advocate for tenants and connect residents to community resources to help meet their individual needs. . The JHC is also forming partnership with community service agencies and faith-based organizations to provide job skills/work readiness workshops, health and nutrition classes, and reinstate an on-site Head-Start program at Shahan-Blackstone North Apartments.

PROGRAM SPECIFIC REQUIREMENTS

AP-90 Program Specific Requirements- 91.220 (l)(1,2,4)

Introduction

HUD released the 2016-2017 formula allocations for CDBG and HOME entitlements on February 17, 2016. Jackson will receive $1,124,701 in CDBG and $249,628 in HOME funds, resulting in another year of decreased funding.

Staff in the City's Department of Neighborhood & Economic Operations are responsible for ensuring compliance with all program-specific rules and regulations, as well as numerous cross-cutting federal

regulations that apply to all federal funds. Proper administration of CDBG/HOME funds includes, but is not limited to:

- Receiving applications for funding and reviewing same for eligibility.
- Performing a risk analysis of applicants requesting funds.
- Preparing reports for the City Manager, Mayor and City Council.
- Performing environmental reviews
- Preparing the Five (5) Year Consolidated Plan, One (1) Year Action Plan, and Analysis of Impediments for submission to HUD, as required.
- Preparing Written Agreements to those entities receiving an allocation.
- Preparing the CAPER.
- Monitoring subrecipients: quarterly desk review and annual on-site reviews.
- Reviewing reimbursement requests for eligibility.
- Conducting site visits to projects while in progress.
- Conducting Davis-Bacon interview on construction sites for Labor Standards compliance.
- Maintaining files and records relating to the overall administration of the programs.
- Reviewing payment request for accuracy and eligibility.
- Reconciling financial records with IDIS.
- Preparing and reconciling reports submitted with the CAPER.
- Preparing Federal Cash Control Reports.
- Ensuring accuracy of data entered into IDIS.
- Preparing budgets and forecasts.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220 (l)(1)

Projects planned with CDBG funds expected to be available during the coming year are identified in the Projects Table. The following denotes program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loans guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**0**

Other CDBG Requirements

1. The amount of urgent needs activities	0

HOME Investment Partnership Program (HOME)
Reference 24 CFR 91.220 (l)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 are as follows:

   The City does not anticipate using HOME funds for other forms of investment not already described in 24 CFR 92.205(b).

2. A description of the guidelines that will be used for resale of recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

   The City of Jackson controls the resale of homebuyer property during the period of affordability using the recapture option as follows:

   - Should a homebuyer receiving a direct HOME subsidy in the amount of $5,000 or less sell the property during the affordability period, repayment of the entire direct HOME subsidy will be triggered.
   - Should a homebuyer receiving a direct HOME subsidy in excess of $5,000 sell the property during the affordability period, repayment of the direct HOME subsidy will be directly tied to the length of time the homebuyer has occupied the home in relation to the period of affordability.

   If there are no net proceeds from the sale or the net proceeds are insufficient to repay the HOME subsidy due, the City will recapture the amount of the net proceeds, if any. Recaptured funds will be used for any HOME-eligible activity. The homeowner will receive a return on investment only if there are remaining net proceeds from the sale after payment of all outstanding mortgages, including the HOME mortgage and closing costs.

3. A description of the guidelines for resale of recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254 (a)(4) are as follows:

   HOME-assisted housing will meet affordability requirements for not less than the applicable period as specified below, beginning after project completion:

   - Less than $15,000 HOME investment per unit= 5 years affordability
   - $15,000 to $40,000 HOME investment per unit= 10 years affordability
   - More than $40,000 HOME investment per unit= 15 years affordability
   - New construction of rental housing= 20 years affordability
   - Refinancing of rental housing= 15 years affordability

   Throughout the affordability period, HOME-assisted housing will be occupied by income-eligible households. If a home purchased with HOME assistance is sold during the affordability period, the resale/recapture provisions identified above will apply to ensure continued provision of affordable homeownership. If any rental housing receives HOME-assistance, which is not currently planned, when units become vacant, subsequent tenants will be income-eligible and charged the applicable HOME rent.

4. Plans for using HOME funds to refinance existing debt secured by multi-family housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

   The City of Jackson will be not be utilizing HOME funds to refinance existing debt secured by multi-family housing.

CITY COUNCIL MEETING
March 29, 2016

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Derek Dobies – City Councilman, City of Jackson
SUBJECT: Adoption of Ordinance No. 2016-##

RECOMMENDATION: Move approval and advance to second reading and final adoption the ordinance amending Division 10, Sections 2-366 through 2-380 of Article II, Chapter 2 of the Code of Ordinances of the City of Jackson, Michigan to establish the City of Jackson Environmental Commission, and set the powers and duties thereof.

More and more, people across the country recognize the effect their presence has on climate and the need to be good stewards of our planet through environmentally sustainable practices. The private sector too understands the value in being sustainable, as corporations market environmentally responsible products and packaging to consumers. As the trend of people moving back into urban cores continues, successful cities of the future must recognize this value and find ways to build a more environmentally friendly and sustainable infrastructure through sound public policy.

Already, cities across our country are exploring new ways to *go green*. In doing so, they not only pass sound public policy aimed at protecting the environment and improving the health of their residents, but also developing the solutions that realize some very real cost savings. The City of Jackson has already taken a number of small steps to reduce our environmental impact. In the last few years, we have:

(1) We converted downtown lighting to metered LED, and installed new lighting on the first floor of city hall that improved energy efficiency, cut KWH almost in half, and saved over $1,000 a year.
(2) As the Arbor Day Foundation's Tree City USA, we've increased tree planting to reduce runoff, lessen energy costs, and further beautify our community.

This ordinance would create an Environmental Commission tasked with advising the City Council on policies and programming that will help Jackson lead the state in building an environmentally responsible and sustainable future for residents and businesses alike.

If Council has any questions, please feel free to contact Vice Mayor Dobies.

CC w/att: Patrick Burtch, City Manager

ORDINANCE NO. 2016-##

An Ordinance amending Division 10, Sections 2-366 through 2-380 of Article II, Chapter 2 of the Code of Ordinances of the City of Jackson, Michigan to establish the Jackson Environmental Commission and set the powers and duties thereof.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Sec. 2-366. - Title.

This division shall be known as the Environmental Commission.

Sec. 2-367. - Intent and Purpose.

The establishment of the Environmental Commission is to develop comprehensive, integrated environmental policies for implementation by the city to protect and enhance our air, water, land, and public health. It shall help to set goals and policies for the city and community to continuously improve the natural and built environment. The commission will only act as an advisory group, and does not have any regulatory authority. It shall not involve itself in individual site development reviews, unless its opinion is requested by City Council.

Sec. 2-368. - Composition.

a) The Environmental Commission shall consist of five (5) members nominated by the Mayor and approved by City Council, who shall be residents of the City. Members shall serve for 3-year terms. In making appointments of members of the Environmental Commission, the Mayor shall recommend, and City Council shall appoint, persons who, insofar as possible, have experience and/or an interest in protecting and enhancing the well-being of the environment and public health of the community.

b) The terms of office of the first Environmental Commission members appointed hereunder shall be fixed by the Mayor and City Council so that the terms of two (2) member will be for 1 year, two (2) members will be for 2 years, and one (1) will be for 3 years. After the initial Commission is formed, all members thereafter will be appointed for 3-year terms.

c) The Environmental Commission may appoint up to three (3) appointed ex-officio members to the Environmental Commission for 1-year terms. These ex-officio members shall be experienced and/or have interest in environmental conservation, protection and awareness, energy, sustainability, and can serve as resource persons and/or serve on committees. The Environmental Commission shall have the following four statutory ex-officio members:

a. The City Manager or her/his designee shall be an ex-officio member of the Commission and provide adequate support staffing to the Commission.

b. One (1) City Councilmember shall be an ex-officio member of the Environmental Commission, who shall be appointed to said body in accordance with policies established by the Mayor and City Council.

c. To help coordinate an integrated environmental policy, the Planning Commission shall appoint one (1) of its members to the Environmental Commission for a 1-year term, which shall not require the approval of the City Council.

d. To help coordinate an integrated environmental policy, the Parks & Recreation Commission shall appoint one (1) of its members to the Environmental Commission for a 1-year term, which shall not require the approval of the City Council.

d) All ex-officio members, both appointed and statutory, shall be voting members.

e) The Environmental Commission shall submit to City Council an annual strategic plan for the Council's review.

Sec. 2-369. - Powers and duties as to Environmental Commission.

The Environmental Commission shall have the following powers and duties:

a) To advise and make recommendations to the City Council and City Manager on environmental policy, environmental issues and environmental implications of all city programs and proposals on the air, water, land and public health.

b) To advise the City Council and City Manager on all solid waste policy and management issues including the reduction, reuse, recycling and proper disposal of solid waste in the City of Jackson.

c) To advise the City Council and City Manager on environmental aspects of transportation issues, including implementation of city transportation plans, alternative transportation issues, alternative fuel vehicles, bicycling improvements, Clean City Program initiatives, parking issues and related transportation issues.

d) To advise the City Council and City Manager on environmental risk and pollution issues, including community right-to-know, emergency planning, pesticide and herbicide use and policies, pollution prevention, air and water pollution, indoor air quality, worker health and safety, environmental remediation and restoration, and environmental impact of city procurement policies.

e) To advise the City Council and City Manager on drinking water, sewer, water quality, flooding, and stormwater management issues, including: water treatment plant issues; wastewater treatment plant issues; and the water quality, protection, restoration, and improvement of the Grand River.

f) To advise the City Council and City Manager on all matters related to sustainable development, clean production, and environmental technologies.

g) To advise the City Council and City Manager concerning effective advocacy for the city in regional, state and federal environmental matters.

h) To advise the City Council and City Manager on enhancing the awareness, understanding, commitment, and active involvement of local citizens in ensuring wise stewardship of the city's natural resources, now and in the future, through education, volunteerism, public/private partnerships, and incentive programs.

i) To coordinate and collaborate with commissions in other jurisdictions and other environmental organizations to address regional and state environmental matters.

j) To create committees to help conduct the work of the Environmental Commission, provided that a member of the Environmental Commission chairs each committee, the Environmental Commission appoints additional committee members for a time certain, and the names and qualifications of committee members appointed by the Environmental Commission are forwarded to City Council.

k) To work collaboratively with other city commissions and committees that have responsibilities for specific issues, including but not limited to: the Planning Commission, the Parks & Recreation Commission, and the Ella Sharp Park Board of Trustees.

l) To hold public hearings on environmental issues and concerns.

m) To present an annual report on the City of Jackson's "State of the Environment," using, whenever possible, measurable performance indicators to monitor long term trends.

n) To have all other powers and duties granted by the City Council by resolution.

Sec. 2-370. - Conservation fund established.

a) *Public funding.* There is further hereby established a "Conservation Fund" to which shall be appropriated each year by the City Council. All such funds as are appropriated to the conservation fund may be accumulated and expended for such activities, from time to time, to carry out the powers and duties of the Commission. Provided, however, that any unexpended or un-appropriated fund balance in the conservation fund may, from time to time, be re-appropriated by the City Council for any such other public purposes as permitted by law which the City Council shall deem necessary or proper.

b) *Private funding.* All funds placed into the Conservation Fund through private donations shall be expended for only activities as outlined in this Division.

Sec. 2-371. - Other sources of funding for conservation.

The City may accept monetary gifts, grants, donations, or awards for the purposes of carrying out the powers and duties of the Environmental Commission into the conservation fund. The Environmental Commission may work with nonprofit or other organizations to raise funds for projects and activities as the Commission sees fit. Crowd-funding, and other fundraising mechanisms, may be used to solicit donations.

Sec. 2-372. - Severability.

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Chapter.

Secs. 2-373 - 2-380. - Reserved.