

Proposed Agenda

February 16, 2012

(Revised)

Honorable Mayor and
Members of the City Council
City of Jackson

Dear Mayor and City Councilmembers:

The next regular meeting of the City Council will be held on Tuesday, February 21, 2012, at 7:00 p.m., in the City Council Chambers. The following items will appear on Tuesday's agenda.

1. **Call to Order.**
2. **Pledge of Allegiance** – Invocation by Derek Dobies, 6th Ward City Councilmember.
3. **Roll Call.**
4. **Adoption of Agenda.**
5. **Citizen Comments. (3-Minute Limit)**
6. **Presentations/Proclamations.**
7. **Consent Calendar.**
 - A. Approval of the minutes of the regular City Council meeting of February 7, 2012.
 - B. Approval of the request to conduct the 25th annual Jackson Storyfest at 15-16 downtown Jackson sites to include churches, Jackson Symphony Orchestra, City Hall, and the County Building on Friday, June 4, and Saturday, June 5, 2012, from 9:00 a.m. to 1:00 p.m., and 7:30 p.m. to 10:00 p.m. (Recommended approval has been received from the Police, Fire, Parks, Engineering, and Public Works Departments, and the Downtown Development Authority. Proper insurance coverage has been received.)
 - C. Approval of the request from the Grand River Environmental Action Team (GREAT) to conduct a Public Paddle on Sunday, June 17, 2012, from 11:00 a.m. through 5:00 p.m. at Lion's Park. (Recommended approval has been received from the Police, Fire, Parks, Engineering, and Public Works Departments, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
 - D. Approval of the purchase of well parts from Northern Pump and Well Company, Lansing, in the amount of \$37,086.32, and authorization for the City Engineer/Director of Public Works to execute the appropriate document(s), in concurrence with the Purchasing Agent.
 - E. Approval the bid award for the purchase of a truck hoist for the Department of Public Works from Allied, Inc., Ann Arbor, in the amount of \$61,665.00, and authorization for the Mayor and City Clerk to execute the appropriate document in concurrence with the recommendation of the Purchasing Agent and the City Engineer/Director of Public Works.
 - F. Approval the renewal of the Material Testing Contract with CTI & Associates in the amount of \$208,000.00, and authorization for the Mayor and City Clerk to execute the appropriate contract renewal documents.
 - G. Approval of Final Change Order No. 1, to the contract with Concord Excavating and Grading, Inc., Concord, in the increased amount of \$50,562.45, for additional work not included in the original contract for the 2011 CDBG Local Street Repaving and Water Main Project – Loomis Street, and authorization for the City Manager and City Engineer/Director of Public Works to execute the appropriate document(s), in accordance

- with the recommendation of the City Engineer/Director of Public Works.
- H. Approval of the award of the owner-occupied rehabilitation contract for 1415 Woodsum to Harrison Builders in the amount of \$24,305.00.
 - I. Receipt of the City of Jackson's summary of revenue and expenditures for seven (7) months ended, January 31, 2012.
 - J. Receipt of Summons and Complaint filed in the Ingham County Circuit Court by Abelardo Morales vs. City of Jackson Community Development Department, and referral to the City Attorney for appropriate action.
 - K. Receipt of the CDBG and HOME Financial Summaries through January 31, 2012.
 - L. Receipt of the Dangerous Building Report through January 31, 2012.
 - M. Receipt of the City Engineer's Report for street construction on Durand Street from the south end to Morrell Street, and establishment of March 13, 2012, at the City Council meeting as the time and place to hold a public hearing of necessity.

8. **Committee Reports.**

9. **Appointments.**

- A. Consideration of the Mayor's recommendation to appoint M. Teresa Gibson to the Human Relations Commission filling a current vacancy beginning immediately, and ending December 31, 2012.

10. **Public Hearings.**

Recess as a City Council and convene as a Board of Review.

- A. Public hearing on Special Assessment Roll No. 4211 for Meterless Parking 2011-2012.
 - 1. Resolution confirming Roll No. 4211.

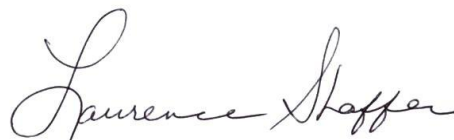
Adjourn as a Board of Review and reconvene as City Council.

11. **Resolutions.**

- A. Consideration of a resolution amending the 2011-2012 Budget to reflect the receipt of the Michigan Commission on Law Enforcement Standards (MCOLES) Grant, in the amount of \$33,283.00.
- B. Consideration of a resolution approving a request from Wool E. Bully's Inc., transferring all stock in 2010 Class C licensed business with dance-entertainment permit, located at 300 W. North, Jackson, MI 49202, Jackson County, wherein Ricky L. LeMaster transfers 60,000 shares of stock to new joint stockholders, Tomas N. Cobb and Tracina Cobb.
- C. Consideration of a resolution amending the Community Development Block Grant budget for fiscal year 2009/2010 to reallocate funds within previously approved street projects.
- D. Consideration of resolutions establishing March 27, 2012, at the City Council meeting as the time and place to hold public hearings on the following special assessment rolls, and directing the City Assessor to prepare the rolls, in accordance with the recommendation of the City Clerk:
 - 1. Special Assessment Roll No. 4205 – Delinquent General Fund Accounts Receivable.
 - 2. Special Assessment Roll No. 4206 – Delinquent Miscellaneous Building Department Fund Accounts Receivable.
 - 3. Special Assessment Roll No. 4207 – Delinquent Miscellaneous CDBG Fund Accounts Receivable.
 - 4. Special Assessment Roll No. 4208 – Delinquent Miscellaneous Wastewater Fund Accounts Receivable.
 - 5. Special Assessment Roll No. 4209 – Delinquent Miscellaneous Water Fund Accounts Receivable.
 - 6. Special Assessment Roll No. 4210 – Delinquent Miscellaneous Public Works Fund Accounts Receivable.

12. **Ordinances.**
- A. Consideration of an ordinance amending Section 2-509.2, Chapter 2, Article VI, City Code, to extend for an additional four (4) years the time for an eligible city employee to participate in the Deferred Retirement Option Program (DROP).
 - B. Final adoption of Ordinance No. 2012.2, amending Chapter 25, Section 25-30, Article II, City Code, to increase the penalties for parking violations.
 - *C. Final adoption of Ordinance No. 2012.3, establishing a Registry for Non-Owner Occupied Structures and Units, and to revise various sections of Chapter 14 in order to update certain provisions.
 - *1. **Item Revised.**
 - 2. Consideration of a resolution establishing fees associated with the Housing Code in Chapter 14 of the City Code of Ordinances.
13. **Other Business.**
- A. Consideration of the following request regarding the preliminary funding allocations for the 2012-2013 Fiscal Year Community Development Block Grant (CDBG) and HOME Investment Partnerships Program Funds as determined by City Council:
 - 1. Receipt of report and preliminary funding recommendation from Councilmember Frounfelker on behalf of the City Council, and
 - 2. Approval of the preliminary funding recommendation.
 - B. Consideration of a request from First Ward City Councilmember Carl L. Breeding to name a City street after Dr. Martin Luther King, Jr., and of a motion to refer the request to the City Affairs/Rules & Personnel Committee, the Human Relations Commission, and others with directions to conduct hearings, to study, and to make recommendations to the City Council during a June 2012 City Council meeting.
14. **New Business.**
- A. Consideration of the request to accept the Purchase Agreement to sell the property at 1707 E. Ganson Street for \$28,000.00, and authorization for the Mayor and City Clerk to execute the deed; for the Deputy City Manager, or his designee, to sign any required documents at closing, and for the City Attorney to make minor modifications to the closing documents and to take all other action necessary to effectuate the closing.
 - B. Consideration of the request to accept the Purchase Agreement to sell the property at 509 W. Franklin Street for \$25,000.00, and authorization for the Mayor and City Clerk to execute the deed; for the Deputy City Manager, or his designee, to sign any required documents at closing, and for the City Attorney to make minor modifications to the closing documents and to take all other action necessary to effectuate the closing.
15. **City Councilmembers' Comments.**
16. **Manager's Comments.**
17. **Adjournment.**

Respectfully submitted,



Laurence Shaffer
City Manager

JACKSON CITY COUNCIL MEETING

MINUTES

FEBRUARY 7, 2012

CALL TO ORDER.

The Jackson City Council met in regular session in City Hall and was called to order at 7:00 p.m. by Mayor Martin J. Griffin.

PLEDGE OF ALLEGIANCE – INVOCATION.

The Council joined in the pledge of allegiance. The invocation was given by Councilmember Frounfelker.

ROLL CALL.

Present: Mayor Martin J. Griffin and Councilmembers Carl L. Breeding, Kimberly Jaquish, Andrew R. Frounfelker and Derek J. Dobies—5. Absent with excuse: Councilmembers Daniel P. Greer and Laura Dwyer Schlecte—2.

Also present: City Manager Larry Shaffer, City Attorney Julius A. Giglio, City Clerk Lynn Fessel, Police Chief Matt Heins, City Assessor David Taylor, City Engineer Jon Dowling, Deputy City Manager/Community Development Director Patrick Burtch and Carmen Ryan from the City Clerk's office.

AGENDA.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to adopt the agenda. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Frounfelker and Dobies—5. Nays: 0. Absent: Councilmembers Greer and Schlecte—2.

CITIZEN COMMENTS.

Chris Hamlin inquired if there are any city policies and/or city departments in place to help a person start a business in the City.

John Wilson asked the Council to vote unanimously to terminate the City/County Parks and Recreation Intergovernmental Agreement. He also asked if the City Manager or City Attorney could

explain to the taxpayers what legal reasoning there is that prohibits the Council from taking a vote to overturn the storm water fee.

PRESENTATIONS/PROCLAMATIONS.

None.

CONSENT CALENDAR.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve the following Consent Calendar. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Frounfelker and Dobies—5. Nays: 0. Absent: Councilmembers Greer and Schlechte—2.

Consent Calendar

- A. Approval of the minutes of the regular City Council meeting of January 24, 2012.
- B. Approval of Change Order No. 1 to the contract with Salenbien Trucking and Excavating, Inc., Dundee, in the decreased amount of \$7,725.55, to change contract quantities to match final quantities placed for the Mason and Wilkins CDBG Street Reconstruction Project, and authorization for the City Manager and City Engineer/Director of Public Works to execute the appropriate document(s).
- C. Approval of the second year renewal to haul and land apply digested sewage sludge to Biotech Agronomics, Beulah, at a cost of \$0.0312 per gallon, and authorization for the Mayor and City Clerk to execute the appropriate document(s).
- D. Approval of the request from Consumers Energy to conduct the Walk for Warmth, in conjunction with the Community Action Agency, on downtown streets, on Friday, February 24, 2012, from 11:30 a.m. to 12:30 p.m. A map of the proposed route is attached. (Recommended approval has been received from the Police, Fire, Parks, Department of Public Works, Engineering, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)
- E. Approval of the request to divide the property at 423 North West Avenue according to the deed provided by the Michigan Department of Transportation.
- F. Receipt of the City of Jackson's summary of revenue and expenditures for six (6) months ended, December 31, 2011.
- G. Approval of the request from Castle Marketing and Advertising to conduct the Jackson Winterfest Awards Ceremony at Bucky Harris Park on Saturday, February 25, 2012, from 6:30 p.m. to 8:30 p.m. (Recommended approval has been received from the Police, Fire, Parks, Department of Public Works, Engineering, and the Downtown Development Authority. Contingent upon receipt of proper insurance coverage.)

COMMITTEE REPORTS

None.

APPOINTMENTS.

- A. **APPROVAL OF THE MAYOR'S RECOMMENDATION TO APPOINT BARBARA JO DWYER TO THE BOARD OF REVIEW FOR A THREE-YEAR TERM BEGINNING FEBRUARY 1, 2012, AND ENDING JANUARY 31, 2015.**

Motion was made by Councilmember Breeding and seconded by Councilmember Jaquish to confirm the appointment. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Frounfelker and Dobies—5. Nays: 0. Absent: Councilmembers Greer and Schlecte—2.

B. APPROVAL OF THE MAYOR'S RECOMMENDATION TO REAPPOINT KATHLEEN CONLEY AND ALICE LEWIS TO THE HUMAN RELATIONS COMMISSION FOR A THREE-YEAR TERM EACH BEGINNING IMMEDIATELY AND ENDING DECEMBER 31, 2014, IN ACCORDANCE WITH THE RECOMMENDATION OF THE HUMAN RELATIONS COMMISSION.

Motion was made by Councilmember Breeding and seconded by Councilmember Dobies to confirm the reappointments. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Frounfelker and Dobies—5. Nays: 0. Absent: Councilmembers Greer and Schlecte—2.

PUBLIC HEARINGS.

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

Motion was made by Councilmember Dobies and seconded by Councilmember Breeding to recess as a City Council and convene as a Board of Review. The motion was adopted by unanimous voice vote.

A. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 3365 FOR STREET REPAVING ON LOOMIS FROM LEROY TO ARGYLE STREET.

Mayor Griffin opened the public hearing. No one spoke. The City Clerk reported on a letter from Jeannette Lienhart, 716 Loomis Street, expressing concern about proper notification and information being given to property owners prior to the start of this project. The Mayor closed the public hearing.

1. RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL NO. 3365.

Motion was made by Councilmember Breeding and seconded by Councilmember Jaquish to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Frounfelker and Dobies—5. Nays: 0. Absent: Councilmembers Greer and Schlecte—2.

B. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 3366 FOR STREET REPAVING ON NORTH STREET FROM COOPER TO LANSING AVENUE.

Mayor Griffin opened the public hearing. Ross Tingley, 165/167 W. North Street, asked how the billing for these special assessments will be handled. Dr. Robert Doan, 956 Cooper Street, discussed sidewalk repair and stated he didn't understand that he was going to be assessed for the street repaving. He also asked for a breakdown of funds used to complete this project. The City Clerk reported on correspondence from Cindy Grove, 246 W. North Street; Michael Khouri, Commercial Exchange, Inc., (1000 Hamilton, 140 and 150 W. North and Stencil No. 8-2490) and Derrick and Patricia Rowley, 409 W. North Street. All stated objections to their assessments. The Mayor closed the public hearing.

1. RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL NO. 3366.

Motion was made by Councilmember Breeding and seconded by Councilmember Frounfelker to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Frounfelker and Dobies—5. Nays: 0. Absent: Councilmembers Greer and Schlecte—2.

C. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 3367 FOR STREET REPAVING ON MASON FROM MECHANIC TO FRANCIS STREET.

Mayor Griffin opened the public hearing. John Dunn representing Andrew Harris, 118 E. Mason Street, (Stencil Nos. 5-0136, 5-0201 and 5-0202) discussed the loss of business Jack's Take Out suffered during the project and asked if he could get an adjustment to the special assessments. No correspondence was received. The Mayor closed the public hearing.

1. RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL NO. 3367.

Motion was made by Councilmember Breeding to adopt the resolution and request administration to meet with Mr. Harris to discuss whether or not there may be some compensation. The motion died for lack of a second.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Frounfelker and Dobies—4. Nays: Councilmember Breeding—1. Absent: Councilmembers Greer and Schlecte—2.

D. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 3368 FOR STREET REPAVING ON WILKINS FROM JACKSON TO FRANCIS STREET.

Mayor Griffin opened the public hearing. No one spoke; no correspondence was received. The Mayor closed the public hearing.

1. RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL NO. 3368.

Motion was made by Councilmember Breeding and seconded by Councilmember Frounfelker to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Frounfelker and Dobies—5. Nays: 0. Absent: Councilmembers Greer and Schlecte—2.

ADJOURN AS A BOARD OF REVIEW AND RECONVENE AS CITY COUNCIL.

Motion was made by Councilmember Dobies and seconded by Councilmember Frounfelker to adjourn as a Board of Review and reconvene as City Council. The motion was adopted by unanimous voice vote.

E. PUBLIC HEARING ON THE NECESSITY OF CONTINUING THE METERLESS PARKING SYSTEM IN THE DOWNTOWN AREA OF THE CITY FOR 2011-2012.

Mayor Griffin opened the public hearing. No one spoke. The City Clerk reported on correspondence received from Donald Webb, 146 W. Michigan Avenue, opposing meterless parking assessments. The Mayor closed the public hearing.

1. RESOLUTION DETERMINING THE NECESSITY OF CONTINUING THE METERLESS PARKING SYSTEM, ORDERING THE CITY ASSESSOR TO PREPARE SPECIAL ASSESSMENT ROLL NO. 4211, AND ESTABLISHING FEBRUARY 21, 2012, AT THE CITY COUNCIL MEETING AS THE TIME AND PLACE TO HOLD A PUBLIC HEARING CONFIRMING THE METERLESS PARKING SYSTEM ASSESSMENT ROLL.

Motion was made by Councilmember Jaquish and seconded by Councilmember Frounfelker to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Frounfelker and Dobies—4. Nays: Councilmember Breeding—1. Absent: Councilmembers Greer and Schlecte—2.

RESOLUTIONS.

A. CONSIDERATION OF A RESOLUTION RECOMMENDING THE REVOCATION OF IFT CERTIFICATE NO. 2002-436 GRANTED TO MID-AMERICAN PRODUCTS, INC., 1623 WILDWOOD AVENUE.

Councilmember Frounfelker stated that the Finance/Tax Policy Committee recommended this action.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to adopt the resolution. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Frounfelker and Dobies—5. Nays: 0. Absent: Councilmembers Greer and Schlecte—2.

ORDINANCES.

A. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 25, SECTION 25-30, ARTICLE II, CITY CODE, TO INCREASE THE PENALTIES FOR PARKING VIOLATIONS.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve the ordinance and place it on the next regular Council meeting agenda for adoption. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Jaquish, Frounfelker and Dobies—4. Nays: Councilmember Breeding—1. Absent: Councilmembers Greer and Schlecte—2.

B. FINAL ADOPTION OF ORDINANCE NO. 480, ESTABLISHING WARDS AND PRECINCTS WITHIN THE CITY OF JACKSON, IN ACCORDANCE WITH THE RESULTS OF THE 2010 DECENNIAL CENSUS OF THE UNITED STATES, AND TO REPEAL ORDINANCE 452, WHICH HAD ESTABLISHED SAID WARDS AND PRECINCTS IN ACCORDANCE WITH THE 2000 CENSUS.

Motion was made by Councilmember Breeding and seconded by Councilmember Jaquish to adopt Ordinance No. 480. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Frounfelker and Dobies—5. Nays: 0. Absent: Councilmembers Greer and Schlecte—2.

OTHER BUSINESS.

None.

NEW BUSINESS.

A. CONSIDERATION OF THE FOLLOWING REQUEST REGARDING THE PRELIMINARY FUNDING ALLOCATIONS FOR THE 2012-2013 CDBG AND HOME GRANTS AS DETERMINED BY CITY COUNCIL:

1. RECEIPT OF REPORT AND PRELIMINARY FUNDING RECOMMENDATION FROM COUNCILMEMBER FROUNFELKER ON BEHALF OF THE CITY COUNCIL, AND

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to receive the report. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Frounfelker and Dobies—5. Nays: 0. Absent: Councilmembers Greer and Schlecte—2.

2. APPROVAL OF THE PRELIMINARY FUNDING RECOMMENDATION.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve the following 2012-2013 CDBG preliminary allocations:

PUBLIC SERVICES	
King Center – Summer Youth Programs	\$ 40,000
ADMINISTRATION AND PLANNING	
Administration and Planning	\$215,000
OTHER PROJECTS	
Community Development – Code Enforcement	\$535,000
Community Development – Demolition	\$225,952
Community Development – Residential Rehab	\$145,000
City Attorney – Code Enforcement Legal Services	\$ 52,000
Dept. of Public Works – Handicap Curb Ramps	\$ 10,000
 TOTAL CDBG 2012-2013 ALLOCATION	 \$1,222,952

Not receiving the required four affirmative votes, the motion FAILED adoption by the following vote. Yeas: Mayor Griffin and Councilmembers Frounfelker and Dobies—3. Nays: Councilmembers Breeding and Jaquish—2. Absent: Councilmembers Greer and Schlecte—2.

Motion was made by Councilmember Frounfelker and seconded by Councilmember Dobies to approve the following 2012-2013 HOME preliminary allocations:

GENERAL PROJECTS	
Community Development Rehab Assistance	\$182,488
ADMINISTRATION	
Community Development Administration	\$ 25,000
CHDO RESERVE	
CAA Acquisition/Rehab/Resale	\$ 40,000
CHDO OPERATING EXPENSES	

Community Action Agency CHDO Operating	\$ 12,500
TOTAL HOME 2012-2013 ALLOCATION	\$259,988

Not receiving the required four affirmative votes, the motion FAILED adoption by the following vote. Yeas: Mayor Griffin and Councilmembers Frounfelker and Dobies—3. Nays: Councilmembers Breeding and Jaquish—2. Absent: Councilmembers Greer and Schlecte—2.

B. CONSIDERATION OF THE REQUEST TO APPROVE THE AUTHORIZATION OF THE MAYOR TO FORMALLY NOTIFY JACKSON COUNTY OF ITS INTENTION TO TERMINATE THE INTERGOVERNMENTAL AGREEMENT, DATED JUNE 23, 2010, IN ACCORDANCE WITH PARAGRAPH 7 OF SAID AGREEMENT, WHICH STATES IN PART, “...THE AGREEMENT MAY BE TERMINATED BY EITHER PARTY, FOR ANY REASON, UPON SIXTY (60) DAYS WRITTEN NOTICE TO THE OTHER PARTY FOLLOWING FORMAL ACTION OF THE GOVERNING BODY ...”. THE DATE OF TERMINATION SHALL BE APRIL 9, 2012.

Motion was made by Councilmember Jaquish and seconded by Councilmember Frounfelker to approve the request. The motion was adopted by the following vote. Yeas: Mayor Griffin and Councilmembers Breeding, Jaquish, Frounfelker and Dobies—5. Nays: 0. Absent: Councilmembers Greer and Schlecte—2.

CITY COUNCILMEMBERS’ COMMENTS.

Councilmember Frounfelker discussed the meterless parking assessments. He asked staff (City Manager, Community Development, Zoning Board) to look at zoning for parking to see if there are ways we can rezone some parking so that places that don’t need 25 spots, because their intended use may only require 8 spots, don’t have to build additional parking lots.

Councilmember Dobies would like to know which entities are paying their meterless parking assessments and which entities are not. He wished Ila Smith a happy 80th birthday and congratulated Sixth Ward residents Kathleen Conley on her reappointment to the HRC and Barbara Dwyer on her appointment to the Board of Review.

Mayor Griffin reported on a recent meeting with funeral home directors and the Cemetery Department and asked for a written report on what we’ve done and what we’re doing. He is looking for assurances that the Cemeteries will be plowed with every snowfall and that the Cemetery office will not be demolished without the permission of City Council. He asked when DPW assumed a number of other agencies, as well as their assets including equipment, did DPW purchase these at fair market value? At DPW rates? He would like to see an accounting of that and where the money went. He asked if we are charging back departments for the use of these assets. Finally, he would like to see the Finance and Tax Policy Committee look at the merging of Parks, Recreation, Forestry, Cemeteries and Downtown into one department. Further, that we take a look at, starting with DPW, the billing and accounting practices and have an external audit done if necessary. He wants a look taken at the charge for services that they are charging back to City departments and compare them with other communities and make sure that we are charging a rate that is fair and a rate that is not bankrupting the City. It’s a tall order, but if we want transparency and fairness in government, we need to start somewhere. He thinks the Finance and Tax Policy Committee is the best place to do it.

MANAGER'S COMMENTS.

City Manager Shaffer discussed the termination of the City/County Parks and Recreation Intergovernmental Agreement, making it clear that this administration will continue to entertain relationships that have a discernible benefit to the City, but if there is no benefit to the City, he will recommend terminations. He praised Brandon Ransom and Kelli Hoover for their excellent work during the tenure of the Intergovernmental Agreement. He stated that Cemetery roads will continue to be plowed at the end of the plow routes and there is no intention of removing the cemetery building presently.

ADJOURNMENT.

No further business being presented, Mayor Griffin adjourned the meeting at 7:33 p.m.

Lynn Fessel
City Clerk

CITY COUNCIL MEETING
FEBRUARY 21, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: Jackson Storyfest

MOTION Approval of the request to conduct the 25th annual Jackson Storyfest at 15-16 downtown Jackson sites to include churches, JSO, City Hall, and the County Building on Friday, June 4th and Saturday, June 5th, 2012 from 9:00 a.m. to 1:00 p.m and 7:30 p.m. to 10:00 p.m. Recommended approval has been received from the Police, Fire, Parks/Forestry, Department of Public Works, Engineering, and the Downtown Development Authority, and insurance approval has been received from the City Attorney. The event is expected to have an economic impact of \$450.00 on the mentioned City departments.

att: Special Event Application: Jackson Storyfest
Departmental Approvals

Department	Economic Impact
Downtown Development Authority	\$0.00
Jackson Police Department	450.00
Fire	0.00
Engineering	0.00
Parks / Forestry	0.00
Department of Public Works	0.00

Total: \$450.00

JG/jt

CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

Date Received By DDA Office: FR 1 Dec 30th 2011 Time: 103pm By: MM

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 30 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Jackson Storyfest

Organization Address: _____

Organization Agent Sheila Fritz Title: _____

Phone: (work) _____ Phone: (home) 517-784-7884 Phone: (during the event) 746-7863 - Sara Tackett - EDR

Agent's Address 827 Backus

Agent's E-Mail Address RSFritz@modempool.com

Event Name Jackson Storyfest

Please give a brief description of the proposed special event: 2 days of Free Storytelling for all ages. On Friday city & county schoolchildren are treated to two sessions of story telling at 15-16 sites in downtown Jackson. Sites include churches JSO city & county buildings & J. High School. Story tellers are local, regional & national. On Friday & Saturday evening more adult stories are told by National Tellers at J. H. Workshops with tellers are held on Sat. morning & a session for families is on Sat. afternoon

Event Day(s) & Date(s) May 4 & 5, 2012

Event Time(s) Friday 9:20-12:30 p.m., Friday P.M. - 7:30-10, Sat. 9:00-11:00 AM Evening 7:30-10:00 PM

Set-Up Date & Time _____ Tear-Down Date & Time _____

Event Location Downtown sites & Jackson High

ANNUAL EVENT: Is this event expected to occur next year? (circle one) YES NO
How many years has this event occurred? This is our 25th year

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time _____ through Date/Time: _____

RESERVED PARKING: Are you requesting reserved parking? 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

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 _____

CITY OF JACKSON
SPECIAL EVENT APPLICATION, Page 2
Downtown Development Authority
161 W. Michigan ~ Jackson, MI 49201 ~ (517) 768-6410

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.
ATTENDANCE: What is the expected (estimated) attendance for this event? School children + Teachers, etc
evenings - 300-400 5500

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.

REST ROOMS: 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 rest room 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.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

Request police presence at busiest intersections where
most children will cross.

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least \$500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson and Downtown Development Authority as an additional insured party on the policy, for the specified event.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy.
A \$25 Special Event Application fee must be submitted along with this Special event Application.
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 as an additional named insured party on the policy.
The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.
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. By signing this Special Event Application, I declare I am 21 years of age or older.

12-12-11
Date


Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE JACKSON, MI 49201

Event Title: Jackson Storyfest

DEPARTMENTAL USE ONLY: Please contact applicant directly with any questions or concerns. Sign and return to the City Clerk's Office, as soon as possible.

Approvals noted below, by departments, indicate they have been made aware of the request and the reasonability of their department have been met.

Police Dept.: _____ Recommend Approval: YES NO Est. Economic Impact:\$ 450.00

Fire Dept.: _____ Recommend Approval: YES NO Est. Economic Impact:\$ 0

Traffic Eng.: _____ Recommend Approval: YES NO Est. Economic Impact:\$ 0

Dept. Pub. Serv.: _____ Recommend Approval: YES NO Est. Economic Impact:\$ 0

DDA: _____ Recommend Approval: YES NO Est. Economic Impact:\$ 0

Have businesses been notified for street closures?: YES NO N/A

Parks/Forestry: _____ Recommend Approval: YES NO Est. Economic Impact:\$ 450.00

Reason for disapproval: _____

Any special requirements/conditions:

None.

Insurance / Indemnification Received: 2/6/12

Insurance Approved: yes

City Council Approved: _____ Denied: _____

Approval/ Denial Mailed: _____

Melissa Woodhurst

From: Bob Dietz
Sent: Friday, December 30, 2011 1:21 PM
To: Melissa Woodhurst
Cc: Bob Dietz; SanDee Porter
Subject: RE: Special Event Application: Jackson Storyfest

From: Melissa Woodhurst
Sent: Friday, December 30, 2011 1:16 PM
To: Bob Dietz; Brandon Ransom; David Wooden; Jonathan Greene; Lt. Elmer Hitt; SanDee Porter; Sandy Sykes
Subject: Special Event Application: Jackson Storyfest

Good Afternoon,

I have received a Special Event Application for **Jackson Storyfest**. Please review and reply back in a timely manner. If you have any questions please contact myself or the applicant.

Jackson Storyfest

Department: Engineering _____

Recommended Approval: yes _____ (yes or no)

Est. Economic Impact: \$n/a _____

Reason for disapproval (if applicable): _____

Any special requirements/conditions: _____

Have a wonderful New Year,

Melissa

Melissa M. Woodhurst

Downtown Development Authority
161 W. Michigan Avenue
Jackson, MI 49201
517.768.6410

Love yOUR City!

www.jacksondda.org

Melissa Woodhurst

From: David Wooden
Sent: Friday, December 30, 2011 1:37 PM
To: Melissa Woodhurst
Subject: Re: Special Event Application: Jackson Storyfest

Jackson Storyfest

Department: Fire

Recommended Approval: Yes

Est. Economic Impact: \$ 00

Reason for disapproval (if applicable): None

Any special requirements/conditions: None

Melissa Woodhurst

From: Brandon Ransom <BRansom@co.jackson.mi.us>
Sent: Friday, December 30, 2011 1:34 PM
To: Melissa Woodhurst
Subject: RE: Special Event Application: Jackson Storyfest

Brandon Ransom
Director

City of Jackson Parks and Recreation
161 W. Michigan Ave
Jackson, MI 49201
Office 517.788.4040
Direct 517.990.6287
Fax 517.768.5860
www.cityofjackson.org

From: Melissa Woodhurst [<mailto:mwoodhurst@cityofjackson.org>]
Sent: Friday, December 30, 2011 1:16 PM
To: Bob Dietz; Brandon Ransom; David Wooden; Jonathan Greene; Lt. Elmer Hitt; SanDee Porter; Sandy Sykes
Subject: Special Event Application: Jackson Storyfest

Good Afternoon,

I have received a Special Event Application for **Jackson Storyfest**. Please review and reply back in a timely manner. If you have any questions please contact myself or the applicant.

Jackson Storyfest

Department: _____ Parks _____

Recommended Approval: ___Yes___ (yes or no)

Est. Economic Impact: \$ _____ 0 _____

Reason for disapproval (if applicable): _____

Any special requirements/conditions: _____

Have a wonderful New Year,

Melissa

Melissa M. Woodhurst

Downtown Development Authority
161 W. Michigan Avenue
Jackson, MI 49201
517.768.6410

Love yOUR City!

Melissa Woodhurst

From: SanDee Porter
Sent: Friday, December 30, 2011 1:44 PM
To: Melissa Woodhurst
Subject: RE: Special Event Application: Jackson Storyfest

As in the past – DPW will put extra trash cans downtown at the parks where there is extra lunch traffic.

From: Melissa Woodhurst
Sent: Friday, December 30, 2011 1:16 PM
To: Bob Dietz; Brandon Ransom; David Wooden; Jonathan Greene; Lt. Elmer Hitt; SanDee Porter; Sandy Sykes
Subject: Special Event Application: Jackson Storyfest

Good Afternoon,

I have received a Special Event Application for **Jackson Storyfest**. Please review and reply back in a timely manner. If you have any questions please contact myself or the applicant.

Jackson Storyfest

Department: _____ Public Works _____

Recommended Approval: _____ yes_ (yes or no)

Est. Economic Impact: \$ _____ 0 _____

Reason for disapproval (if applicable): _____

Any special requirements/conditions: _____

Have a wonderful New Year,

Melissa

Melissa M. Woodhurst

Downtown Development Authority
161 W. Michigan Avenue
Jackson, MI 49201
517.768.6410

Love yOUR City!

www.jacksondda.org

Melissa Woodhurst

From: Jonathan Greene
Sent: Friday, December 30, 2011 1:46 PM
To: Melissa Woodhurst
Subject: RE: Special Event Application: Jackson Storyfest

Yes \$0

From: Melissa Woodhurst
Sent: Friday, December 30, 2011 1:16 PM
To: Bob Dietz; Brandon Ransom; David Wooden; Jonathan Greene; Lt. Elmer Hitt; SanDee Porter; Sandy Sykes
Subject: Special Event Application: Jackson Storyfest

Good Afternoon,

I have received a Special Event Application for **Jackson Storyfest**. Please review and reply back in a timely manner. If you have any questions please contact myself or the applicant.

Jackson Storyfest

Department: _____
Recommended Approval: _____ (yes or no)
Est. Economic Impact: \$ _____
Reason for disapproval (if applicable): _____
Any special requirements/conditions: _____

Have a wonderful New Year,

Melissa

Melissa M. Woodhurst

Downtown Development Authority
161 W. Michigan Avenue
Jackson, MI 49201
517.768.6410

Love yOUR City!

www.jacksondda.org

No virus found in this message.
Checked by AVG - www.avg.com
Version: 10.0.1416 / Virus Database: 2109/4112 - Release Date: 12/30/11

Jennifer Tucker

From: Elmer Hitt
Sent: Tuesday, January 03, 2012 2:02 PM
To: Melissa Woodhurst
Subject: RE: Special Event Application: Jackson Storyfest

See below.

From: Melissa Woodhurst
Sent: Friday, December 30, 2011 1:16 PM
To: Bob Dietz; Brandon Ransom; David Wooden; Jonathan Greene; Lt. Elmer Hitt; SanDee Porter; Sandy Sykes
Subject: Special Event Application: Jackson Storyfest

Good Afternoon,

I have received a Special Event Application for **Jackson Storyfest**. Please review and reply back in a timely manner. If you have any questions please contact myself or the applicant.

Jackson Storyfest

Department: _____ Police _____
Recommended Approval: yes _____ (yes or no)
Est. Economic Impact: \$ 450.00 _____
Reason for disapproval (if applicable): _____
Any special requirements/conditions: _____

Have a wonderful New Year,

Melissa

Melissa M. Woodhurst

Downtown Development Authority
161 W. Michigan Avenue
Jackson, MI 49201
517.768.6410

Love yOUR City!

www.jacksondda.org

CITY COUNCIL MEETING
FEBRUARY 21, 2012

MEMO TO: Honorable Mayor and City Council Members

FROM: Jonathan Greene, Executive Director

SUBJECT: Special Event Application: GREAT Public Paddle

MOTION Approval of the request from the Grand River Environmental Action Team (GREAT) to conduct a public paddle on Sunday, June 17th from 11:00 am through 5:00 pm at Lion's Park. Recommended approval has been received from Police, Fire, Parks, Department of Public Works and Engineering, and the Downtown Development Authority. This event is contingent upon receipt of proper insurance coverage, as insurance company requires purchase of non-refundable special event insurance. The event is not expected to have an economic impact on the mentioned City departments.

att: Special Event Application: GREAT Public Paddle
Departmental Approvals

Department	Economic Impact
Downtown Development Authority	\$0.00
Jackson Police Department	\$0.00
Fire	\$0.00
Engineering	\$0.00
Parks / Forestry	\$0.00
Department of Public Works	\$0.00

Total: \$ 0.00

JG/jt

CITY OF JACKSON
SPECIAL EVENT APPLICATION

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

Date Received By DDA Office: 2/7/2012 Time: 4 PM By: JT

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 30 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Grand River Environmental Action Team

Organization Address: PO. Box 223, Jackson, MI 49204 (GREAT)

Organization Agent Jim Seitz Title: Secretary

Phone: (work) 517 795-9205 Phone: (Home) 517-787-7492 Phone: (during the event) 517 416-4234

Agent's Address 3705 W. Primitia LN, Jackson, MI 49201

Agent's E-Mail Address seitz.jim@gmail.com

Event Name public paddle: Michigan Center to Lions Park

Please give a brief description of the proposed special event: one of GREAT's monthly paddles to expose the public to the Grand River and the local environment.

Event Day(s) & Date(s) Sunday, June 17, 2012

Event Time(s) 11 AM - 5 PM

Set-Up Date & Time 11-12 AM Tear-Down Date & Time 4-5 PM

Event Location Lions Park - will use pavilion to house cookout food 3-4 PM

ANNUAL EVENT: Is this event expected to occur next year? (circle one) YES NO
How many years has this event occurred? could be different dates for paddle put-in/take-out

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/Time None through Date/Time: _____

RESERVED PARKING: Are you requesting reserved parking? 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

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 _____

**CITY OF JACKSON
SPECIAL EVENT APPLICATION, Page 2
Downtown Development Authority
161 W. Michigan ~ Jackson, MI 49201 ~ (517) 768-6410**

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.

ATTENDANCE: What is the expected (estimated) attendance for this event? 60

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.

REST ROOMS: 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 rest room 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.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)
Lion's Park pavilion use for cookout

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least \$500,000. An event sponsor must provide a valid certificate of insurance naming the City of Jackson and Downtown Development Authority as an additional insured party on the policy, for the specified event.

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:
A Certificate of Insurance must be provided which names the City of Jackson as an additional named insured party on the policy.
A \$25 Special Event Application fee must be submitted along with this Special event Application.
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 as an additional named insured party on the policy.
The approval of this special event may include additional requirements, limitations, or fees, based on the City's review of this application.
Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.
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. By signing this Special Event Application, I declare I am 21 years of age or older.

2/17/2012
Date

James R. Leeb
Signature of Sponsoring Organization's Agent

**RETURN THIS APPLICATION at least thirty (30) days before the first day of the event to:
DOWNTOWN DEVELOPMENT AUTHORITY
161 W. MICHIGAN AVENUE JACKSON, MI 49201**

Event Title: GREAT Public Paddle

DEPARTMENTAL USE ONLY: Please contact applicant directly with any questions or concerns. Sign and return to the City Clerk's Office, as soon as possible.

Approvals noted below, by departments, indicate they have been made aware of the request and the reasonability of their department have been met.

Police Dept.: _____ Recommend Approval: YES NO Est. Economic Impact: \$ 0

Fire Dept.: _____ Recommend Approval: YES NO Est. Economic Impact: \$ 0

Traffic Eng.: _____ Recommend Approval: YES NO Est. Economic Impact: \$ 0

Dept. Pub. Serv.: _____ Recommend Approval: YES NO Est. Economic Impact: \$ 0

DDA: _____ Recommend Approval: YES NO Est. Economic Impact: \$ 0

Have businesses been notified for street closures?: YES NO N/A

Parks/Forestry: _____ Recommend Approval: YES NO Est. Economic Impact: \$ 0

Reason for disapproval: _____

Any special requirements/conditions:

None.

Insurance / Indemnification Received: pending

Insurance Approved: _____

City Council Approved: _____ Denied: _____

Approval/ Denial Mailed: _____

Jennifer Tucker

From: Elmer Hitt
Sent: Thursday, February 09, 2012 11:46 AM
To: Jennifer Tucker
Subject: RE: SEA - GREAT Public Paddle

Follow Up Flag: Follow up
Flag Status: Flagged

No concerns. No economic impact.

*Lieutenant Elmer Hitt
Jackson Police Department
216 E. Washington Ave.
Jackson, MI 49201
517-768-8733
ehitt@cityofjackson.org*

From: Jennifer Tucker
Sent: Wednesday, February 08, 2012 4:45 PM
To: SanDee Porter; Sandy Sykes; Bob Dietz; Brandon Ransom; Christopher Simpson; Jonathan Greene; Elmer Hitt; David Wooden
Subject: RE: SEA - GREAT Public Paddle

Good afternoon,

Please see the attached SEA for the Grand River Environmental Action Team's (GREAT) Public Paddle, scheduled for June 17th, 2012 at Lion's Park. If you could please review the application and note any potential concerns as well as the economic impact to your department, that would be greatly appreciated.

Thank you in advance for your consideration and review, and please feel free to contact me with any questions.

Please complete and reply to this email:

GREAT Public Paddle

Department:

Recommended Approval:

Est. Economic Impact: \$

Reason for Disapproval (if applicable):

Specific Requirements/Conditions:

Jen Tucker

Jackson Downtown Development Authority



www.jacksondda.org

Jennifer Tucker

From: David Wooden
Sent: Thursday, February 09, 2012 9:52 AM
To: Jennifer Tucker
Subject: RE: SEA - GREAT Public Paddle

Follow Up Flag: Follow up
Flag Status: Flagged

GREAT Public Paddle

Department: Fire
Recommended Approval: Yes
Est. Economic Impact: \$ 00
Reason for Disapproval (if applicable): None
Specific Requirements/Conditions: None

David D. Wooden
Deputy Fire Chief
Jackson Fire Department
518 N Jackson St.
Jackson, MI. 49201
517-788-4150

From: Jennifer Tucker
Sent: Wednesday, February 08, 2012 4:45 PM
To: SanDee Porter; Sandy Sykes; Bob Dietz; Brandon Ransom; Christopher Simpson; Jonathan Greene; Elmer Hitt; David Wooden
Subject: RE: SEA - GREAT Public Paddle

Good afternoon,

Please see the attached SEA for the Grand River Environmental Action Team's (GREAT) Public Paddle, scheduled for June 17th, 2012 at Lion's Park. If you could please review the application and note any potential concerns as well as the economic impact to your department, that would be greatly appreciated.

Thank you in advance for your consideration and review, and please feel free to contact me with any questions.

Please complete and reply to this email:

GREAT Public Paddle

Department:
Recommended Approval:
Est. Economic Impact: \$
Reason for Disapproval (if applicable):
Specific Requirements/Conditions:

Jen Tucker

Jackson Downtown Development Authority

Jennifer Tucker

From: Brandon Ransom <BRansom@co.jackson.mi.us>
Sent: Thursday, February 09, 2012 12:53 PM
To: Jennifer Tucker
Subject: RE: SEA - GREAT Public Paddle

Follow Up Flag: Follow up
Flag Status: Flagged

Brandon Ransom
Director

City of Jackson Parks and Recreation
161 W. Michigan Ave
Jackson, MI 49201
Office 517.788.4040
Direct 517.990.6287
Fax 517.768.5860
www.cityofjackson.org

From: Jennifer Tucker [<mailto:jtucker@cityofjackson.org>]
Sent: Wednesday, February 08, 2012 4:45 PM
To: SanDee Porter; Sandy Sykes; Bob Dietz; Brandon Ransom; Christopher Simpson; Jonathan Greene; Elmer Hitt; David Wooden
Subject: RE: SEA - GREAT Public Paddle

Good afternoon,
Please see the attached SEA for the Grand River Environmental Action Team's (GREAT) Public Paddle, scheduled for June 17th, 2012 at Lion's Park. If you could please review the application and note any potential concerns as well as the economic impact to your department, that would be greatly appreciated.
Thank you in advance for your consideration and review, and please feel free to contact me with any questions.

Please complete and reply to this email:

GREAT Public Paddle

Department: Parks
Recommended Approval: Yes
Est. Economic Impact: \$0
Reason for Disapproval (if applicable):
Specific Requirements/Conditions: The softball schedule for the 2012 season has not been finalized as of yet. There is a slim possibility that there may be softball games going at the same time, but unlikely.

Jen Tucker
Jackson Downtown Development Authority

Jennifer Tucker

From: Bob Dietz
Sent: Friday, February 10, 2012 11:11 AM
To: Jennifer Tucker
Cc: SanDee Porter
Subject: RE: SEA - GREAT Public Paddle

Follow Up Flag: Follow up
Flag Status: Flagged

From: Jennifer Tucker
Sent: Wednesday, February 08, 2012 4:45 PM
To: SanDee Porter; Sandy Sykes; Bob Dietz; Brandon Ransom; Christopher Simpson; Jonathan Greene; Elmer Hitt; David Wooden
Subject: RE: SEA - GREAT Public Paddle

Good afternoon,

Please see the attached SEA for the Grand River Environmental Action Team's (GREAT) Public Paddle, scheduled for June 17th, 2012 at Lion's Park. If you could please review the application and note any potential concerns as well as the economic impact to your department, that would be greatly appreciated.

Thank you in advance for your consideration and review, and please feel free to contact me with any questions.

Please complete and reply to this email:

GREAT Public Paddle

Department: DPW-Engineering

Recommended Approval:yes

Est. Economic Impact: \$n/a

Reason for Disapproval (if applicable):

Specific Requirements/Conditions:

Jen Tucker

Jackson Downtown Development Authority



www.jacksondda.org

161 W. Michigan Avenue

Jackson, MI 49201

517.768.6410

jtucker@cityofjackson.org

Jennifer Tucker

From: Jonathan Greene
Sent: Tuesday, February 14, 2012 4:44 PM
To: Jennifer Tucker
Subject: RE: SEA - GREAT Public Paddle

Approved \$0

From: Jennifer Tucker
Sent: Wednesday, February 08, 2012 4:45 PM
To: SanDee Porter; Sandy Sykes; Bob Dietz; Brandon Ransom; Christopher Simpson; Jonathan Greene; Elmer Hitt; David Wooden
Subject: RE: SEA - GREAT Public Paddle

Good afternoon,

Please see the attached SEA for the Grand River Environmental Action Team's (GREAT) Public Paddle, scheduled for June 17th, 2012 at Lion's Park. If you could please review the application and note any potential concerns as well as the economic impact to your department, that would be greatly appreciated.

Thank you in advance for your consideration and review, and please feel free to contact me with any questions.

Please complete and reply to this email:

GREAT Public Paddle

Department:

Recommended Approval:

Est. Economic Impact: \$

Reason for Disapproval (if applicable):

Specific Requirements/Conditions:

Jen Tucker

Jackson Downtown Development Authority



www.jacksondda.org

161 W. Michigan Avenue

Jackson, MI 49201

517.768.6410

jtucker@cityofjackson.org

Jennifer Tucker

From: SanDee Porter
Sent: Tuesday, February 14, 2012 11:56 AM
To: Jennifer Tucker
Subject: RE: SEA - GREAT Public Paddle

Follow Up Flag: Follow up
Flag Status: Flagged

We expect that GREAT will notify DPW of any logjams they may have knowledge in advance. Public Works Crews will make a pass in the river sometime in early June – weather depending.

SanDee

From: Jennifer Tucker
Sent: Wednesday, February 08, 2012 4:45 PM
To: SanDee Porter; Sandy Sykes; Bob Dietz; Brandon Ransom; Christopher Simpson; Jonathan Greene; Elmer Hitt; David Wooden
Subject: RE: SEA - GREAT Public Paddle

Good afternoon,

Please see the attached SEA for the Grand River Environmental Action Team's (GREAT) Public Paddle, scheduled for June 17th, 2012 at Lion's Park. If you could please review the application and note any potential concerns as well as the economic impact to your department, that would be greatly appreciated.

Thank you in advance for your consideration and review, and please feel free to contact me with any questions.

Please complete and reply to this email:

GREAT Public Paddle

Department: Public Works

Recommended Approval: yes

Est. Economic Impact: \$ 0

Reason for Disapproval (if applicable):

Specific Requirements/Conditions:

Jen Tucker

Jackson Downtown Development Authority



www.jacksondda.org

161 W. Michigan Avenue

Jackson, MI 49201

517.768.6410

jtucker@cityofjackson.org



Department of Public Works – Utility Division

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4160 — Facsimile: (517) 768-6435

CITY COUNCIL MEETING

February 21, 2012

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Jon H. Dowling, P.E., City Engineer/Director of Public Works
SUBJECT: Recommendation for Purchase of Well Parts from Northern Well and Pump

MOTION: APPROVAL OF WELL PARTS PURCHASE FROM NORTHERN PUMP AND WELL COMPANY OF LANSING, MICHIGAN, IN THE AMOUNT OF \$37,086.32, AND AUTHORIZATION FOR THE CITY ENGINEER/DIRECTOR OF PUBLIC WORKS TO EXECUTE THE APPROPRIATE DOCUMENT(S), IN CONCURRENCE WITH THE PURCHASING AGENT.

On January 31, 2012 bids for drinking water well parts were received and opened. Five companies provided bid costs for various parts, including well pumps, well column, couplers, shafts, etc. The bids are as follows:

Company	Cost
Northern Pump and Well Company., Lansing, MI	\$37,086.32
Frazier Well Services, LLC, Muskego, WI	\$57,877.00
Peerless Midwest, Inc., Mishawaka, IN	\$60,815.00
Layne Christensen Co., Lansing, MI	\$68,162.53
Water Well Solutions, Elburn, IL	\$69,786.13

The difference between the two lowest bidders is significant, so we made contact with the low bid company, Northern Pump and Well Company, and verified that all the materials and specifications were correct. Northern Pump and Well Company has performed service on our wells this past year, and they do have significant experience in the field of well maintenance and supplies.

In concurrence with the Purchasing Agent, it is the recommendation of the Department of Public Works – Utility Division that a purchase of well parts from Northern Pump and Well Company of Lansing, Michigan in the amount of \$37,086.32 be submitted to City Council for their approval. This purchase will be paid for out of Water Funds.

If you have any questions, please do not hesitate to contact me.

JHD/sms

C: Laurence R. Shaffer, City Manager
Todd Knepper, Utility Director
Lynn Fessel, City Clerk/Purchasing Agent
Shelly Allard, Purchasing Coordinator
Lucinda Schultz, Accounting Manager



Department of Public Works

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4170 — Facsimile: (517) 788-4639

CITY COUNCIL MEETING
February 21, 2012

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Jon H. Dowling, P.E., City Engineer/Director of Public Works
SUBJECT: Request to Award Bid for Department of Public Works Truck Hoist

MOTION: APPROVAL OF BID AWARD FOR THE PURCHASE OF TRUCK HOIST FOR THE DEPARTMENT OF PUBLIC WORKS TO ALLIED, INC. OF ANN ARBOR, MICHIGAN FOR \$61,665.00 AND AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO EXECUTE THE APPROPRIATE DOCUMENT IN CONCURRENCE WITH THE PURCHASING AGENT AND WITH THE RECOMMENDATION OF THE CITY ENGINEER/DIRECTOR OF PUBLIC WORKS.

The existing truck hoist in the Department of Public Works garage was originally installed in 1978 and had a major overhaul in 1997. In the fall of 2011, the hydraulics in the hoist failed. It was decided that it is best to replace the equipment based on age, rather than trying to perform another major overhaul.

On February 9, 2012, bids were opened in the Purchasing Department for a Truck Hoist for the Department of Public Works.

Company	Cost
Allied, Inc., Ann Arbor, MI	\$61,665.00
R.W. Mercer, Jackson, MI	\$68,750.00

In concurrence with the Purchasing Agent, it is the recommendation of the Department of Public Works that the contract be awarded to Allied, Inc. of Ann Arbor, Michigan at their low bid of \$61,665.00, and that the Mayor and the City Clerk be authorized to sign the contract documents. This will be paid from Motor Pool funds.

If you have any questions please do not hesitate to contact me.

JHD/sms

C: Laurence R. Shaffer, City Manager
Lynn Fessel, City Clerk/Purchasing Agent
Shelly Allard, Purchasing Coordinator
Lucinda Schultz, Accounting Manager



Department of Public Works - Engineering

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4160 — Facsimile: (517) 788-4639

CITY COUNCIL MEETING

February 21, 2012

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Jon H. Dowling, P.E., City Engineer/Director of Public Works
SUBJECT: Materials Testing Contract Renewal

MOTION: APPROVAL OF THE RENEWAL OF THE MATERIAL TESTING CONTRACT WITH CTI & ASSOCIATES IN THE AMOUNT OF \$208,000 AND AUTHORIZATION FOR THE MAYOR AND CLERK TO EXECUTE THE APPROPRIATE CONTRACT RENEWAL DOCUMENTS.

The City of Jackson has a history of soliciting material testing services from consultants. Traditionally the material testing contracts provided for services that include compaction testing of various aggregates and asphalt paving mixtures, quality control material sampling and testing in the field, quality assurance lab testing, and soil boring and reporting of subsurface conditions. On February 24, 2009, City Council approved the contract with CTI & Associates, Inc. of Wixom, Michigan for material testing for the 2009 construction season. As this was a three-year renewable contract, City Council approved renewal on February 9, 2010 and again on March 22, 2011 for the 2010 and 2011 construction seasons respectively. The Department of Public Works requests City Council approve the renewal of the Material Testing Contract for the 2012 construction season. CTI and Associates has provided the attached letter indicating their willingness to continue to provide material testing services for a fourth year in at the 2009 contract unit prices.

Although the contact was bid in 2009 as a three-year renewable contract, this request for a fourth renewal is made to address specific project needs. The Engineering Division of the Department of Public Works has projects scheduled for 2012 with a total estimated construction cost of \$ 4,165,000. Although funding is available in the budget for the proposed construction, current Engineering Department staffing levels are insufficient to provide inspection services on these projects. This staff deficiency is a result of open positions from retirements that have yet to be filled. CTI & Associates has staff available that is experienced and qualified to provide these inspection services on an as-needed basis.

Based on construction cost estimates, the Department is requesting a one year renewal for the Material Testing Contract with CTI & Associates with the City's standard service agreement for \$208,000. This will provide for the continuation of material testing services that CTI and Associates have been providing as well as the addition of construction inspection services on an as-needed basis. The cost for this work will be charged to various project accounts in the Major Street Fund, Local Street Fund, Sewer Fund and Water Fund.

I am requesting approval of the renewal of the Materials Testing Contract with CTI & Associates for the 2012 construction season and authorization for the Mayor and Clerk to sign the appropriate contract renewal documents.

Please do not hesitate to contact me if you should have any questions.

JD:sms

c Laurence R. Shaffer, City Manager
Lynn Fessel, City Clerk/Purchasing Agent
Randall T. McMunn, P.E. Assistant City Engineer
Troy R. White, P.E., Civil Engineer II
Lucinda Schultz, Accounting Manager
Shelly Allard, Purchasing Coordinator



CTI and Associates, Inc.

51331 West Pontiac Trail, Wixom MI 48393

248.486.5100

248.486.5050 Fax

January 26, 2012

Mr. Jon H. Dowling, P.E., City Engineer
City of Jackson
161 W. Michigan Avenue
Jackson, Michigan 49201

**RE: Renewal of Professional Service Agreement
2009 Materials Testing Services**

Dear Mr. Dowling:

It has been a pleasure to provide Construction Materials Testing and Geotechnical Engineering services for the City of Jackson for the past six (6) years. We look forward to the opportunity for continuing these services for the upcoming 2012 season.

Please consider this letter our willingness to renew the contract for 2012 based on the same unit rate structure established for the 2009 Professional Service Agreement between CTI and Associates, Inc. (CTI) and the City of Jackson. In addition, CTI agrees to provide an a field technician who is qualified by the Michigan Department of Transportation (MDOT) to provide inspection services at the rate of \$52.00 per hour for straight time and \$ 78.00 per hour for overtime.

We are pleased to submit this request for your consideration of a contract extension and we look forward to providing continued service to the City of Jackson.

If you have any questions, comments or concerns, please contact our office at your convenience.

Respectfully Submitted,

CTI and Associates, Inc.

A handwritten signature in blue ink that reads 'Elizabeth A. Taylor'. The signature is fluid and cursive, with a long, sweeping tail on the 'n'.

Elizabeth A. Taylor, P.E.
Project Manager

cc: Mr. Troy R. White, P.E.; City of Jackson Department of Engineering



Department of Public Works - Engineering

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4160 — Facsimile: (517) 768-6435

CITY COUNCIL MEETING
FEBRUARY 21, 2012

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Jon H. Dowling, P.E., City Engineer/Director of Public Works
SUBJECT: Final Change Order 1 – 2011 CDBG Local Street Repaving and Water Main Replacement – Loomis Street

MOTION: APPROVAL OF FINAL CHANGE ORDER 1, TO THE CONTRACT WITH CONCORD EXCAVATING AND GRADING, INC., IN THE INCREASED AMOUNT OF \$50,562.45, FOR ADDITIONAL WORK NOT INCLUDED IN THE ORIGINAL CONTRACT FOR THE 2011 CDBG LOCAL STREET REPAVING AND WATER MAIN PROJECT – LOOMIS STREET, AND AUTHORIZATION FOR THE CITY MANAGER AND CITY ENGINEER/DIRECTOR OF PUBLIC WORKS TO EXECUTE THE APPROPRIATE DOCUMENT(S), IN ACCORDANCE WITH THE RECOMMENDATION OF THE CITY ENGINEER/DIRECTOR OF PUBLIC WORKS.

Attached is the Final Change Order 1 to the contract with Concord Excavating and Grading, Inc., for the 2011 CDBG Local Street Repaving and Water Main Project - Loomis Street.

This change order balances quantities for final payment. This represents an increase of \$50,562.45 and contains work not included in the original contract. Details for the major cost increase follow. Other minor increases and decreases are tabulated in the attached Change Order.

Additional concrete work:

- Sidewalk work was increased to fix an unusually large amount of hazardous sidewalk.
- The existing curb gutter pan was overlaid with asphalt. The original design intent was to leave most of the existing curb in place and overlay the gutter pan again. When the old asphalt was removed, the curb was found to be in better condition than expected. A decision was made to remove and replace some additional curb so that the gutter pan could be left exposed.
- Property owners were provided with an opportunity to widen their drive approaches and replace additional sidewalk. Many elected to have additional curb, drive and sidewalk work done.

The added concrete work summarized below resulted in a \$32,522.00 increase. Property owners have been assessed for \$15,603.70 of the extra concrete work.

	Curb & Gutter (lineal feet)	Drive Approach (Square yards)	Sidewalk (square feet)
Original Estimated Quantity	820	260	4,559
Additional work ordered by Engineering	196	81	1,948
Work requested by Property Owners	353	178	1,357
Total Quantity Completed	1,368	519	7,864

Additional Storm Sewer work. Two existing storm drain pipes were lowered to get them below the bottom of the pavement. The cost of constructing new catch basins and drain lines was \$6,700. Specific pay items and associated quantities to accomplish this work are as follows:

<u>Pay Item Description</u>	<u>Quantity</u>
Sewer, CI E, 12 inch	50 feet
Dr Structure, Rem	2 Each
Dr Structure, Tap, 12 inch	2 Each
Catch Basin, 24 inch dia	2 Each
Catch Basin Cover, Curb	2 Each

Removal and replacement of unstable soils: Unstable subgrade was discovered in two areas. The soft soil was removed and replaced with granular material. This work increased the quantity of Subgrade Undercut by 781 Cubic Yards. The cost of the additional undercut was \$11,715.

I request Final Change Order 1 be approved and the City Manager and City Engineer/Director of Public Works be authorized to sign. The increase in contract cost will be allocated to various funds as follows:

Local Street Fund	9,545.94
CDBG Fund	26,041.00
Property Owner Assessment	15,603.70
Sanitary Sewer Fund	3,552.11
Water Fund (decrease)	<u>(4,180.30)</u>
Total	50,562.45

Community Development has reviewed project costs and has prepared a resolution to amend the CDBG FY 2009-2010 budget to reallocate unused street funds in the amount of \$26,041.00 to the Loomis project to fund part of the additional cost.

RTM:sms

Attachments

CC: Laurence R. Shaffer, City Manager
Randall T. McMunn, P.E., Assistant City Engineer
Troy R. White, P.E., Civil Engineer II
Patrick H. Burtch, Deputy City Manager/Community Development Director
Lynn Fessell, Purchasing Agent
Lucinda Schultz, Accounting Manager
Heather Soat, Accounting Manager

FINAL BALANCING CHANGE ORDER NO. 1
To Contract for
2011 CDBG Local Street Repaving and Water Main Replacement – Loomis Street
City of Jackson, Michigan

Notice is hereby given that the following additional information and changes shall become a part of the contract documents, plans and specifications of the above-named contract.

ORIGINAL CONTRACT AMOUNT **\$364,329.01**

Change Order No. 1 **\$50,562.45**
Details of changes are shown on the attached pages.


NEW CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 1 **\$414,891.46**

REASON FOR CHANGE:

1. To balance quantities for contract pay items and to add pay items not included in the original contract.

CONTRACT COMPLETION

The contract completion date remains unchanged.


Prepared by Randall T. McMunn, P.E.
Assistant City Engineer

ACCEPTED BY:


Concord Excavating and Grading, Inc.

10-20-11
Date

ACCEPTED BY:

Jon H. Dowling, P.E.,
City Engineer / Director of Public Works

Date

Laurence R. Shaffer, City Manager

Date

2011 CDBG Local St Repaving & Water Main Replacement - Loomis St

Final Balancing Change order No. 1

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Item No.	Item Description	Contract Amended Qty	Change	Revised Quantity	Units	Unit Price	Amount	
							ADD	DEDUCT
1	Mobilization, Max. ____	1	0	1	LS	10000.00	\$ -	\$ -
2	Tree, Rem, 19 inch to 36 inch	2	0	2	Ea	300.00	\$ -	\$ -
3	Tree, Rem, 6 inch to 18 inch	1	1	2	Ea	200.00	\$ 200.00	\$ -
4	Curb and Gutter, Rem	485	883	1368	Ft	3.00	\$ 2,649.00	\$ -
5	Sidewalk, Rem	494	356	850	Syd	5.00	\$ 1,780.00	\$ -
6	Pavt Sawcut	605	-55	550	Ft	1.50	\$ -	\$ (82.50)
7	Driveway, Rem	211	188	399	Syd	5.00	\$ 940.00	\$ -
8	Tree Preservation	1	0	1	LS	500.00	\$ -	\$ -
9	Subgrade Undercutting, Type II	100	781	881	Cyd	15.00	\$ 11,715.00	\$ -
10	Machine Grading, Modified	18	0	18	Sta	500.00	\$ -	\$ -
11	Erosion Control, Gravel Access Approach	4	-2	2	Ea	125.00	\$ -	\$ (250.00)
12	Erosion Control, Inlet Protection, Grate Filter, Rectangular	11	4	15	Ea	150.00	\$ 600.00	\$ -
13	Project Cleanup	1	0	1	LS	2000.00	\$ -	\$ -
14	Aggregate Base, 8 inch	6127	361	6488	Syd	3.50	\$ 1,263.50	\$ -
15	Trench Undercut and Backfill	20	16	36	Cyd	25.00	\$ 400.00	\$ -
16	Exploratory Trenching	20	-20	0	Ft	25.00	\$ -	\$ (500.00)
17	Sanitary Sewer, Service Connection beyond 10 feet	20	-1.5	18.5	Ft	25.00	\$ -	\$ (37.50)
18	Sewer, CI E, 12 inch	10	66	76	Ft	50.00	\$ 3,300.00	\$ -
19	Sanitary Sewer, Service Connection with 8 inch x 6 inch Wye	7	0	7	Ea	300.00	\$ -	\$ -
20	Sanitary Sewer, Service Connection with 10 inch x 6 inch Wye	1	1	2	Ea	500.00	\$ 500.00	\$ -
21	Sanitary Sewer, Spot Repair, 8 inch	1	0	1	Ea	2000.00	\$ -	\$ -
22	Sanitary Sewer, Spot Repair, 10 inch	1	0	1	Ea	2250.00	\$ -	\$ -
23	Sewer Lateral Repair	5	-1	4	Ea	125.00	\$ -	\$ (125.00)
24	Dr Structure, Adj, Add Depth	1.5	1.5	3	Ft	150.00	\$ 225.00	\$ -
25	Dr Structure Cover, Adj, Case 1	19	4	23	Ea	250.00	\$ 1,000.00	\$ -
26	Dr Structure, Temp Lowering, Modified	13	3	16	Ea	100.00	\$ 300.00	\$ -
27	Gate Box, Adj, Case 1	3	1	4	Ea	225.00	\$ 225.00	\$ -
28	Catch Basin Cover, Curb	6	3	9	Ea	525.00	\$ 1,575.00	\$ -
29	Mh Cover, Std	13	3	16	Ea	375.00	\$ 1,125.00	\$ -
30	Underdrain, Subbase, 4 inch	30	-30	0	Ft	15.00	\$ -	\$ (450.00)
31	Hand Patching	8	-6.5	1.5	Ton	100.00	\$ -	\$ (650.00)
32	HMA, 13A	1390	-42.97	1347.03	Ton	57.14	\$ -	\$ (2,455.31)

2011 CDBG Local St Repaving & Water Main Replacement - Loomis St

Final Balancing Change order No. 1

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Item No.	Item Description	Contract		Revised		Unit Price	Amount	
		Amended Qty	Change	Quantity	Units		ADD	DEDUCT
33	HMA Surface, Rem, Modified	6527	222	6749	Syd	3.50	\$ 777.00	\$ -
34	Cement	1	-1	0	Ton	175.00	\$ -	\$ (175.00)
35	Driveway, Nonreinf Conc, 6 inch	260	259	519	Syd	27.00	\$ 6,993.00	\$ -
36	Curb and Gutter, Conc, Det F4	820	548	1368	Ft	16.00	\$ 8,768.00	\$ -
37	Sidewalk, Conc, 4 inch	2523	3004	5527	Sft	3.50	\$ 10,514.00	\$ -
38	Sidewalk, Conc, 6 inch	650	351	1001	Sft	3.00	\$ 1,053.00	\$ -
39	Detectable Warning Surface	70	0	70	Ft	25.00	\$ -	\$ -
40	Sidewalk Ramp	1386	-50	1336	Sft	3.50	\$ -	\$ (175.00)
41	Barricade, Type III, High Intensity, Double Sided, Lighted,Furn	8	0	8	Ea	189.00	\$ -	\$ -
42	Barricade, Type III, High Intensity, Double Sided, Lighted,Oper	8	0	8	Ea	10.80	\$ -	\$ -
43	Dust Palliative, Applied	2	-2	0	Ton	100.00	\$ -	\$ (200.00)
44	Minor Traf Devices	1	0	1	LS	1000.00	\$ -	\$ -
45	Plastic Drum, High Intensity, Lighted, Furn	30	35	65	Ea	32.40	\$ 1,134.00	\$ -
46	Plastic Drum, High Intensity, Lighted, Oper	30	35	65	Ea	1.08	\$ 37.80	\$ -
47	Sign, Type B, Temp, Furn	624.5	-65.5	559	Sft	3.56	\$ -	\$ (233.18)
48	Sign, Type B, Temp, Oper	624.5	-65.5	559	Sft	0.22	\$ -	\$ (14.41)
49	Site Preparation, Max. ____	1	0	1	LS	300.00	\$ -	\$ -
50	Acer Platanoides 'Emerald Queen', 2 1/2 inch	1	-1	0	Ea	300.00	\$ -	\$ (300.00)
51	Pyrus Calleryana 'Cleveland Select Pear', 2-1/2 inch	2	2	4	Ea	300.00	\$ 600.00	\$ -
52	Gate Valve and Box, 8 inch	4	1	5	Ea	1075.00	\$ 1,075.00	\$ -
53	Hydrant, Rem	3	-1	2	Ea	200.00	\$ -	\$ (200.00)
54	Water Main, 4 inch, Cut and Plug	1	-1	0	Ea	700.00	\$ -	\$ (700.00)
55	Water Main, 6 inch, Cut and Plug	2	-1	1	Ea	800.00	\$ -	\$ (800.00)
56	Hydrant Extension	2	-1	1	Ft	300.00	\$ -	\$ (300.00)
57	Water Main Backfill, Class II	974	10	984	Ft	1.00	\$ 10.00	\$ -
58	Water Main, 8 inch	974	10	984	Ft	30.00	\$ 300.00	\$ -
59	Water Main, 8 inch, Dir Bore	929	-4	925	Ft	50.00	\$ -	\$ (200.00)
60	Hydrant Assembly	3	0	3	Ea	2500.00	\$ -	\$ -
61	Water Main, Connect New 8 inch to Existing 4 inch	2	0	2	Ea	2500.00	\$ -	\$ -
62	Water Main, Connect New 8 inch to Existing 8 inch	2	0	2	Ea	2500.00	\$ -	\$ -
63	Water Serv, Long, 1 inch	14	0	14	Ea	700.00	\$ -	\$ -
64	Water Serv, Reconnect, 1 inch	4	-1	3	Ea	300.00	\$ -	\$ (300.00)
65	Water Serv, Reconnect, 3/4 inch	12	0	12	Ea	275.00	\$ -	\$ -

2011 CDBG Local St Repaving & Water Main Replacement - Loomis St

Final Balancing Change order No. 1

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Item No.	Item Description	Contract		Revised		Unit Price	Amount	
		Amended Qty	Change	Quantity	Units		ADD	DEDUCT
66	Water Serv, Reconnect beyond 10 feet, 3/4 inch or 1 inch	45	3	48	Ft	30.00	\$ 90.00	\$ -
67	Water Serv, Short, 1 inch	16	1	17	Ea	500.00	\$ 500.00	\$ -
68	Water Main Fittings, DI	800	-448	352	Lb	5.00	\$ -	\$ (2,240.00)
69	Sanitary Sewer, SDR26 PVC, 8 inch	234	1	235	Ft	35.00	\$ 35.00	\$ -
70	Sanitary Sewer Backfill, Class II	234	1	235	Ft	1.00	\$ 1.00	\$ -
71	Water Main, 8 inch, Dir Bore - Pipe Credit	0	908	908	Ft	-3.00	\$ (2,724.00)	\$ -
72	Topsoil Surface, 4 inch	0	153	153	Syd	2.75	\$ 420.75	\$ -
73	Seeding, Fertilizer and Mulch	0	153	153	Syd	1.10	\$ 168.30	\$ -
74	Dr Structure, Rem	0	2	2	Ea	250.00	\$ 500.00	\$ -
75	Dr Structure, Tap, 12 inch	0	3	3	Ea	300.00	\$ 900.00	\$ -
76	Catch Basin, 24 inch dia	0	2	2	Ea	1000.00	\$ 2,000.00	\$ -

Total: \$ 60,950.35 \$ (10,387.90)
Net Change: \$ 50,562.45
Revised Contract Price: \$ 414,891.46



Department of Community Development

Building a Stronger Community

161 W. Michigan Avenue • Jackson, MI 49201-1303
Telephone (517) 788-4060 • Facsimile (517) 780-4781

CITY COUNCIL MEETING February 21, 2012

TO: Honorable Mayor and City Councilmembers
FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director
SUBJECT: Award of Rehab Contract at 1415 Woodsum

MOTION:

Approve the award of the rehabilitation contract for 1415 Woodsum to Harrison Builders.

Rehab specialist Kurt Fritz requested bids through the Purchasing Department for an owner occupied rehabilitation project at 1415 Woodsum. The Community Development Department has analyzed the bids submitted and arrived at a recommendation on bid award.

Eight contractors attended the mandatory pre-bid walk through with four submitting completed bids. The resulting bid tabulations are attached for your review. The lowest acceptable bid is:

<u>Project</u>	<u>Awardable Contractor</u>	<u>Amount</u>
1415 Woodsum	Harrison Builders	\$24,305.00

The homeowner has been prequalified to receive funding through a HOME rehab loan (\$20,000.00 code, \$3,810.00 lead, \$495.00 homeowner deposit). The contractor awarded this project is required to obtain a current installation floater on their grand liability insurance policy. Pre and post rehab assessed values are not available from the City Assessors office at this time.

cc: Shelly Allard, Purchasing Coordinator
Dennis M. Diffenderfer, Rehab Coordinator
Kim VanEvery, Loan Assistant
Michelle Pultz, CD Project Coordinator

Bid Tabulation
for
Housing Rehabilitation
at
1415 Woodsum

				Harrison Builders LLC 916 Homewild Jackson, MI 49201	Concept Construction 1619 Cascade Ct. Jackson, MI 49203	Turn Key Home Improvement 10655 Knockaderry Dr. Grand Ledge, MI 48837	Alpha & Omega Construction Co. 340 Burt Avenue Jackson, MI 49201
Item #	Description	Code	Rehab Inspector Estimate	Unit Price	Unit Price	Unit Price	Unit Price
1	Roof House	C	5,600.00	7,200.00	5,865.00	7200	9975
2	DH Windows West	C	600.00	380.00	770.00	672	600
3	2 DH Windows West - Lead Safe Work Practices	L	200.00	380.00	100.00	70	150
4	1 DH Window West	C	300.00	380.00	385.00	336	325
5	Downspout Extensions	C	25.00	20.00	55.00	85	75
6	4 DH Windows South	C	1,200.00	1,140.00	1,440.00	1344	1200
7	4 DH Windows South - Lead Safe Work Practices	L	400.00	1,140.00	200.00	300	300
8	1 DH Window South	C	300.00	380.00	385.00	336	325
9	2 Fixed Sash Windows South	C	600.00	380.00	700.00	672	425
10	2 Fixed Sash Windows South - Lead Safe Work Practices	L	200.00	380.00	100.00	100	100
11	1 Cellar Window	C	200.00	150.00	285.00	336	300
12	1 Cellar Window - Lead Safe Work Practices	L	100.00	150.00	100.00	70	75
13	Screens	C	155.00	80.00	350.00	150	175
14	Door Closer	C	35.00	40.00	45.00	150	45
15	Treated Wood Steps	C	250.00	450.00	415.00	350	825
16	1 DH Window East	C	300.00	380.00	385.00	336	325
17	4 DH Windows North	C	1,200.00	570.00	1,440.00	1344	1200
18	4 DH Windows North - Lead Safe Work Practices	L	400.00	570.00	200.00	300	300
19	1 Slider Window North	C	300.00	380.00	385.00	336	345
20	Tuckpoint Foundation	L	150.00	100.00	285.00	670	425
21	Garage Repairs	C	2,000.00	1,000.00	2,025.00	3300	4000
22	Steel Door Dining Room	C	450.00	500.00	425.00	625	550
23	Steel Door Dining Room - Lead Safe Work Practices	L	100.00	200.00	100.00	70	75
24	Bath Lockset & Rehang	C	80.00	75.00	35.00	70	120
25	Lead Encapsulant Kitchen	C	100.00	100.00	110.00	350	138
26	Wall Repair	C	50.00	100.00	45.00	150	59
27	Replace Bedroom Door	C	200.00	140.00	185.00	220	275
28	Replace Bedroom Door - Lead Safe Work Practices	L	100.00	140.00	50.00	70	75

Bids are broken down to utilize/identify funding sources
L = Lead based paint hazard elimination work

C = Code requirement repair

I = Incipient Item

Bid Tabulation
for
Housing Rehabilitation
at
1415 Woodsum

				Harrison Builders LLC 916 Homewild Jackson, MI 49201	Concept Construction 1619 Cascade Ct. Jackson, MI 49203	Turn Key Home Improvement 10655 Knockaderry Dr. Grand Ledge, MI 48837	Alpha & Omega Construction Co. 340 Burt Avenue Jackson, MI 49201
Item #	Description	Code	Rehab Inspector Estimate	Unit Price	Unit Price	Unit Price	Unit Price
29	Bedroom Lockset	C	50.00	50.00	35.00	70	45
30	3 Smoke detectors	C	90.00	50.00	105.00	640	91
31	Lockset Living Room Door	C	60.00	75.00	45.00	70	78
32	Spindle Replacements	C	75.00	25.00	65.00	200	125
33	Attach Insulation	C	1,000.00	1,000.00	961.00	1960	495
34	Drywall Closet	C	250.00	100.00	925.00	650	450
35	Drywall Cellar Stairs	C	350.00	400.00	549.00	350	475
36	Handrail Cellar Stairs	C	200.00	100.00	135.00	125	120
37	Tread Replacement	C	50.00	50.00	55.00	150	75
38	Lead Clearance	L	600.00	750.00	600.00	425	1100
39	Mechanical Repairs	C	725.00	500.00	880.00	450	489
40	Plumbing to Code	C	500.00	800.00	685.00	600	850
41	Electrical to Code	C	3,530.00	3,500.00	4,193.00	2500	3950
	TOTAL		23,075.00	24,305.00	26,098.00	28,202.00	31,125.00
		L	2,250.00	3,810.00	1,735.00	2,075.00	2,600.00
		C	20,825.00	20,495.00	24,363.00	26,127.00	28,525.00



City of Jackson, Michigan Financial Statements

As of and For the 7 Months Ended January 31, 2012
(Unaudited)

<u>INDEX:</u>	<u>Page</u>
General Fund Expenditure Summary	1-2
All Other Funds - Expenditure Summary	3-4
All Funds - Revenue Summary	5-6
Notes to Revenue & Expenditure Summaries	7

City of Jackson, Michigan
General Fund Expenditure Summary
As of and For the 7 Months Ended January 31, 2012
(Prepared on the Adopted Budget-Basis)

Function Department	2011/12 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<u>Legislative :</u>						
101-101 City Council	78,582	78,582	6,410	50,661	64.47%	27,921
<u>Judicial:</u>						
101-137 Administrative Hearings Bureau	22,851	22,851	1,698	12,803	56.03%	10,048
	22,851	22,851	1,698	12,803	56.03%	10,048
<u>General Government :</u>						
101-172 City Manager	248,315	248,315	18,156	136,285	54.88%	112,030
101-192 City Clerk-Elections	151,568	150,988	5,826	97,753	64.74%	53,235
101-201 Finance	428,698	425,263	31,547	246,728	58.02%	178,535
101-209 City Assessor	295,358	294,777	20,773	172,658	58.57%	122,119
101-210 City Attorney	393,824	393,824	27,877	211,523	53.71%	182,301
101-215 City Clerk	198,545	197,369	15,432	108,455	54.95%	88,914
101-226 Personnel	166,545	166,545	25,588	104,768	62.91%	61,777
101-233 Purchasing	89,294	89,294	6,642	41,857	46.88%	47,437
101-253 City Treasurer	279,341	277,503	20,095	160,154	57.71%	117,349
101-254 City Income Tax	211,038	209,607	25,357	109,809	52.39%	99,798
101-258 Management Information Services	330,867	329,517	6,498	219,755	66.69%	109,762
101-265 City Hall & Grounds	338,657	338,657	24,978	188,359	55.62%	150,298
101-276 Cemeteries	186,363	186,363	13,073	137,695	73.89%	48,668
101-299 Unallocated	694,527	694,527	25,100	363,881	52.39%	330,646
	4,012,940	4,002,549	266,942	2,299,680	57.46%	1,702,869
<u>Police Department :</u>						
101-301 Police	7,268,805	7,250,955	653,407	4,305,089	59.37%	2,945,866
101-308 STEP Grants	0	0	0	13,132	N/A	(13,132) <i>Note 2</i>
101-311 JCCAE Grant	0	12,000	0	4,963	41.36%	7,037
101-312 OHSP Grant	0	0	0	2,561	N/A	(2,561) <i>Note 2</i>
101-313 Consortium Training	11,485	11,485	0	8,858	77.13%	2,627
101-314 In-Service Training	8,478	8,478	(450)	5,852	69.03%	2,626
	7,288,768	7,282,918	652,957	4,340,455	59.60%	2,942,463
<u>Fire Department :</u>						
101-340 Fire Suppression	3,327,889	3,332,609	276,582	1,891,890	56.77%	1,440,719
	3,327,889	3,332,609	276,582	1,891,890	56.77%	1,440,719
<u>Other Public Safety :</u>						
101-350 Public Safety - Unallocated	1,684,850	1,684,850	190,756	1,039,646	61.71%	645,204
101-401 Planning	28,213	28,213	2,742	43,251	153.30%	(15,038) <i>Note 2</i>
101-426 Office of Emergency Measures	64,601	64,601	(11,336)	27,816	43.06%	36,785
	1,777,664	1,777,664	182,162	1,110,713	62.48%	666,951

(Continued -)

City of Jackson, Michigan
General Fund Expenditure Summary
As of and For the 7 Months Ended January 31, 2012
(Prepared on the Adopted Budget-Basis)

- Continued -

Function Department	2011/12 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)
	Original	Amended				
<u>Public Works :</u>						
101-441 Tax Property Maintenance	8,000	8,000	106	3,116	38.95%	4,884
101-442 Civic Affairs	43,765	43,765	5,290	28,303	64.67%	15,462
101-447 Grounds Maintenance	42,600	42,600	980	23,810	55.89%	18,790
101-448 Sidewalk Construction	52,000	52,000	0	38,693	74.41%	13,307
101-450 Street Lighting	454,458	454,458	39,705	248,874	54.76%	205,584
101-455 Weed Control	39,300	39,300	(23)	25,938	66.00%	13,362
101-690 Forestry	186,363	186,363	23,469	176,021	94.45%	10,342
	826,486	826,486	69,527	544,755	65.91%	281,731
<u>Recreation & Culture :</u>						
101-692 Parks, Recreation & Grounds Admin	616,109	615,528	35,192	367,523	59.71%	248,005
101-697 Parks & Facilities Maintenance	539,350	538,188	32,853	258,052	47.95%	280,136
101-698 Lt. Nixon Memorial Pool	131,735	131,735	2,025	101,610	77.13%	30,125
101-699 Sharp Park Swimming Pool	94,877	94,877	385	66,043	69.61%	28,834
101-803 Historical District	11,973	11,973	631	4,354	36.37%	7,619
	1,394,044	1,392,301	71,086	797,582	57.29%	594,719
<u>Health & Welfare :</u>						
101-896 Human Relations	57,691	57,691	3,727	46,754	81.04%	10,937
<u>Contributions to Other Funds:</u>						
101-999 Contributions to Other Funds:	21,500	21,500	0	0	0.00%	21,500
Total General Fund Expenditures	18,808,415	18,795,151	1,531,091	11,095,293	59.03%	7,699,858

City of Jackson
All Other Funds - Expenditure Summary
As of and For the 7 Months Ended January 31, 2012
(Prepared on the Adopted Budget-Basis)

Fund Type/Fund Name	2011/12 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)	
	Original	Amended					
<u>Special Revenue Funds :</u>							
202	Major Street	4,103,574	4,103,574	162,586	1,272,053	31.00%	3,940,988
203	Local Street	2,025,823	2,025,823	82,844	964,929	47.63%	1,942,979
208	Ella W. Sharp Park Operating	675,998	674,067	21,736	369,813	54.86%	652,331
210	Land Acquisition Fund	50,000	50,000	178	14,375	28.75%	49,822
211	Housing Initiative Fund	15,000	15,000	0	1,813	12.09%	15,000
245	Public Improvement	1,145,597	1,145,597	0	124,913	10.90%	1,145,597
249	Building Department	558,342	556,911	30,153	296,596	53.26%	260,315
257	Budget Stabilization	16,000	16,000	0	0	0.00%	16,000
265	Drug Law Enforcement	45,517	45,517	5,828	19,130	42.03%	26,387
268	BYRNE/JAG Grants	167,386	196,729	4,317	60,111	30.56%	136,618
269	COPS Hiring Recovery Prog. Grant	196,246	196,246	0	102,039	52.00%	94,207
270	LAWNET Grant	35,475	35,475	0	3,223	9.09%	32,252
289	Neighborhood Stabilization Grant	265,000	265,000	23,145	85,363	32.21%	179,637
295	2008 Brownfield Assessment Grant	25,000	25,000	0	12,133	48.53%	12,867
296	Recreation Activity	245,706	245,706	15,688	117,498	47.82%	128,208
297	JPS Recreation Millage Program	239,000	239,000	12,094	111,979	46.85%	127,021
298	2008 Brownfield Revolving Loan	96,200	96,200	0	9,272	9.64%	86,928
<u>Debt Service Funds :</u>							
324	2003 MTF Bond D/S	283,235	283,235	0	278,530	98.34%	4,705
365	City Hall D/S	653,071	653,071	1,440	202,725	31.04%	450,346
368	Building Authority D/S	133,360	133,360	0	122,805	92.09%	10,555
395	2001 DDA TIF D/S	550	550	0	0	0.00%	550
396	2011 DDA TIF Refinancing D/S	5,624,828	5,624,828	0	5,368,212	95.44%	256,616
398	2002 BRA TIF D/S	637,703	637,703	0	223,726	35.08%	413,977
399	2007 BRA TIF Refunding D/S	446,529	446,529	0	208,102	46.60%	238,427
<u>Capital Projects Funds :</u>							
401	Capital Projects Fund	635,000	635,000	3,172	190,663	30.03%	444,337
402	Water Equipment and Replacement	1,698,995	1,698,995	27,845	729,129	42.92%	969,866
404	Sanitary Sewer Maintenance Fund	517,165	517,165	15,301	181,169	35.03%	335,996
405	Sanitary Sewer Replacement	745,500	745,500	8,310	264,535	35.48%	480,965
406	Wastewater Equip. Replacement	1,095,000	1,095,000	0	595,400	54.37%	499,600
494	Brownfield Redevelopment Auth.	1,342,648	1,342,648	4,315	477,177	35.54%	865,471
496	DDA Project	539,069	539,069	45,596	95,219	17.66%	443,850
<u>Enterprise Funds :</u>							
583	Sharp Park Golf Practice Center	66,151	66,151	162	21,868	33.06%	44,283
585	Auto Parking System	28,563	28,563	2,636	12,916	45.22%	15,647
586	Parking Assessment	150,043	150,043	7,509	54,043	36.02%	96,000
589	Stormwater Utility	792,148	792,148	50,456	470,164	59.35%	321,984
590	Sewer	6,942,700	6,928,166	368,475	2,677,517	38.65%	4,250,649
591	Water	7,491,560	7,465,288	450,846	3,155,576	42.27%	4,309,712
599	Parking Deck Fund	719,251	719,251	19,414	89,299	12.42%	629,952

(Continued -)

City of Jackson
All Other Funds - Expenditure Summary
As of and For the 7 Months Ended January 31, 2012
(Prepared on the Adopted Budget-Basis)

- Continued -

Fund Type/Fund Name	2011/12 Budget		Actual Month To Date	Actual Year To Date	Percent Spent	Variance - Favorable (Unfavorable)	
	Original	Amended					
<u>Internal Service Funds :</u>							
641	Public Works Administration	617,445	599,558	50,846	288,714	48.15%	310,844
642	Engineering Administration	385,888	381,343	27,997	222,776	58.42%	158,567
643	Local Site Remediation Revolving	201,000	201,000	0	5,087	2.53%	195,913
661	Motor Pool and Garage	1,474,726	1,467,285	77,964	611,922	41.70%	855,363
663	Equipment Revolving Fund	72,136	72,136	55,300	55,300	76.66%	16,836
677	Workers' Compensation	208,500	208,500	2,293	56,214	26.96%	152,286
678	Prescription Drug	864,600	864,600	77,767	429,710	49.70%	434,890
679	Health Care Deductible Reimb.	44,200	44,200	2,284	13,531	30.61%	30,669
680	Health Care Deductible Reimb.-Fire	163,500	163,500	9,721	47,413	29.00%	116,087
<u>Trust & Agency Funds :</u>							
702	County & School Tax Collection	35,000	35,000	0	0	0.00%	35,000
711	Cemetery Perpetual Maintenance	64,500	64,500	0	4,706	7.30%	59,794
718	Ella W. Sharp Endowment	45,050	45,050	0	0	0.00%	45,050
731	Employees' Retirement System	3,270,000	3,270,000	270,142	1,949,713	59.62%	1,320,287
732	Policemen's/Firemen's Pension	1,040,000	1,040,000	0	432,881	41.62%	607,119
733	Policemen's/Firemen's Pens.-345	4,750,000	4,750,000	66,801	2,568,646	54.08%	2,181,354
736	Public Employees Health Care	10,000	10,000	0	0	0.00%	10,000
<u>Special Assessment Funds :</u>							
895	Special Assessment	324,149	324,149	0	0	0.00%	324,149

City of Jackson
All Funds - Revenue Summary
As of and For the 7 Months Ended January 31, 2012
(Prepared on the Adopted Budget-Basis)

Fund/Fund Name	2011/12 Budget		Actual Month To Date	Actual Year To Date	Percent Collected
	Original	Amended			
<u>General Fund :</u>					
Property Taxes	6,898,278	6,898,278	103,761	5,891,162	85.40%
Income Taxes	7,250,000	7,250,000	915,310	4,501,046	62.08%
Licenses & Permits	252,725	252,725	66	56,704	22.44%
Federal Grants	2,585	14,585	0	4,963	34.03%
State Grants	12,465	12,465	0	5,678	45.55%
State Revenue Sharing	2,286,500	2,286,500	654,396	1,345,106	58.83%
Contributions From Local Units	29,665	29,665	0	24,946	84.09%
Charges For Goods & Services	1,185,949	1,185,949	119,301	387,632	32.69%
Fines & Forfeits	237,580	237,580	12,018	96,055	40.43%
Investment Income	50,000	50,000	784	4,053	8.11%
Contributions From Other Funds	171,500	171,500	10,966	119,490	69.67%
Miscellaneous	278,034	278,034	84,208	328,314	118.08%
Total General Fund Revenues	18,655,281	18,667,281	1,900,810	12,765,149	68.38%
<u>Special Revenue Funds :</u>					
202 Major Street	3,912,693	3,912,693	164,561	830,270	21.22%
203 Local Street	2,007,167	2,007,167	233,179	642,173	31.99%
208 Ella W. Sharp Park Operating	677,950	677,950	0	251,691	37.13%
210 Land Acquisition Fund	50,000	50,000	0	1	0.00%
211 Housing Initiative Fund	15,000	15,000	2	14	0.09%
245 Public Improvement	1,057,500	1,057,500	13,442	914,527	86.48%
249 Building Inspection	554,520	554,520	3,894	245,244	44.23%
257 Budget Stabilization	16,000	16,000	431	3,023	18.89%
265 Drug Law Enforcement	31,250	31,250	1,167	4,699	15.04%
268 BYRNE/JAG Grants	167,386	196,729	0	30,768	15.64%
269 COPS Hiring Recovery Prog. Grant	196,246	196,246	0	51,256	26.12%
270 LAWNET Grant	35,475	35,475	0	2,523	7.11%
289 Neighborhood Stabilization Grant	265,000	265,000	191	88,541	33.41%
295 2008 Brownfield Assessment Grant	25,000	25,000	0	0	0.00%
296 Recreation Activity	300,500	300,500	17,412	106,696	35.51%
297 JPS Recreation Millage Program	240,000	240,000	0	1	0.00%
298 2008 Brownfield Revolving Loan	96,200	96,200	0	0	0.00%
<u>Debt Service Funds :</u>					
324 2003 MTF Bond D/S	283,235	283,235	0	278,530	98.34%
365 2003 City Hall D/S	657,500	657,500	6,392	592,680	90.14%
368 Building Authority D/S	133,360	133,360	0	122,805	92.09%
395 2001 DDA TIF D/S	550	550	0	0	0.00%
396 2011 DDA TIF Refinancing D/S	5,624,828	5,624,828	0	5,368,643	95.45%
398 2002 BRA TIF D/S	637,703	637,703	0	223,726	35.08%
399 2007 BRA TIF Refunding D/S	446,529	446,529	0	208,102	46.60%
<u>Capital Projects Funds :</u>					
401 Capital Projects Fund	635,000	635,000	0	3,117	0.49%
402 Water Equipment and Replacement	1,014,000	1,014,000	83,796	586,743	57.86%
404 Sanitary Sewer Maintenance Fund	517,165	517,165	15,301	181,105	35.02%
405 Sanitary Sewer Replacement	663,000	663,000	54,572	381,918	57.60%
406 Wastewater Equip. Replacement	643,000	643,000	52,266	366,240	56.96%
494 Brownfield Redevelopment Auth.	1,272,500	1,272,500	693	5,722	0.45%
496 DDA Project	1,046,602	1,046,602	0	14	0.00%

(Continued-)

City of Jackson
All Funds - Revenue Summary
As of and For the 7 Months Ended January 31, 2012
(Prepared on the Adopted Budget-Basis)

- Continued -

Fund/Fund Name	2011/12 Budget		Actual Month To Date	Actual Year To Date	Percent Collected	
	Original	Amended				
<u>Enterprise Funds :</u>						
583	Sharp Park Golf Practice Center	68,200	68,200	3	15,996	23.45%
585	Auto Parking System	28,250	28,250	989	8,123	28.75%
586	Parking Assessment	91,839	91,839	16,113	35,558	38.72%
589	Stormwater Utility	773,000	773,000	97,227	699,039	90.43%
590	Sewer	5,171,900	5,171,900	355,987	2,456,652	47.50%
591	Water	6,795,327	6,795,327	642,301	3,633,398	53.47%
599	Parking Deck Fund	256,932	256,932	849	254,806	99.17%
<u>Internal Service Funds :</u>						
641	Public Works Administration	617,445	599,558	45,813	373,284	62.26%
642	Engineering Administration	385,888	381,343	19,906	187,228	49.10%
643	Local Site Remediation Revolving	165,000	165,000	191	1,113	0.67%
661	Motor Pool and Garage	1,341,764	1,341,764	82,095	727,318	54.21%
663	Equipment Revolving Fund	72,136	72,136	55,300	55,300	76.66%
677	Workers' Compensation	265,000	265,000	18,346	170,795	64.45%
678	Prescription Drug	810,300	810,300	67,763	577,879	71.32%
679	Health Care Deductible Reimb.	93,000	93,000	12,445	51,028	54.87%
680	Health Care Deductible Reimb.-Fire	170,000	170,000	13,790	100,887	59.35%
<u>Trust & Agency Funds :</u>						
702	County & School Tax Collection	35,000	35,000	(196)	4,706	13.45%
711	Cemetery Perpetual Maintenance	89,500	89,500	2,507	54,393	60.77%
718	Ella W. Sharp Endowment	85,050	85,050	0	0	0.00%
731	Employees' Retirement System	4,183,000	4,183,000	1,028,153	427,787	10.23%
732	Policemen's/Firemen's Pension	885,000	885,000	0	(104,511)	-11.81%
733	Policemen's/Firemen's Pension-345	7,168,528	7,168,528	858,915	(624,752)	-8.72%
736	Public Employees Health Care	40,000	40,000	(17,109)	(17,109)	-42.77%
<u>Special Assessment Funds :</u>						
895	Special Assessment	324,149	324,149	117	2,306	0.71%

City of Jackson
Notes to Revenue & Expenditure Summaries
As of and For the 7 Months Ended January 31, 2012
(Prepared on the Adopted Budget-Basis)

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

Note 2: A budget amendment to correct this variance is pending.

Julius A. Giglio
City Attorney

Bethany M. Smith
Deputy City Attorney

Gilbert W. Carlson
Assistant City Attorney

OFFICE OF THE




161 West Michigan Avenue
Jackson, MI 49201
(517) 788-4050
(517) 788-4023
Fax: (517) 788-4059

CITY ATTORNEY

CITY COUNCIL MEETING
February 21, 2012
NEW BUSINESS

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Julius A. Giglio 

SUBJECT: Abelardo Moralez v. City of Jackson Community Development Department, et al

MOTION: **The requisite action is to refer this matter to the City Attorney for handling.**

Attached is a copy of a Summons and Complaint that was served on several employees of the City of Jackson on February 8, 2012. The suit was filed in the Ingham County Circuit Court.

The requisite action is to refer this matter to the City Attorney for handling.

JAG/dn
Enc.

cc Laurence Shaffer, City Manager

STATE OF MICHIGAN

30th

JUDICIAL DISTRICT
JUDICIAL CIRCUIT
COUNTY PROBATE

SUMMONS AND COMPLAINT

CASE NO. 12-139 CH

HON. JOYCE DRAGANICHUK
Court telephone no.

Court address

313 W. KALAMA 700 ST.

Plaintiff's name(s), address(es), and telephone no(s).
ABELARDO MORALEZ (OWNER)
705-729 PAGE AVENUE
JACKSON, MICHIGAN. 49203
517 817 0889

Plaintiff's attorney, bar no., address, and telephone no.

- IN PRO PER -

LANSING, MICHIGAN, 48933

Defendant's name(s), address(es), and telephone no(s).
CITY OF JACKSON COMMUNITY DEV.
DENNIS M. DIFFENDERFER
KIM VAN EVERY
CITY OF JACKSON / AT BETH SMITH
CITY OF JACKSON / AT GILBERT CARLSON
HON. CARLENE LEFERE
ANDREW DOTTERWEICH
MINDY REILLY, REGISTER OF DEEDS
KAREN COFFMAN - COUNTY TREASURER
CITY OF JACKSON ASSESSOR'S OFFICE
DAVID TAYLOR, DIRECTOR

SUMMONS NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons to file a written answer with the court and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state). (MCR 2.111(C))
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued **FEB - 7 2012** This summons expires **MAY - 8 2012** Court clerk **MIKE BRYANTON**

*This summons is invalid unless served on or before its expiration date.
This document must be sealed by the seal of the court.

2012 FEB - 7 P 2:45
JUDICIAL DISTRICT
JUDICIAL CIRCUIT COURT
COUNTY OF ERK
MIKE BRYANTON
CLERK OF THE 30TH
COUNTY OF ERK

COMPLAINT Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.

Family Division Cases

- There is no other pending or resolved action within the jurisdiction of the family division of circuit court involving the family or family members of the parties.
 - An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in _____ Court.
- The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no. **11-225 HT (TRIAL)** Judge **CARLENE LEFERE ON 2-8-2012** Bar no. _____

General Civil Cases

- There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
 - A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in _____ Court.
- The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no. _____ Judge _____ Bar no. _____

VENUE

Plaintiff(s) residence (include city, township, or village) **729-705 PAGE, JACKSON, MI** Defendant(s) residence (include city, township, or village) **JACKSON COUNTY**

Place where action arose or business conducted **JACKSON COUNTY** **49203**

Date **February 7th, 2012, A.D.** Signature of attorney/plaintiff *Abelardo Moralez*

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

STATE OF MICHIGAN

IN THE THIRTIETH JUDICIAL CIRCUIT COURT FOR THE COUNTY OF INGHAM

ABELARDO MORALES,

HON. JOYCE DRAGANCHUK

Plaintiff - PRO PER -
Property LandOwner representing
705 AND 729 PAGE AVENUE ESTATE(S)
Jackson, Michigan. 49203
Land-line phone: 517-8170889

CASE NO. 12-134 CH

Vs.

CITY OF JACKSON COMMUNITY DEVELOPMENT DEPT AND
DENNIS M. DIFFENDERFER (REHABILITATION COORDINATOR) personal capacity
KIM VANEVRY (FINANCIAL HARDSHIP EXAMINER) personal capacity
CITY OF JACKSON ATTORNEY BETHANY M. SMITH (P57913) CIVIL PROSECUTION
CITY OF JACKSON ATTORNEY GILBERT A. CARLSON (P26103) CRIMINAL PROSECUTION
161 W. MICHIGAN AVENUE EXECUTIVE OFFICES
JACKSON, MICHIGAN. 49201 (517) 788-4050

HONORABLE CARLENE LEFERE, ADMINISTRATIVE LAWJUDGE FOR
CITY OF JACKSON ADMINISTRATIVE HEARINGS BUREAU Judicial capacity
CITY OF JACKSON ATTORNEYS OFFICE SATELLITE OFFICE
161 W. MICHIGAN AVENUE, 12TH FLOOR P.O. BOX OFFICE
JACKSON, MICHIGAN. 49201 (517) 788-4050 AND
CITY OF JACKSON BUILDING CODE BOARD OF EXAMINERS AND APPEALS MEMBER
ANDREW DOTTERWEICH personal capacity

COUNTY OF JACKSON REGISTER OF DEEDS [JURY TRIAL VENUE] COUNTY TRESURY
MINDY REILLY/ADMINISTRATOR OF DEEDS, KAREN A. COFFMAN/COUNTY TREASURER
JACKSON COUNTY TOWER BUILDING
120 W. MICHIGAN, 2ND FLOOR DELINQUENT ESTATE TAX COLLECTIONS/FORECLOSURES
JACKSON, MICHIGAN. 49201 (517) 7884350

CITY OF JACKSON ASSESSORS LAW OFFICE ADMINISTRATIVE CAPACITY (CIVIL)
DAVID TAYLOR, DIRECTOR FOR COMM DEV. ESTATE TITLE LEINS, FINES, COSTS, FEES
161 W. MICHIGAN CITY HALL, 9TH FLOOR EXECUTIVE OFFICES
JACKSON, MICHIGAN. 49201 (517) 7884033

Defendant(s)

ORAL ARGUMENT AND LAW BRIEF SUBMISSION (IS) REQUESTED

JURY TRIAL VENUE (IS) CORRECTLY DEMANDED.

PREPARED BY: DATE: 2-6-2012 IS/

Mr. Abelardo Morales
ABELARDO MORALES, CITIZEN-TAXPAYER.

STATE OF MICHIGAN

IN THE THIRTIETH JUDICIAL CIRCUIT FOR THE COUNTY OF INGHAM

CITY OF JACKSON HOUSING CODE VIOLATIONS ISSUES
WITH DEFENDANT(S) ADMINISTRATIVE HEARINGS BUR-
EAU ORDER WITH CITY BUILDING CODE BOARD ORDER
TO ATTACH UNLAWFUL LEIN (CLOUD) UPON THE TITLE
DEED, 705 PAGE AVENUE, INTEREST BEARING FINE UP
TO \$10,000.00

[C O M P L A I N T]

COUNT I / BREECH OF DUTY

MANIFEST DEFECT OF 705 PAGE AVENUE BLIGHT ORDINANCE CODE VIOLATIONS
LEADING TO REINSPECTION OF 729 PAGE AVENUE AN ADDITIONAL FINE UPON
A OWNER OCCUPIED BUILDINGS

SEARCH WARRANT(S)

1. As to the Defendant's Dennis M. Diffenderfer, Kim VanEvery, City of Jackson Attorney Smith, City of Jackson Attorney Carlson are collaterally attacked UNDER COLOR OF MICHIGAN LAW. All collaterel estopple Michigan law is cited to negate Eleventh Amendment "Cloak of IMMUNITY". The combined Defendant's in tandem had planned to rob and steal, incarserate the unrepresented Plaintiff first without JURYTRIAL DUE PROCESS IN A MICHIGAN CIRCUIT COURT OF LAW. Under false pretence of a "fair trial without jury" in a inferior bureau hearing not authorized (City of Jackson Tribunal Court) by MICHIGAN CONSTITUTION to litigate and hear Michigan Real Estate(s) worth over \$25,000.00.
2. That the amount(s) in controvercy (defendant's demands to replace entire roof, downspouts/gutters, all windows, exterior sidings, interior floors, doors and walls, electrical reconfigurations, a concrete fence wall, during WINTER TIME WITHIN SIX MONTHES) are in excess of \$25,000.00. 705 PAGE AVENUES retail-market VALUE IN EQUITY is \$45,000.00. Jurisdiction is now proper in a MICHIGAN CIRCUIT COURT. VENUE is lawfully proper in the Michigan SuperIntending Circuit Court of INGHAM COUNTY, because no Jackson County Circuit Judge may lawfully hear a civil case against JACKSON COUNTY DEEDS/TREASURY JUDGES EMPLOYER.

3. ENTITLEMENT TO JURY TRIAL IN THE COUNTY OF INGHAM

4. That the amount(s) in controversy are in excess of \$45,000.00. Jurisdiction and VENUE are proper in this superintending Circuit for legal reasons that the COUNTY OF JACKSON, is party Defendant.

Pursuant too MCR 4.201 (F) jurytrial demand by Plaintiff, (C)d SUMMONS. Pursuant to MCR 5.158 (A) DEMAND, (B) Waiver of trial by Jury, waived if trial or hearing is commenced without a DEMAND being filed. (adopted July 12, 2001, effective Jan 1, 2002, 464 Mich). Plaintiff's claim for Circuit court equitable relief [COURT OF EQUITY], his money claims against Defendants described by MCL 600.5739, MCL 600.5701-600.5759 and MCR 3.411(A)(B). [SEE] PLAINTIFF APPENDIX EXHIBIT ONE. NOTICE OF TRIAL, CASE NUMBER 11-225 HI BY ADMINISTRATIVE LAW JUDGE CARLENE LEFERE FEBRUARY 8TH, 2012 at 1:30PM.

5. For the past (20 YEARS) Dennis Diffenderfer and former Chief City Attorney Anthony F. Raduazo and the City of Jackson Police Dept have been incarcerating PRAJEDIS R. MORALEZ, MARIA LUDIMAR MORALEZ, ABELARDO MORALEZ for housing code violations. Our mexican-american families during the rein of PROSECUTOR JOESEPH S. FILIP (hates Mexicans) now DISTRICT JUDGE, OUR LANDS/HOMES were busted up, by racist german-americans, Patrick Patterson, Sr., Douglas Patterson and Dennis Wayne Patterson. Over \$10,000.00 in property damages not prosecuted by CITY ATTORNEY CARLSON and CITY OF JACKSON POLICE DEPT. Abelardo Morales was also feloniously assaulted (nearly kickbeaten to DEATH) by Dennis Wayne Patterson and Linda Martin APRIL 4, 1991. APRIL 28TH, 1992 COUNTY PROSECUTOR CARLSON via a unconstitutional unfair criminal trial, (KEPT PATTERSON OFF THE WITNESS STAND) I was WRONGFULLY IMPRISONMENT 2-6 YEARS PRISON for putting a hole in a Whitewoman's car. From photographic memory City Attorney Giglio, I remember how Dennis Diffenderfer and Raduazo arrested Abelardo Morales in 1990 at a CITY OF JACKSON COUNCIL MEETING, (our mexican families bodily ejected) by CITY POLICE OFFICERS. How JPD NATE GROSS pulled a "revolver" in JUDGE JUSTIN's (TERMINATED) upon my (80 Year old) Prajedis Morales.

6. INGHAM CO. CIRCUIT JUDGE, the plaintiff in 1990 (then) was "unlawfully DENIED REPRESENTATION BEFORE CITY COUNCIL and (now) I am being DENIED in the instant TICKET CITATION 11-225 HI legal due process in a inferior administrative tribunal where the outcome without JURY OF MY PEERS (Property Owners not RENTERS) has already been determined by the represented Defendant's. [SEE] PLAINTIFF'S APPENDIX EXHIBIT TWO. COA PPO DISMISSAL, MSC LEAVE TO APPEAL AFTER COA DECISION. After being threatened by six men, gunshots behind my bedroom, Lincoln car roof "stomped-in" I feared for my life at 729 PAGE, and moved back into 705 PAGE in JANUARY OF 2011. Making in Michigan law 705 PAGE A OWNER OCCUPIED DWELLING.

7. Defendant Diffenderfer and Inspector Pickett in tandem disregarded my NO TRESPASS SIGN, walked onto my property and wrote up every violation they could on 705 PAGE ON MARCH 24, 2011 EXTERIOR RENTAL UNIT VIOLATIONS. SEARCH WARRANT WAS INVALID 05/16/2011. Ingham Co. Circuit Judge, this is the only valid issue that lawjudge Lefere was too hear upon Motion on February 8th, 2012. City Attorney Smith commented that Judge Lefere could not hear this issue, nor several Motions that went down too defeat, setting me up for City of Jackson City Assessor TITLE LEIN by the REGISTER OF DEEDS. Judge Lefere's EMPLOYER IS CITY OF JACKSON. For that legal reason, I agree with her.

8. As to Defendant Kim VanEvery, on NOVEMBER 4TH, 2011 the Plaintiff originally met with Director Patrick Burtch and Diffenderfer, a revelation that (race-beating Victim) Abelardo would not allow Dennis Patterson at 705 PAGE to "dictate when, where and how I would be kick-beaten to death by a racist whitemale." I came close to tears without sound. As I looked at my WENDYS WORKCAP, dis-abled beaten like an animal. Judge, I am not protected by the JPD AND COUNTY OF JACKSON PROSECUTOR.

9. As to Defendants VanEvery and Diffenderfer, in unlawful tandem DECEMBER 15TH, 2011 predispositioned to DENY Plaintiff his FINANCIAL HARDSHIP STATUS AND FINANCIAL HARDSHIP HUD LOAN PACKAGE APPROVAL. This meeting was "marked" by racial prejudice of VanEvery. VanEvery pointed her masculine forefinger at Mr. Morales and stated in a very hostile white-female voice..."I decide if you are approved or denied. My Michigan Property Rights and Michigan Civil Rights were violated that day. VanEvery was provided my 2010 city, state and federal INCOME TAX RETURNS.

10. JANUARY 4TH, 2012, Defendant VanEvery and Secretary Shiela Prater DENIED FINANCIAL HARDSHIP STATUS. After denial, VanEvery did call the Plaintiff a "LIAR". VanEvery asked after denial, are you sure you did not receive "RENTAL INCOME AT 705 PAGE AVENUE IN 2011?". Upon retrieval of my 2010 TAX FILING, VanEvery blocked me at the elevator and stated.. "Abehardo, you are stealing Comm. Dev. property Shiela call the police to get his mind Right?". VanEvery called me a "THEIF". VanEvery and Diffenderfer, the Defendants were provided CP FEDERAL CREDIT UNION account statements by Social Security Administration SSID BENIFITS AND UNEMPLOYMENT (UNDEREMPLOYMENT) INSURANCE BENIFITS. Judge, I threw my INCOME TAX STATEMENTS at Shiela's desktop and fled the City Hall down the stairs, fearing a beating by CITY POLICE MATT PETERS, following me as I paid my ESTATE TAXES AT COUNTY BUILDING. City Attorney Smith, suggested a "criminal proceeding against me before DISTRICT JUDGE FILIP, VIA CRIMINAL PROSECUTOR (CITY) CARLSON IF I do not cooperate with the CITY AND COUNTY SEIZARE OF LANDEED TITLES?

11.

STATUS QUO

APPENDIX EXHIBIT THREE CLEAR AND FREE OF ENCUMBURANCE TWO COUNTY OF JACKSON LANDEED TITLES BELONGING TO PROPERTY OWNER ABELARDO MORALESZ CIRCUIT JUDGE, PLAINTIFFS STATE PRISON ADDRESS MTF IS CLEARLY DENOTED ON 729 PAGE TITLE TRANSFER FROM MARIA MORALESZ, JANUARY 15, 1993.

12. Culmination of both the JANUARY 11TH, JANUARY 24TH, 2012 meetings with Defendants Diffenderfer and VanEvery (Director Burtch avoided this meeting, he knew the premeditated outcome) I was DENIED. VanEvery's was silent, her skin crawled with racial prejudice when she looked at me in a \$1,000.00 silk suit and tie. She refused to shake my hand, when asked for the file, in a "Whisper in Diffenderfer's ear she asked "Which file dennis, 705 OR 729 PAGE AVENUE?". Plaintiff's income was added up, measured for defeat when I was told 50/50 sorry abelardo. Butt, you're income means you have available a 50% outlay of income, so you do not Qualify for Financial Hardship Status. Dennis "wasted 15 Minutes of my time, looking for FORECLOSURE NOTICE in the Jackson Citizen Newspaper. Since you're taxes are not current on both your properties, you are not ELIGIBLE FOR FINANCIAL HARDSHIP HUD PACKAGE EITHER! CIRCUIT JUDGE, the defendant's exceeded their administrative boundaries UNDER COLOR OF MICHIGAN LAW. Misconduct towards the applicant (MINIMUM WAGE WORKER) [SEE APPENDIX EXHIBIT FOUR, 2010 INCOME TAX STATEMENTS, CP FEDERAL CREDIT UNION STATEMENT OF ACCOUNT, 2011 WENDYS END OF YEAR TOTAL INCOME. I was DENIED FINANCIAL HARDSHIP WHEREIN ALL MY INCOME IN 2011 WAS USED FOR ESTATE TAXES AND CODE VIOLATION REPAIRS.

13. Defendants DENIED HARDSHIP STATUS based upon Plaintiff's National ORIGIN, race, age, felon status, minimum wages as a MICHIGAN HANDICAPPER. No Jackson County attorney will represent me in any court. JANUARY 26TH, 2012 Plaintiff appears before administrative law judge Lefere without FINANCIAL HARDSHIP STATUS 360 DAYS OF ADDITIONAL TIME. Trial without a JURY is set for February 8th, 2012 for TITLE LEIN ORDER, VIA CITY OF JACKSON ASSESSOR ATTACHMENT TO 705 PAGE AVENUE LANDEED TITLE.

14.

COUNT II / UNJUST ENRICHMENT

Pursuant to MCR 3.411 CIVIL ACTION TO DETERMINE INTEREST IN LAND (A) Applies to summary administrative proceedings to recover possession of (actions to determine interests in land. Under MCL 600.5701-600.5759, a CIRCUIT COURT of Jurisdiction may hear the Plaintiff's CIVIL CASE.

Contrary to City Attorney Smith's prosecution before law-judge Lefere that TICKET 11-225 HI was VALID AS RENTAL-UNIT INSPECTION AND SEARCH WARRANT upon a NON-OWNER OCCUPIED DWELLING ESTATE is in law incorrect, as to a "Claim". Generally a liability in personam but capable embracing both a personal liability and a LEIN ON PROPERTY, while a LEIN is a liability in REM. Fairbanks, Morse & Company v. Cape Charles, 144 Va. 56, 131 S.E. 437, 439.

15.

COUNT III / ADMINISTRATIVE LAWJUDGE
MISCONDUCT

LawJudge LeFere is a former District Judge, former CITY OF JACKSON ATTORNEY, WHEN ASKED BY THE PLAINTIFF to rule on his several Motions, she fainted ignorance of the City Code. None of the defendants would admit what was the "CUTOFF MARKER" for financial hardship status ONLY. Abelardo Morales never begged the CITY OF JACKSON FOR MONEY HANDOUT. Plaintiff found out before forced trial without a JURY that the maximum for HUD STATUS IS \$34,550.00. In sixty years of this life plaintiff has never made this much money in his entire life. Attorney Smith at this civil case filing of PRE-TRIAL CONFERENCE I will become "current" on real estate taxes for the years of 2010 and 2011- 2012 and I will re-apply per the CITY OF JACKSON ORDINANCES and Community Action AGENCY. Her Honor LeFere when finding out about my treatment as citizen taxpayer, she stated for the record, she did not have anything too do with that "Mess", she is the legal instrument used by Comm. Dev. to seize land without DUE PROCESS. A impaneled INGHAM COUNTY JURY will decide that my INCOME MEETS STATE OF MICHIGAN REQUIREMENTS FOR VARIANCE PER STATE LAW. Ingham Co. Judge this plaintiff was unlawfully subjected to "DIFFERENT STANDARDS" in his application(s) from unemployed indigent WHITES facing FORECLOSURE. Dennis Diffenderfer and Kim VanEvery are in the business of bankrupting MEXICAN-AMERICANS WHOM HAVE BEEN LANDOWNERS SINCE 1965 and 1983. WHITES ONLY ADMINISTRATORS WILL HAVE POLICE KICK-IN YOUR STEEL DOORS, SHOOT US IN THE HEAD, DRAG MEXICAN OUT OF THEIR TWO HOMES DEAD UNDER EVICTION NOTICE BASED UPON CRIMINAL TRESPASS. I, think not criminal prosecutor GILBERT A. CARLSON. To the Ingham County Circuit Court JURY, I abelardo moralez state at pre-trial we mexicans-americans were here before the Defendants came, we mexican-americans landowners will be hear when the white defendant's are gone. Judge Lefere would have issued a [DEATH WARRANT] for convicted FELON abelardo moralez with no emotion and no skin off her white nose. This civil case filing shows that the plaintiffs CIVIL RIGHTS HAVE BEEN VIOLATED UNDER BOTH STATE AND FEDERAL CONSTITUTIONS.

16.

COUNT IV / ANDREW DOTTERWEICH
MALFEASANCE

17. For (20 YEARS) Andrew Dotterweich has ruled against the Morales CLANS. In the instant housing Code violations this defendant declared for the Board this ticket was based upon plaintiff's actual residence at the exacting date of ticket issuance by Defendant Diffenderfer. Andrew Dotterweich opinions are based upon racial prejudice and bigotry, towards property owners of MEXICAN ORIGIN.

18.

ESTOPPLE LEGAL TITLE TO LAND
equitable estoppel

An estopple has arisen. When board member Dotterweich culpable conduct is equivant to intent to decieve. In Fleishbein v. Western Auto Supply Agency, 19 Cal.App. 2d 424, 65 P.2d 928. Elements of equitable estopple are representations intentionally made under such circumstances as show that party making them intended, or might reasonably have antisipated, that party to whom they are made , or to whom they are communicated, will rely and act on them as true. BONA FIDE FINANCIAL HARDSHIP APPLICATION DENIED PREMATURELY.

19.

Estopple affecting legal title to land requires conduct amounting to knowing representation or concealment relied on by other party changing his position for worse. Crane v. Esmond, 214 Wis. 571, 253 N. W. 780.

20.

FRAUD / INTENT

"Estopple" in its broadest sense is penalty paid by one perpetrating wrong by known fraud or by affirmative act which, though without fraudulent intent, may result in legal fraud on another. Harris v. Prince, Tex.Civ.App., 98 S.W.2d 1022, 1026. BONA FIDE FINANCIAL HARDSHIP STATUS APPROVAL DENIED PERMANANTLY. IN PLEADING. BOTH RATIFICATION DISTINGUISHED/RES JUDICATA DISTINGUISHED were dependant upon combined Defendants concealment(s) of 2011-2012 (exacting MONEY INCOME FIGURE to qualify for CITY OF JACKSON FINANCIAL HARDSHIP STATUS. Defendants never in private or public quoted what this money amount was. All attempts by the injured Plaintiff were QUASHED.

21.

COUNT V / COUNTY OF JACKSON REGISTER
OF DEEDS AND COUNTY OF JACKSON TRESURY
AN ADMINISTRATIVE ORDER TO ATTACH TWO
ESTATE TITLE LEINS

22.

Plaintiff seeks the legal ruling and ORDER from the trier of fact, a preliminary injunction for restraint upon these defendants from lawfully processing title lein ORDER of the CITY OF JACKSON

ASSESSORS OFFICE OF DAVID TAYLOR, DIRECTOR. During the pendency of jurytrial in Ingham County. To offer updates on the Plaintiff's money payment (plus interest compounded) to bring his estate taxes current in 2012. For court assisted re-application because the defendant(s) are now hostile towards the plaintiff and call the CITY OF JACKSON POLICE, upon siting plaintiff in CITY HALL.

23. **COUNT VI / DAVID TAYLOR**
PROGRAM DIRECTOR FOR THE CITY OF JACKSON ASSESSORS OFFICE
TRIAL ADMINISTRATIVE MISCONDUCT

24. Plaintiff articulates, Comm Dev. has never been challenged in a court of law. As a matter of fact Dennis-Diffenderfer routinely interjected plaintiff's statements before admin judge and it board "Mr. Morales your objection is irrelavant, this is not a court of law." Ingham County Judge, this administrator hates and loaths the brown-skin of the Plaintiff. I objected too that departments stacking the deck against me. That this individual in his personal capacity be subject too criminal CONTEMPT BY CIRCUIT COURT, if he processes a unlawfully property LEIN, during the pendency of jurytrial and be held in abeyance of JURYTRIAL AWARD.

25. **HISTORICAL TEXT AND GENERAL ALLEGATIONS**

YOUR HONOR, in the 1800'S Polish-American immigrants owned all the land, houses on PAGE AVENUE STREET. A hard working honest people's whom the DROMBROWSKIS sold on landcontract 705 PAGE AVENUE, TO MIGRANT MEXI-CAN NATIONAL PRAJEDIS MORALEZ and Texas born ELLENA CHAVEZ MORALEZ, in the year 1965. To the court estate equity taxes for us began in that year. In 1983 729 PAGE AVENUE was purchased cash, together judge we have paid over the past (47 YEARS) \$250,000.00 in estate taxes. In 1990 Diffenderfer v. Prajedis R. Morales violations of City of Jackson housing code was criminal in TORT. In 1993 Diffenderfer v. Maria Ludimar Morales was criminal in TORT. In 2002 Diffenderfer v. Abelardo Morales was criminal in TORT. In 2012 Diffenderfer v. Abelardo Morales is now in present tense civil in TORT.

26.

JURYTRIAL MONEY AWARD RELIEFS

DAMAGES

27. Plaintiff articulates and incorporates paragraphs 1. thru 27. seeking money damages via JURYAWARD. Liquidated damages, and penalties, estate land damages, Permanant damages, Prospective damages, Substantial damages, Triple damages, and foremost future damages regarding 729 PAGE AVENUE, [REINSPECTION SEARCH WARRANT].

WHEREFORE, Plaintiff Abelardo Morales respectfully requests that this Honorable Circuit Court and impaneled JURY enter a post-trial JUDGEMENT against the combined Defendants for and in the money amounts of \$ 250,000.00. TWO HUNDRED AND FIFTY THOUSAND DOLLARS.

DATED:

February 7th, 2012 / s/

Abelardo Morales

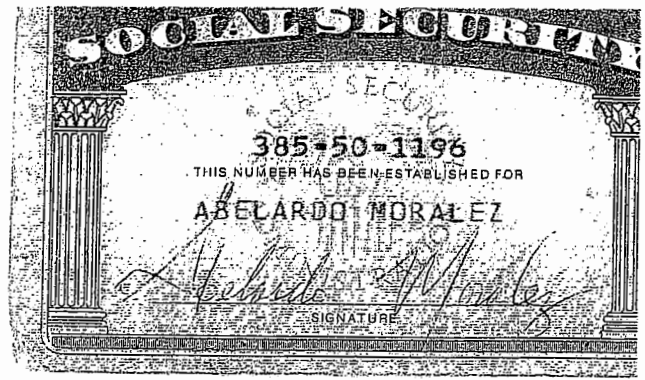
ABELARDO MORALEZ, representing the
705-729 PAGE AVENUE MORALEZ ESTATES
JACKSON, MICHIGAN. 49203
Landline: 517 8170889

Subscribed and Sworn to before me a NOTARY PUBLIC in and for Jackson County and State, this 7 day of FEB, 2012 A.D.

[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____





A P P E N D I X . E X H I B I T S



Department of Community Development

161 W. Michigan Avenue • Jackson, MI 49201-1303 •
Facsimile (517) 780-4781

Administrative
Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

FOLLOW-UP INITIAL INSPECTION LETTER
FINAL NOTICE PRIOR TO SEARCH WARRANT REQUEST ✓

Monday, April 18, 2011

MORALEZ ABELARDO
729 PAGE AVE
JACKSON MI 49203

SUBJECT: Property: 705 PAGE AVE
Inspector: Tim Pickett

The records of the City indicate that you are the owner of the above-referenced property. If you are not the owner, please provide our office with documentation to that effect immediately.

On April 15, 2011, an attempt was made to inspect the above referenced property under the procedures of the Housing Code Enforcement Program of the City of Jackson. The inspector was unable to gain access to all areas of the property on this date.

Another inspection for the above referenced property has been scheduled for:

05/16/2011, 09:00 am

This is the only notice you will receive!

All utilities must be on for the inspector to complete his inspection.

✓ **It is imperative that you, your agent or management company be present at the time and date specified** to allow access to **all** areas of the property. If you or your authorized representative are not present for this inspection we will execute an Administrative Search Warrant to conduct the required inspection. If you have any questions, please call the office at (517) 788-4060.

Dennis M. Diffenderfer
Rehabilitation Coordinator

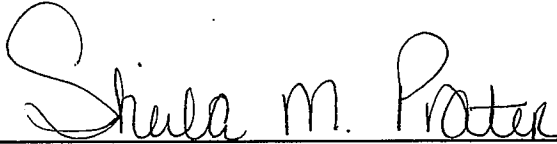
DMD/smp

PROOF OF SERVICE FIRST CLASS MAIL

RE: 705 PAGE AVE

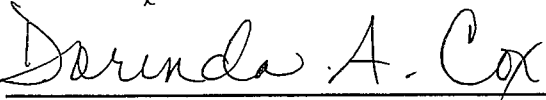
STATE OF MICHIGAN)
)SS
COUNTY OF JACKSON)

Sheila M. Prater, Property Code Technician, being first duly sworn, deposes and says that she is an employee of the City of Jackson, Department of Community Development, and a legally competent adult and on 04/18/2011, she served a copy of the FINAL NOTICE PRIOR TO SEARCH WARRANT REQUEST upon MORALEZ ABELARDO at 729 PAGE AVE, JACKSON MI 49203, that being his/her last known post office address, and depositing the same in the United States Mail in the City of Jackson with First-Class postage fully prepaid.



Sheila M. Prater, Property Code Technician

Subscribed and sworn before me this 18th day of April, 2011, by



Dorinda A. Cox, Notary Public
Jackson County, Michigan

My Commission Expires: February 8, 2015

Original – Administrative Hearings Bureau		Copies to: Community Development, City Attorney, Respondent	
STATE OF MICHIGAN CITY OF JACKSON ADMINISTRATIVE HEARINGS BUREAU	NOTICE OF TRIAL		CASE NO. 11-225 HI

Petitioner name, address, telephone no. CITY OF JACKSON 161 West Michigan Avenue Jackson, MI 49201 (517) 788-4060
Attorney for Petitioner, address, telephone no. Bethany M. Smith (P57913)/Gilbert W. Carlson (P26103) Deputy City Attorney/Assistant City Attorney 161 West Michigan Avenue Jackson, MI 49201 (517) 788-4050

v

Respondent name, address, telephone no. Abelardo Moralez 729 Page Avenue Jackson, MI 49203
Attorney for Respondent, address, telephone no.

Property Address: 705 Page Avenue, Jackson, MI 49203

NOTICE OF TRIAL

The Respondent requested a trial in this matter, and the Administrative Hearings Officer desires to set this matter for trial at its earliest convenience;

IT IS ORDERED that the parties must appear in person with witnesses before the Administrative Hearings Bureau at City Hall, 2nd Floor, 161 W. Michigan Avenue, Jackson, Michigan on **February 8, 2012 at 1:30 p.m.** for purposes of a trial on this matter.

January 11, 2012

Date

By: Carlene G. Lefevre
Administrative Hearings Officer

If you require special accommodations because of disabilities, please contact the Administrative Hearings Bureau immediately to make arrangements.

CERTIFICATE OF MAILING

I certify that on this date, a copy of this Order to Show Cause was served upon the Respondent by personal service or by mail at the address shown (select one).

January 11, 2012

Date

Administrative Hearings Officer or AHB Clerk

JACKSON COUNTY TREASURER
120 W Michigan Ave
Jackson MI 49201
(517) 788-4418

This notice is issued under the authority of MCL, Section 211.78f

**NOTICE OF PENDING FORFEITURE OF PROPERTY
FOR UNPAID REAL PROPERTY TAXES**

You are hereby notified that on **MARCH 1, 2012**, property in which you appear to have an interest will be **FORFEITED** to the Jackson County Treasurer for **NONPAYMENT OF PROPERTY TAXES** pursuant to Michigan Compiled Laws Section 211.78 *et seq.*

The property is described on the reverse side of this notice. Persons holding legal interest in this property may lose that interest as a result of forfeiture and subsequent foreclosure proceedings. **YOU HAVE THE RIGHT TO PAY** the delinquent taxes, penalties, interest and fees **BY THE END OF BUSINESS ON FEBRUARY 29, 2012** and avoid **ADDITIONAL COST** and **RISK OF LOSS OF OWNERSHIP**.

Payoff prior to March 1, 2012 includes:

- 2010 and/or prior years Property Taxes
- Interest on delinquent taxes
- Administration fees
- \$15 Certified mail fee

Payoff on or after March 1, 2012 requires:

- ALL ITEMS IN LEFT COLUMN PLUS :**
- INTEREST RATE INCREASES** to 1.5% per month and is **RETROACTIVE** to delinquency date.
- \$ 175** Forfeiture fee
- Recording and advertising charges
- Additional processing and administration costs

You have the right to receive notice and to redeem the property from forfeiture, however **YOU MAY LOSE YOUR INTEREST IN THIS PROPERTY FOREVER ON APRIL 1, 2013**, if the court enters an order foreclosing the property, which will vest title absolutely in the Foreclosing Governmental Unit.

The forfeiture and foreclosure process begins March 1, 2012

TAXPAYER :

MORALEZ ABELARDO
729 PAGE AVE
JACKSON MI 49203

PARCEL DETAIL :

6-156300000
705 PAGE AVE
JACKSON

This notice was created on 2/1/2012.

AMOUNT DUE FEBRUARY 1 - FEBRUARY 29, 2012	\$830.62
AMOUNT DUE MARCH 1 - MARCH 31, 2012	\$1079.32

PAY WITH CASH, CASHIERS CHECK OR CREDIT/DEBIT IN THE OFFICE WITH PROPER ID OR ONLINE BY CREDIT CARD WITH FULL PAYMENT AND A 3% FEE. NO PERSONAL, BUSINESS CHECKS, OR MONEY ORDERS. NO CREDIT/DEBIT PAYMENTS WILL BE PROCESSED OVER THE PHONE OR BY MAIL.

KAREN A COFFMAN
JACKSON COUNTY TREASURER
120 WEST MICHIGAN AVE
JACKSON MI 49201
517-788-4418

JACKSON COUNTY

UNIT: CITY OF JACKSON

www.co.jackson.mi.us

DELINQUENT TAX RECEIPT

RECEIPT NO: 201200569D
DATE PAID: 02/03/12
TAX YEAR: 2010
CERT#

ONLY CASH OR CASHIER'S CHECK WILL BE ACCEPTED FOR 2009 & PRIOR YEARS. CHECKS WILL BE ACCEPTED FOR 2010 DELINQUENT TAXES BEGINNING MARCH 1, 2011, UNTIL 11-30-11, AS CONDITIONAL PAYMENT OF TAXES & IF PAYMENT IS DENIED UPON PRESENTATION TO THE BANK, THE TAX WILL BE RESTORED AS UNPAID TO THE ROLL, & WILL BE SUBJECT TO ALL INTEREST AND PENALTY CHARGES. APPLICATION WAS MADE TO PAY ALL TAXES & SPECIAL ASSESSMENTS ON THIS RECEIPT AND NO OTHER.
(UPDATED 12-8-2010)

MORALEZ ABELARDO

729 PAGE AVE

JACKSON

MI 49203

PARCEL: 6-156300000

Amount Paid 500.00

Check No: CASH Cashier: BSI

PLEASE RETAIN THIS RECEIPT FOR INCOME TAX PURPOSES. YOU WILL BE CHARGED A \$1 FEE FOR A DUPLICATE RECEIPT. PAYMENT INFORMATION WILL NOT BE PROVIDED VERBALLY. (3-2-08)

	PREVIOUS AMOUNT DUE	PAYMENT	AMOUNT DUE IF PAID THIS MONTH
BASE TAX	716.05	431.03	285.02
INTEREST	85.93	51.73	34.20
ADMIN FEE	28.64	17.24	11.40
EXPENSE OF SALE			
OTHER			
OVER/UNDER			
PA123 FEES			
TOTAL	830.62	500.00	330.62

LEGAL DESCRIPTION:

Property Address: 705 PAGE AVE

Must be paid by 2-29-2012

LAND COM AT NE COR OF LOT 13 BLK 16 TH SLY TO A PT ON N LN OF LOT 15 99 FT ELY OF E LN OF BEACH ST TH ELY ON NLY LN OF LOTS 15 & 12 50 FT TH NLY TO A PT ON SLY LN OF PAGE AVE 50 FT E OF POB TH WLY ON SLY LN OF PAGE AVE 50 FT TO BEG BEING PART OF LOTS 12, 13, 14 & 15 BLK 16 MORGAN ADD

CHECK YOUR DESCRIPTION:

The Treasurer is not responsible for payment on the wrong parcel.
If you pay on the wrong description, we are not permitted to make an adjustment later.

Karen A. Coffman

Karen A Coffman



Department of Community Development
Building a Stronger Community

161 W. Michigan Avenue • Jackson, MI 49201-1303•

Facsimile (517) 780-4781

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

Tuesday, October 11, 2011

MORALEZ ABELARDO
729 PAGE AVE
JACKSON MI 49203

SUBJECT: Property: 705 PAGE AVE
 Case Number: 11-225 HI
 Inspector: Tim Pickett

Dear Owner:

Violations of the City of Jackson Housing Code were cited at the above referenced property and copies of the violations were mailed to you on May 16, 2011. A copy of these violations is attached.

At the reinspection attempts on August 17, 2011, the inspector was unable to gain access to verify repairs. As of this date no extension has been approved and as a result, you are hereby issued the enclosed Notice of Violation/Notice of Hearing. Please review this citation for your hearing date and the Administrative Hearing Bureau address.

Failure to comply with the requirements set forth on the notice may result in a default order being entered against you. Upon a finding of default or responsibility, the Administrative Hearings Officer may impose fines and costs against you. In addition, the Administrative Hearings Office may order other relief to remedy the violations.

If you have any questions please feel free to contact me at (517) 788-4060.

Sincerely,

Dennis M. Diffenderfer
Rehabilitation Coordinator

DMD/smp

Enclosures



Stanton and Associates, Inc.
 Payroll Account
 714 W. Michigan Ave. - Jackson, MI 49201

058

Employee ID	Employee Name	Date	Vacation	Sick	Social Sec. No.	Start Per.	End Per.					
234743	ABELARDO MORALEZ	12/29/2011	0.00	0.00		12/11/2011	12/24/2011					
PAY				TAXES			DEDUCTIONS			BENEFITS		
Code	Rate	Hours	Amount	Code	Withheld	YTD	Code	Amount	YTD	Code	Amount	YTD
1	\$7.70	26.03	\$200.43	FICA			401K	\$6.01	\$194.39	401K	\$3.01	\$97.26
				Med.	\$2.91	\$93.96	401K-O	\$34.07	\$1,101.61			
				S.S.	\$8.42	\$272.16						
				FIT	\$0.00	\$14.23						
				MI	\$0.78	\$65.76						
					\$0.78	\$65.76						
				JA-R	\$1.60	\$51.86						
Totals			26.03	\$200.43		\$13.71	\$497.97		\$40.08	\$1,296.00		
										Net Pay		
										\$146.64		
										Check No. 0914801		



Stanton and Associates, Inc.
 Payroll Account
 714 W. Michigan Ave. - Jackson, MI 49201

058

Employee ID	Employee Name	Date	Vacation	Sick	Social Sec. No.	Start Per.	End Per.					
234743	ABELARDO MORALEZ	01/12/2012	0.00	0.00		12/25/2011	1/7/2012					
PAY				TAXES			DEDUCTIONS			BENEFITS		
Code	Rate	Hours	Amount	Code	Withheld	YTD	Code	Amount	YTD	Code	Amount	YTD
1	\$7.70	22.02	\$169.55	FICA			401K	\$5.09	\$5.09	401K	\$2.55	\$2.55
				Med.	\$2.46	\$2.46	401K-O	\$28.82	\$28.82			
				S.S.	\$7.12	\$7.12						
				FIT	\$0.00	\$0.00						
				JA-R	\$1.36	\$1.36						
Totals			22.02	\$169.55		\$10.94	\$10.94		\$33.91	\$33.91		
										Net Pay		
										\$124.70		
										Check No. 0915899		



Federal

CREDIT UNION

1100 Clinton Road
Jackson, MI 49202

6671 1 AV 0.350

10398 - 6671 - 17

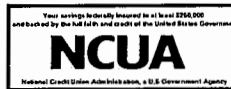


ABELARDO MORALEZ
705 PAGE AVE
JACKSON MI 49203-1944

DO YOU KASASA®?

FREE Checking
with MASSIVE Interest

Contact Us Today!
(800) 554-7101
cpfederal.com

Statement of Account

Contact Us At

Account Number: XXXXXX
Statement Period: 01/01/2012 thru 01/31/2012

CP Federal Credit Union
1100 Clinton Road
Jackson, MI 49202
(800) 554-7101
www.cpfederal.com

S1 SHARE A/C - REGULAR SHARES

Beginning Balance	+	Deposits & Other Credits (5)	-	Withdrawals & Other Debits (4)	=	Ending Balance
\$8.03		\$1,496.01		\$1,483.00		\$21.04

Trans	Eff	Date	Date	Transaction Description	Amount	Balance
		01/01		Previous Balance		8.03
		01/03		US TREASURY 310/XXSOC SEC/010312/P	948.00	956.03
				PD		
		01/03		UIA MICHIGAN/UI BENEFIT/JAN 03/PPD	166.00	1,122.03
		01/03		M642029005562 7/16/13	-1,100.00	22.03
		01/12		UIA MICHIGAN/UI BENEFIT/JAN 12/PPD	166.00	188.03
		01/13		TRANSFER TR#73	-180.00	8.03
		01/23		CASH WITHDRAWAL	-3.00	5.03
		01/26		UIA MICHIGAN/UI BENEFIT/JAN 26/PPD	216.00	221.03
		01/27		CASH WITHDRAWAL	-200.00	21.03
		01/31		DIVIDEND CREDIT	0.01	21.04
		01/31		Ending Balance		21.04

Dividend rate as of 01/31/2012 was 0.250%

YEAR TO DATE SUMMARY

Account	DIV/INT	Penalties	Withholding	Account	Interest Charges	Late Fees
S1	0.01					
TOTAL	0.01					

CP Federal Credit Union locations will be **CLOSED**, Monday February 20th for President's Day. Regular businesses hours will resume Tuesday, February 21st.



ABELARDO MORALES
729 PAGE AVENUE
JACKSON MI 49203-1944

3285

MAIL DATE: 02/03/2012

UNEMPLOYED WORKER'S NOTICE OF TERMINATION OF EXTENDED BENEFITS (EB)

As you know, over the past few months, new legislation at both the federal and state levels has changed eligibility requirements and other aspects of unemployment programs in Michigan. The Unemployment Insurance Agency (UIA) strives to keep you aware of these changes to ensure that you understand how you will be affected. Most recently, Michigan's Unemployment Insurance Agency was informed the state no longer met the criteria to remain on the federally-funded Extended Benefit (EB) program.

The purpose of this notice is to advise you that Michigan's EB program expires on February 18, 2012. No extended benefits may be paid for any week of unemployment after the week ending February 18, 2012, regardless of whether or not you have a remaining balance. Eligibility for benefits under any other unemployment program remains in effect. For questions, please contact the UIA through one of the following:

- Access your UIA Online Claim Web Account to view your remaining claim balance and check your benefit history, or submit an online inquiry
- Contact our EB pre-recorded information line at 1-800-638-3995 (line is available 24 hours a day, seven days a week)
- Obtain TTY services by calling 1-866-366-0004
- Contact our Customer Service line at 1-866-500-0017

Additional information regarding other resources is available on the UIA website at www.michigan.gov/uia. Select "Exhausting Unemployment Benefits" to access more information. The UIA website also features a link to the Helping Hand website (www.michigan.gov/helpinghand) that appears at the far right of the home page under "Quick Links".



Michigan Supreme Court
Office of the Clerk
Michigan Hall of Justice
P.O. Box 30052
Lansing, Michigan 48909
Phone (517) 373-0120

January 31, 2012

Abelardo Morales
705 & 729 Page Ave Estates
Jackson, MI 49203

Re: Morales v Patterson et al, SC #144520-3

Mr. Morales:

Your Application for Leave to Appeal in the above-referenced matter has been received and filed by this office and will be submitted to the Court for its consideration on after February 28, 2012.

By copy of this letter, other counsel are advised that an answer to your application may be filed with this office. You and all other parties will be advised by mail when the Court has taken action.

CORBIN R. DAVIS
Supreme Court Clerk

CRD/cc

cc: Patrick Patterson
Dennis Patterson
Christopher Teegardin
Michael Teegardin

REGISTER OF DEEDS OFFICE
JACKSON COUNTY, MI
120 W. Michigan Ave.
Jackson, MI 49201
Phone (517) 788-4350
Fax (517) 788-4686

Mindy Reilly
Register of Deeds

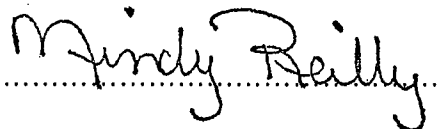
Mona Webb
Chief Deputy

State of Michigan
Register of Deeds Office for County of Jackson

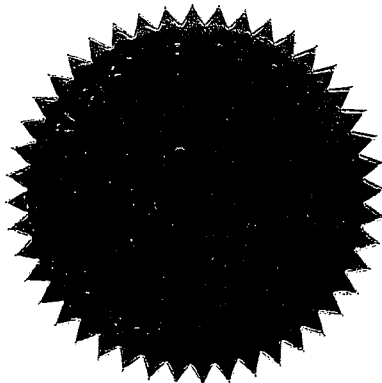
I, Mindy Reilly, Register of Deeds of Jackson County, Michigan do hereby certify that the within and foregoing is a true copy of the original record of an **Quit Claim Deed** recorded on the **15th day of January 1993 at 2:35 P.M.** in the Register of Deeds Office for the County of Jackson, in **Liber 1342** of County Records on **Page 570 (1 page)** and that the same has been compared by me with the original record in this office, and is a correct transcript there from, and the whole of such instrument.

WITNESS my hand, this 30th day of

January, 2012 AD



Mindy Reilly
Jackson County Register of Deeds



1342 570

JACKSON COUNTY
 REGISTER OF DEEDS

[Signature]

JAN 15 2 35 PM '93

RECORDED

The Grantor(s) MARIA L. MORALEZ, sister as tenant by the entireties, with full rights of survivorship and not as tenants, whose address is in common, 705 Page Avenue, Jackson, Michigan, 49203 quit-claim(s) to ABELARDO MORALEZ, brother as tenant by the entireties, with full rights of survivorship and not as tenants in common whose address is 2500 S. Sheridan Dr, Muskegon Heights, Michigan.

the following described premises situated in the City of Jackson, County of Jackson and State of Michigan:

Land commencing at a point on the southerly line of Page Avenue 116 feet westerly of the west line of Elm Avenue, thence southerly to a point on the northerly line of an alley 167.0 feet westerly of the west line of Elm Avenue, thence westerly on the northerly line of said alley 46 feet, thence northerly to the southerly line of Page Avenue, thence easterly on the southerly line of Page Avenue 46 feet to the place of beginning, being a part of Lots 6, 7, and 8 Block 16 of Morgan's Addition to the city of Jackson, according to the recorded plat thereof.

for the sum of ONE DOLLAR (\$1.00)

Dated this 12 day of December, 1992

Signed in presence of:

Signed by:

[Signature]
 * CYNTHIA A. FOX

[Signature]
 * MARIA L. MORALEZ

[Signature]
 * IRENE L. LOVER

*
 *
 *

STATE OF MICHIGAN, }
 COUNTY OF JACKSON } ss.

The foregoing instrument was acknowledged before me this 15th day of January 1993, by MARIA L. MORALEZ

[Signature]
 * Irene L. Lover
 Notary Public, IRENE L. LOVER Jackson County, Michigan, Notary Public, Jackson County, Mich.
 My commission expires Nov. 25 1995

When Recorded Return To: ABELARDO MORALEZ <small>(Name)</small> 2500 S. Sheridan Drive <small>(Street Address)</small> Muskegon Heights, Michigan. <small>(City and State)</small> 49443	Send Subsequent Tax Bills To: ABELARDO MORALEZ 2500 S. Sheridan Drive Muskegon Heights, Mich. 49443	Drawn By: ABELARDO MORALEZ <small>Business Address:</small> 2500 S. Sheridan Drive Muskegon Heights, Mich. 49443
--	---	---

Tax Parcel # _____ Recording Fee _____ Transfer Tax _____

* TYPE OR PRINT NAMES UNDER SIGNATURES

Received and Returned For Errors.
10/15/2010 03:14:48 PM Trans # 1270561
Jackson County, MI

Received and Returned For Errors:
10/12/2010 01:18:29 PM Trans # 1269528
Jackson County, MI

PERSONAL REPRESENTATIVE'S DEED

The Grantor, ABELARDO MORALEZ, Personal Representative of the Estate of Ella C. Morales, Deceased (Probate Court of Jackson County, Michigan-File No. 09-11044-DE) deeds and conveys, to Abelardo Morales, of 729 Page Ave., Jackson, Michigan 49203 as to the following described premises situated in the City of Jackson, County of Jackson, State of Michigan, to-wit:

LAND COM AT NE COR OF LOT 13 BLK 16 TH SLY TO A PT ON N LN OF LOT 15 99 FT ELY OF E LN OF BEACH ST TH ELY ON NLY LN OF LOTS 15 & 12 50 FT TH NLY TO A PT ON SLY LN OF PAGE AVE 50 FT E OF POB TH WLY ON SLY LN OF PAGE AVE 50 FT TO BEG BEING PART OF LOTS 12, 13, 14 & 15 BLK 16 MORGAN ADD

Commonly known as: 705 Page Ave., Jackson, MI
This deed is given as an exempt conveyance pursuant to MCL Sec. 207.526 Sec. 6 and MSA 7.456 for the sum of less than one hundred dollars

Grantor covenants that she has not made, done, committed, executed or suffered any act or thing whatsoever whereby the above described premises may be charged or encumbered in any manner.

Dated: 9/26, 2010

Signed in the Presence of:

Dennis J. Conant
Dennis J. Conant

Abelardo Morales
Abelardo Morales, as Personal Representative of the Estate of Ella C. Morales

Audrey A. King
Audrey A. King

STATE OF MICHIGAN)
) ss
COUNTY OF JACKSON)

On this 20 day of Sept., 2010 before me, the subscriber, a Notary Public, in and for said County, personally appeared Abelardo Morales, as Personal Representative of the Estate of Ella C. Morales, Deceased, to me known to be the same person described in and who executed the within instrument, who has acknowledged the same to be her free act and deed.

Audrey A. King
Audrey A. King
Notary Public, Jackson County, Michigan
My Comm. Exp: 12/9/2011

Drafted by:
Dennis J. Conant P23340
Attorney at Law
2654 Spring Arbor Rd.
Jackson, MI 49203
(517) 787-3560



**REGISTER OF DEEDS OFFICE
JACKSON COUNTY, MI
120 W. Michigan Ave.
Jackson, MI 49201
Phone (517) 788-4350
Fax (517) 788-4686**

**Mindy Reilly
Register of Deeds**

**Mona Webb
Chief Deputy**

**State of Michigan
Register of Deeds Office for County of Jackson**

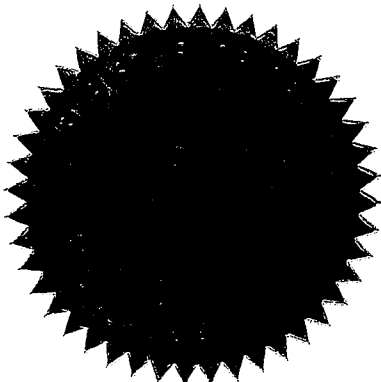
I, Mindy Reilly, Register of Deeds of Jackson County, Michigan do hereby certify that the within and foregoing is a true copy of the original record of a **Personal Representative's Deed** recorded on the **12th day of October 2010 at 18:29 P.M.** in the Register of Deeds Office for the County of Jackson, in **Liber 1951** of County Records on **Page 507 (1 page)** and that the same has been compared by me with the original record in this office, and is a correct transcript there from, and the whole of such instrument.

WITNESS my hand, this 30th day of

January, 2012 AD

.....*Mindy Reilly*.....

**Mindy Reilly
Jackson County Register of Deeds**



JACKSON COUNTY TREASURER
120 W Michigan Ave
Jackson MI 49201
(517) 788-4418

This notice is issued under the authority of MCL, Section 211.78f

NOTICE OF PENDING FORFEITURE OF PROPERTY
FOR UNPAID REAL PROPERTY TAXES

You are hereby notified that on **MARCH 1, 2012**, property in which you appear to have an interest will be **FORFEITED** to the Jackson County Treasurer for **NONPAYMENT OF PROPERTY TAXES** pursuant to Michigan Compiled Laws Section 211.78 *et seq.*

The property is described on the reverse side of this notice. Persons holding legal interest in this property may lose that interest as a result of forfeiture and subsequent foreclosure proceedings. **YOU HAVE THE RIGHT TO PAY** the delinquent taxes, penalties, interest and fees **BY THE END OF BUSINESS ON FEBRUARY 29, 2012** and avoid **ADDITIONAL COST** and **RISK OF LOSS OF OWNERSHIP**.

Payoff prior to March 1, 2012 includes:

- 2010 and/or prior years Property Taxes
- Interest on delinquent taxes
- Administration fees
- \$15 Certified mail fee

Payoff on or after March 1, 2012 requires:

- ALL ITEMS IN LEFT COLUMN PLUS :**
- INTEREST RATE INCREASES** to 1.5% per month and is **RETROACTIVE** to delinquency date.
- \$ 175 Forfeiture fee
- Recording and advertising charges
- Additional processing and administration costs

You have the right to receive notice and to redeem the property from forfeiture, however **YOU MAY LOSE YOUR INTEREST IN THIS PROPERTY FOREVER ON APRIL 1, 2013**, if the court enters an order foreclosing the property, which will vest title absolutely in the Foreclosing Governmental Unit.

The forfeiture and foreclosure process begins March 1, 2012

TAXPAYER :

MORALEZ ABELARDO
729 PAGE AVE
JACKSON MI 49203

PARCEL DETAIL :

6-156300000
705 PAGE AVE
JACKSON

This notice was created on 2/1/2012.

AMOUNT DUE FEBRUARY 1 - FEBRUARY 29, 2012	\$830.62
AMOUNT DUE MARCH 1 - MARCH 31, 2012	\$1079.32

PAY WITH CASH, CASHIERS CHECK OR CREDIT/DEBIT IN THE OFFICE WITH PROPER ID OR ONLINE BY CREDIT CARD WITH FULL PAYMENT AND A 3% FEE. NO PERSONAL, BUSINESS CHECKS, OR MONEY ORDERS. NO CREDIT/DEBIT PAYMENTS WILL BE PROCESSED OVER THE PHONE OR BY MAIL.



Stanton and Associates, Inc.
Payroll Account
714 W. Michigan Ave. - Jackson, MI 49201

058

Employee ID	Employee Name	Date	Vacation	Sick	Social Sec. No.	Start Per.	End Per.					
234743	ABELARDO MORALEZ	12/29/2011	0.00	0.00		12/11/2011	12/24/2011					
PAY			TAXES			DEDUCTIONS			BENEFITS			
Code	Rate	Hours	Amount	Code	Withheld	YTD	Code	Amount	YTD	Code	Amount	YTD
1	\$7.70	26.03	\$200.43	FICA			401K	\$6.01	\$194.39	401K	\$3.01	\$97.26
				Med.	\$2.91	\$93.96	401K-O	\$34.07	\$1,101.61			
				S.S.	\$8.42	\$272.16						
				FIT	\$0.00	\$14.23						
				MI	\$0.78	\$65.76						
					\$0.78	\$65.76					\$3.01	\$97.26
				JA-R	\$1.60	\$51.86					Gross YTD	Net YTD
											\$6,480.04	\$4,686.07
Totals		26.03	\$200.43		\$13.71	\$497.97		\$40.08	\$1,296.00		Net Pay	
								Check No.	0914801		\$146.64	



Stanton and Associates, Inc.
Payroll Account
714 W. Michigan Ave. - Jackson, MI 49201

058

Employee ID	Employee Name	Date	Vacation	Sick	Social Sec. No.	Start Per.	End Per.					
234743	ABELARDO MORALEZ	01/12/2012	0.00	0.00		12/25/2011	1/7/2012					
PAY			TAXES			DEDUCTIONS			BENEFITS			
Code	Rate	Hours	Amount	Code	Withheld	YTD	Code	Amount	YTD	Code	Amount	YTD
1	\$7.70	22.02	\$169.55	FICA			401K	\$5.09	\$5.09	401K	\$2.55	\$2.55
				Med.	\$2.46	\$2.46	401K-O	\$28.82	\$28.82			
				S.S.	\$7.12	\$7.12						
				FIT	\$0.00	\$0.00						
				JA-R	\$1.36	\$1.36					\$2.55	\$2.55
											Gross YTD	Net YTD
											\$169.55	\$124.70
Totals		22.02	\$169.55		\$10.94	\$10.94		\$33.91	\$33.91		Net Pay	
								Check No.	0915899		\$124.70	

KAREN A COFFMAN
JACKSON COUNTY TREASURER
120 WEST MICHIGAN AVE
JACKSON MI 49201
517-788-4418

JACKSON COUNTY

UNIT: CITY OF JACKSON

www.co.jackson.mi.us

DELINQUENT TAX RECEIPT
RECEIPT NO: 201200569D
DATE PAID: 02/03/12
TAX YEAR: 2010
CERT#

ONLY CASH OR CASHIER'S CHECK WILL BE ACCEPTED FOR 2009 & PRIOR YEARS. CHECKS WILL BE ACCEPTED FOR 2010 DELINQUENT TAXES BEGINNING MARCH 1, 2011, UNTIL 11-30-11, AS CONDITIONAL PAYMENT OF TAXES & IF PAYMENT IS DENIED UPON PRESENTATION TO THE BANK, THE TAX WILL BE RESTORED AS UNPAID TO THE ROLL, & WILL BE SUBJECT TO ALL INTEREST AND PENALTY CHARGES. APPLICATION WAS MADE TO PAY ALL TAXES & SPECIAL ASSESSMENTS ON THIS RECEIPT AND NO OTHER.
(UPDATED 12-8-2010)

MORALEZ ABELARDO

729 PAGE AVE

JACKSON

MI 49203

PARCEL: 6-156300000

Amount Paid 500.00

Check No: CASH Cashier: BSI

PLEASE RETAIN THIS RECEIPT FOR INCOME TAX PURPOSES. YOU WILL BE CHARGED A \$1 FEE FOR A DUPLICATE RECEIPT. PAYMENT INFORMATION WILL NOT BE PROVIDED VERBALLY. (3-2-08)

	PREVIOUS AMOUNT DUE	PAYMENT	AMOUNT DUE IF PAID THIS MONTH
BASE TAX	716.05	431.03	285.02
INTEREST	85.93	51.73	34.20
ADMIN FEE	28.64	17.24	11.40
EXPENSE OF SALE			
OTHER			
OVER/UNDER			
PA123 FEES			
TOTAL	830.62	500.00	330.62

LEGAL DESCRIPTION:

Property Address: 705 PAGE AVE

Must be paid by 2-29-2012

LAND COM AT NE COR OF LOT 13 BLK 16 TH SLY TO A PT ON N LN OF LOT 15 99 FT ELY OF E LN OF BEACH ST TH ELY ON NLY LN OF LOTS 15 & 12 50 FT TH NLY TO A PT ON SLY LN OF PAGE AVE 50 FT E OF POB TH WLY ON SLY LN OF PAGE AVE 50 FT TO BEG BEING PART OF LOTS 12, 13, 14 & 15 BLK 16 MORGAN ADD

CHECK YOUR DESCRIPTION:

The Treasurer is not responsible for payment on the wrong parcel.
If you pay on the wrong description, we are not permitted to make an adjustment later.

Karen A. Coffman

Karen A Coffman

Receipt Type Case Outstanding Amount 0.00
Receipt Number 288839 Receipt Date 02/07/2012

Case Number 12-000134-CH-C30
Description MORALEZ, ABELARDO VS DEFENDANT: JACKSON COMMUNITY DEV DEPT CITY

Received From ABELARDO MORALEZ
On Behalf Of MORALEZ, ABELARDO

Itemized Listing:

Description	Amount
COMPLAINT FILED	150.00
JURY FEE PAID	85.00

Receipt Payments	Amount	Reference Description
CASH	235.00	

Total Received	235.00
Net Received	235.00
Change	0.00

Comments

Deputy Clerk IGLASSBROO Transaction Date 02/07/2012 14:34:28

David Easterday, Chief Clerk



Department of Community Development

Building a Stronger Community

161 W. Michigan Avenue • Jackson, MI 49201-1303 •

Facsimile (517) 780-4781

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

CITY COUNCIL MEETING

February 21, 2012

NEW BUSINESS

TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director

RE: CDBG and HOME Financial Summaries through January 2012

MOTION: **Receipt of the CDBG and HOME Financial Summaries through January 2012**

Attached please find Financial Summaries for CDBG and HOME funds for the seven months ended January 31, 2012.

Cc: Heather Soat, Accounting Manager
Michelle Pultz, Records Management Coordinator

**City of Jackson
Community Development Block Grant
Monthly Financial Summary
For the Seven Months Ended January 31, 2012**

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
<u>Public Services</u>							
1 AWARE							
FY 2010/2011	15,000	12,500	-	2,500	15,000	-	100.0%
FY 2011/2012	5,500	-	-	-	-	5,500	0.0%
2 JAHC - Homeownership Training (FY 2010/2011)	8,000	7,737	-	128	7,865	135	98.3%
3 MLK Summer Program	40,000	-	-	40,000	40,000	-	100.0%
4 Center for Family Health	10,000	-	-	10,000	10,000	-	100.0%
5 Partnership Park-After School Programs (FY 2010/2011)	5,000	2,690	-	2,310	5,000	-	100.0%
6 United Way - 211 Services	7,500	-	-	4,516	4,516	2,984	60.2%
7 Salvation Army - Heating Assistance	55,954	-	-	-	-	55,954	0.0%
<u>Administration</u>							
8 Administration & Planning							
FY 2010/2011	249,700	145,174	-	104,526	249,700	-	100.0%
FY 2011/2012	205,000	-	17,974	18,516	18,516	186,484	9.0%
<u>Code Enforcement</u>							
9 City Code Enforcement Division							
FY 2010/2011	503,345	386,244	-	117,101	503,345	-	100.0%
FY 2011/2012	485,000	-	44,208	142,996	142,996	342,004	29.5%
10 City Attorney Office							
FY 2010/2011	63,000	33,722	3,586	21,875	55,597	7,403	88.2%
FY 2011/2012	29,000	-	-	-	-	29,000	0.0%
<u>Housing Rehabilitation Projects</u>							
11 Owner Occupied Housing Rehabilitation							
FY 2008/2009	58,980	33,345	(450)	2,539	35,884	23,096 *	60.8%
FY 2009/2010	88,000	-	-	-	-	88,000 *	0.0%

	Budgeted	Expended Prior Year	Actual Month-to-Date	Actual Year-to-Date	Total Funds Expended- to-Date	Balance	Percent Spent
FY 2010/2011	60,000	-	-	-	-	60,000 ±	0.0%
FY 2011/2012	50,027	-	-	-	-	50,027 ±	0.0%
12 City Emergency Hazard Repair Program							
FY 2010/2011	125,000	37,067	-	31,708	68,775	56,225	55.0%
FY 2011/2012	54,900	-	-	-	-	54,900	0.0%
13 New Neighbor Program (FY 2005/2006)	80,000	69,329	-	6,943	76,272	3,728 ±	95.3%
14 World Changers							
FY 2010/2011	45,585	12,454	-	20,929	33,383	12,202	73.2%
FY 2011/2012	40,000	-	-	-	-	40,000	0.0%
15 Cleanup (FY 2010/2011)	10,000	-	-	-	-	10,000 ±	0.0%
16 City Rehab Administration (Denied Loans)							
FY 2008/2009	3,000	1,491	-	1,509	3,000	-	100.0%
FY 2009/2010	1,000	-	772	824	824	176	82.4%
FY 2010/2011	1,000	-	-	-	-	1,000 ±	0.0%
FY 2011/2012	1,000	-	-	-	-	1,000 ±	0.0%
17 John George Home - building repairs							
FY 2010/2011	10,000	9,660	-	-	9,660	340	96.6%
FY 2011/2012	12,500	-	-	-	-	12,500	0.0%
18 DDA - Façade Loans (FY 2008/2009)	18,000	5,026	-	-	5,026	12,974 ±	27.9%
<u>Street Projects</u>							
19 Mason - Jackson to Mechanic (FY 2009/2010)	91,000	66,400	-	(2,707)	63,693	27,307	70.0%
20 Mason - Mechanic to Francis (FY 2009/2010)	72,000	6,718	41,900	62,259	68,977	3,023	95.8%
21 Loomis - Leroy to North (FY 2009/2010)	90,000	18,715	-	71,285	90,000	-	100.0%
22 Loomis - North to Argyle (FY 2009/2010)	47,000	-	-	47,000	47,000	-	100.0%
23 Monroe Street Sidewalk (FY 2009/2010)	30,000	25,049	-	-	25,049	4,951	83.5%
24 Special Assessments (FY 2009/2010)	22,718	820	-	-	820	21,898	3.6%
25 Wilkins - Jackson to Williams (FY 2010/2011)	103,000	897	324	68,257	69,154	33,846	67.1%
26 Wilkins - Williams to Mechanic (FY 2010/2011)	106,000	-	-	-	-	106,000	0.0%
27 Wilkins - Mechanic to Francis (FY 2010/2011)	136,000	-	136,000	136,000	136,000	-	100.0%
28 Special Assessments (FY 2010/2011)	10,000	-	-	-	-	10,000	0.0%

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
29 Biddle - Jackson to Williams	53,000	-	4,500	4,500	4,500	48,500	8.5%
30 Forest - Bend to Edgewood	106,000	-	95	95	95	105,905	0.1%
31 Homewild - Ellery to Edgewood	119,000	-	95	95	95	118,905	0.1%
32 Special Assessments	25,000	-	-	-	-	25,000	0.0%
<u>Other Projects</u>							
33 Public Works - curb ramps							
FY 2009/2010	67,523	57,655	-	9,868	67,523	-	100.0%
FY 2010/2011	20,000	-	-	20,000	20,000	-	100.0%
FY 2011/2012	10,000	-	-	1,714	1,714	8,286	17.1%
34 Tree Removal/Replacement							
FY 2009/2010	25,000	18,751	-	6,249	25,000	-	100.0%
FY 2010/2011	14,000	-	-	13,776	13,776	224	98.4%
FY 2011/2012	15,000	-	-	-	-	15,000	0.0%
<u>Economic Development</u>							
35 Job Creation Loans							
FY 2010/2011	50,000	-	-	-	-	50,000	0.0%
FY 2011/2012	20,000	-	-	-	-	20,000 *	0.0%
<u>Public Improvements</u>							
36 JPD Equipment (FY 2010/2011)	7,752	7,606	-	-	7,606	146 *	98.1%
37 Demolition (FY 2010/2011)	38,000	-	-	-	-	38,000	0.0%

NOTE: All funds are FY 2011/2012 allocations unless otherwise indicated

Balances denoted with an asterisk have been identified as possible demolition funding for the Neighborhood Economic Stabilization program.

**City of Jackson
HOME
Monthly Financial Summary
For the Seven Months Ended January 31, 2012**

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
1 Rehabilitation Assistance Program							
FY 2009/2010	547,129	460,727	-	17,841	478,568	68,561	87.5%
FY 2010/2011	216,617	-	-	-	-	216,617	0.0%
FY 2011/2012	185,453	-	-	-	-	185,453	0.0%
2 HOME Administration							
FY 2010/2011	30,400	-	-	30,400	30,400	-	100.0%
FY 2011/2012	32,189	-	-	-	-	32,189	0.0%
3 JAHC - Downpayment Assistance							
FY 2010/2011	40,000	-	-	14,456	14,456	25,544	36.1%
4 JAHC - CHDO Operating Expenses							
FY 2009/2010	15,000	5,856	566	1,045	6,901	8,099	46.0%
FY 2010/2011	18,000	-	-	-	-	18,000	0.0%
5 CAA - CHDO Operating Expenses (FY 2011/2012)	16,000	-	-	-	-	16,000	0.0%
6 JAHC - CHDO Acquisition/Rehab/Resale							
FY 2009/2010	73,072	55,477	-	17,595	73,072	-	100.0%
FY 2010/2011	90,000	89,670	-	(16,764)	72,906	17,094	81.0%
7 CAA - CHDO Acq/Rehab/Resale (FY 2011/2012)	53,250	-	-	-	-	53,250	0.0%
8 JAHC - Administration (FY 2010/2011)	6,000	4,600	-	394	4,994	1,006	83.2%
9 Habitat for Humanity (FY 2011/2012)	35,000	-	13,706	13,706	13,706	21,294	39.2%



Department of Community Development

Building a Stronger Community

161 W. Michigan Avenue • Jackson, MI 49201-1303
Telephone (517) 788-4060 • Facsimile (517) 780-4781

CITY COUNCIL MEETING

February 21, 2012
Consent Calendar

TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director

SUBJECT: January Dangerous Building Report

MOTION

Receive January 2012, Dangerous Building Report.

The Dangerous Building Report summarizes the current status of dangerous or unsafe structures as referenced in Chapter 17 of the City Code of Ordinances.

Page 1	Dangerous Building Report Summary Sheet
Page 2 – 10	Condemned Properties (Dangerous and Unsafe) 2012
Page 11 – 29	Condemned Properties (Dangerous and Unsafe) 2012 – County Owned
Page 30 – 48	Condemned Properties (Dangerous and Unsafe) 2011
Page 49	Condemned Properties (Dangerous and Unsafe) 2010
Page 50	Hazardous Properties (Secured and Released)
Page 51	Unfit for Human Habitation (Notice to Vacate)

**CITY OF JACKSON
DANGEROUS BUILDING REPORT SUMMARY SHEET**

CONDEMNED PROPERTIES (DANGEROUS AND UNSAFE) 2012

Jan-12	Feb-12	March-12	April-12	May-12	June-12	July-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	YTD Total
83												83
CONDEMNED PROPERTIES (DANGEROUS AND UNSAFE) CARRIED OVER FROM 2011												
21 Properties UPHELD awaiting demolition, 6 Properties scheduled for BCBA meeting, 2 Properties being monitored by Inspection Department, 5 Properties repaired, 5 Properties demolished,												39

This table reflects the number of properties that have been condemned and posted as dangerous and unsafe

CONDEMNED PROPERTIES THAT HAVE BEEN REPAIRED/RELEASED

Jan-12	Feb-12	March-12	April-12	May-12	June-12	July-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	YTD Total
5												5

CONDEMNED PROPERTIES THAT HAVE BEEN DEMOLISHED

Jan-12	Feb-12	March-12	April-12	May-12	June-12	July-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	YTD Total
5												5

HAZARDOUS PROPERTIES (OPEN AND ACCESSIBLE)

Jan-12	Feb-12	March-12	April-12	May-12	June-12	July-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	YTD Total
5												5

This table reflects the number of properties that were posted open and accessible, secured and released from the Dangerous Building Report.

UNFIT FOR HUMAN HABITATION (NOTICE TO VACATE)

Jan-12	Feb-12	March-12	April-12	May-12	June-12	July-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	YTD Total
2												2

This table reflects the number or properties that were posted unfit for human habitation and the occupants were ordered to vacate.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1015 Adrian Ave (5-0783) Home Solutions Partners III House	01/06/2012 Rear upper and lower stairs unsafe, rear addition is falling, roof leaks, singles missing, southeast corner of roof collapsing and foundation is failing. New this month	01/06/2012 Condemned house. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
917 Chittock Ave (5-0642) Obua Uche Garage	01/11/2012 Rotted and sagging roof system. Unsafe foundation, northeast corner supported by 8 x 16 block only. New this month	01/11/2012 Condemned garage. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: 01/24/2012 Demolition permit issued; no inspections. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
921 Chittock Ave (5-0643) Ruth Love Garage	01/11/2012 Rotted roof system and sidewalls. Property in blight condition. New this month	01/11/2012 Condemned garage. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: 02/03/2012 Building permit issued; no inspections. Current Status: Property being monitored under open permit. Will go before Building Code Board of Appeals in April 2012 if the owner does not comply with the Notice and Order.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
927 Chittock Ave (5-0644) John Busfield Garage	01/11/2012 Detached garage roof system rotted, bowing roof left exposed for years. Property in blight condition. New this month	01/11/2012 Condemned garage. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
939 Chittock Ave (5-0649) Kibui Butt House	01/11/2012 Roof rotted, foundation failing, chimney collapsing, boarded windows, rear porch rotted and falling, interior walls falling, no utilities and open 2 nd story windows. New this month	01/11/2012 Condemned house. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
1003 Chittock Ave (5-0653) William/Tanya Padgett Porch	01/11/2012 Front porch knee wall pushed. Support columns falling, roof system falling to north, floor weak and falling. New this month	01/11/2012 Condemned porch. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 30 days to repair. Permit Information: 01/24/2012 Building permit issued; no inspections. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1042 Chittock Ave (4-0813) Yoel Hoffman House	01/11/2012 Roof system failed, chimney deteriorated, walls and siding failing, foundation failing, no utilities. Property in blight condition. New this month	01/11/2012 Condemned house. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in March 2012 if the owner does not comply with the Notice and Order.
434 Dewey Ave (1-0812) David Bristle Garage	01/31/2012 Garage roof structure severely damaged by tree fall. Loss of structural integrity, broken rafters, broken roof sheathing. New this month	01/31/2012 Condemned garage. 02/06/2011 Notice and Order served on owner(s). Owner given 14 days to pull permit and 28 days to demolish or repair. Permit Information: 02/09/2012 Building permit issued; no inspections. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in March 2012 if the owner does not comply with the Notice and Order.
1416 Deyo St (6-0467) Ellen Walker House	01/29/2012 Front porch floor/roof settled and unsafe, rear deck unsafe, foundations pushed east/west, no utilities, trash dumped to north, front porch filled with debris. Blight condition. New this month	01/29/2012 Condemned house. 02/03/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in March 2012 if the owner does not comply with the Notice and Order.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
123 N Forbes St (7-1291) Chester Patrick House	01/17/2012 Roof damaged, chimney pulling away from building. Southeast porch and east porch unsafe. Blight condition. New this month	01/17/2012 Condemned house. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in March 2012 if the owner does not comply with the Notice and Order.
1017-19 Fourth St (3-1981) Harold Strecker House/Garage	01/03/2012 Property open and accessible. Roof deteriorated and failing, water damage to interior of structure. Garage foundation failing. New this month	01/03/2012 Condemned house/garage. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: No permits issued to date. Current Status: Publication required. Property scheduled for the April Building Code Board of Appeals meeting.
918 Francis St (5-0631) William/Tanya Padgett Garage	01/11/2012 Rear detached garage roof sagging, walls bowing, continually used to store trash and surrounded by trash. Blight condition. New this month	01/11/2012 Condemned garage. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: 01/24/2012 Demolition permit; no inspections. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
920 Francis St (5-0632) Stephen Kuhl Garage	01/11/2012 Rear detached garage has open windows, partially boarded doorways. Garage continually open and used to store garbage. Blight condition. New this month	01/11/2012 Condemned garage. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in March 2012 if the owner does not comply with the Notice and Order.
1030 Francis St (5-0665) Irma Sims House/Garage	01/11/2012 NW entry door to basement open, utilities stripped, doors and windows boarded, rear porch rotted, garbage all over property. Rear garage roof system rotted, large open holes through roof and walls. New this month	01/11/2012 Condemned house/garage. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 21 days to demolish. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
1700 E Ganson St (8-0464) Michael Campbell Garage	01/03/2012 North detached garage leaning to north foundation heaved/settled and open and accessible. New this month	01/03/2012 Condemned garage. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: 02/09/2012 Demolition permit issued; no inspections. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
917 S Jackson St (4-0644) Alban Pacunas House/Garage	01/12/2012 Front porch falling, roof systems open holes/rooted, foundation pushed/crumbling south side, unsafe masonry chimney, boarded windows, interior gutted, trash across entire rear yard and rear garage deteriorated. New this month	01/12/2012 Condemned house and garage. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
919 S Jackson St (4-0645) Anna Kohn Garage	01/12/2012 Rear detached garage roof system rotted with open holes through roof coverings. North wall leaning and pulled from foundation. New this month	01/12/2012 Condemned garage. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
1016 Maple Ave (4-0907) Kibul Butt (New owner) AKZKB LLC House	01/06/2012 Front deck collapsed, holes through shingles (rotted roof), windows spot boarded or broken out, failing foundation. Blight condition. New this month	01/06/2012 Condemned house. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 21 days to demolish. 2/15/2012 Notice and Order mailed to NEW owner(s). Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in April 2012 if the owner does not comply with the Notice and Order.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
408 N Park Ave (7-0257) Donald Charles House	01/27/2012 Roof structure deteriorated, foundation settling on east and north porch, interior deteriorated and dilapidated. Structural elements of building deteriorated, chimney falling away from house. Blight condition. New this month	01/27/2012 Condemned house. 02/03/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in March 2012 if the owner does not comply with the Notice and Order.
133 E Prospect St (5-1865) Horsfall Enterprises LLC House	01/23/2012 Fire damage to home. Walls/floors/roof damaged. All 1 st story windows and doors open. Hole through south exterior all of home. New this month	01/23/2012 Condemned house. 02/03/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: 02/13/2012 Demolition permit issued; no inspections. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in March 2012 if the owner does not comply with the Notice and Order.
154 Rockwell St (4-0676) Aka 1046 Williams St Commodore Housing LLC House	01/06/2012 Northeast porch header and supports rotted and falling. Southwest porch overhang rotted, northeast porch window broken out. New this month	01/06/2012 Condemned house. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1503 Ten Eyck St (6-0446) William Hoage Jr House/Garage	01/29/2012 Front porch collapsing. Windows boarded. Interior gutted and lack of utilities. Foundation failure. Rear detached garage walls and roof rotted/collapsing. Home in blight condition. New this month	01/29/2012 Condemned house and garage. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in April 2012 if the owner does not comply with the Notice and Order.
1011 Williams St (4-0901) Ross Harris Investments LLC House	01/26/2012 Rear addition foundation and walls failing. Porch and failings in poor state of repair. Open and accessible. Vacant for over 6 months. Blight to neighborhood. New this month	01/26/2012 Condemned house. 02/03/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to complete repairs. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in March 2012 if the owner does not comply with the Notice and Order.
1013 Williams St (4-0903) Tomlinson Enroy House	01/29/2012 Roof system rotted/collapsing. Open 1 st story windows to east. Vacant with boarded windows more than 6 months. interior gutted/vandalized. Blight condition. New this month	01/29/2012 Condemned house. 02/03/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to complete repairs. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in March 2012 if the owner does not comply with the Notice and Order.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1038 Williams St (4-0679) Pamela Jewell House	01/09/2012 Front porch rotted, porch floor collapsing, roof rotted with open holes, interior gutted, walls and ceilings falling. Garbage surrounding home, home in blight condition. New this month	01/09/2012 Condemned house. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
1040 Williams St (4-0677) Bronson Macken House	01/09/2012 Roof open covered with tarp, chimney in poor repair, no utilities and vacant. Back yard grown to brush and home in blight condition. New this month	01/09/2012 Condemned house. 01/18/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in March 2012 if the owner does not comply with the Notice and Order.
1041 Williams St (4-0924) Christopher/Sarah Holda House/Garage	01/29/2012 North entry doors, 1 st story windows to north and east broken out. Interior stripped/vandalized, boarded windows, front Porch falling to northwest. Roof coverings failing, rear detached garage water damaged. New this month	01/29/2012 Condemned house and garage. 02/03/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in March 2012 if the owner does not comply with the Notice and Order.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
620 Adams St (2-2059) Jackson County Treasurer House	01/29/2012 Dilapidated siding, missing gutters, damaged fascia, foundation needs tuckpointing, damaged fence, decaying tree, interior drywall damaged, utilities off, chimney deteriorated above roof line. New this month	01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
208 Bates St (8-0447) Jackson County Treasurer House	01/29/2012 Boarded windows, utilities are off, roofing needs to be re-shingles, broken doors, foundation is heaving at northwest corner and west side destroyed interior furnishes and utilities. New this month	01/29/2012 Condemned house. 02/02/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
240 W Biddle St (4-0472) Jackson County Treasurer House	01/27/2012 Deteriorated chimney, stairs and roof, interior deteriorated, east porch deteriorated and foundation failure. Open at upper windows. Property in blight condition. New this month	01/27/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
314 W Biddle St (4-0548) Jackson County Treasurer House/Garage	01/27/2012 Front and rear porches deteriorated and structural failure. Chimney deteriorated. Garage deteriorated and leaning. Cistern in rear Yard. Property in blight condition. New this month	01/27/2012 Condemned house/garage. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
813 S Blackstone St (4-0484) Jackson County Treasurer House	01/29/2012 Deteriorated foundation is settling, roof is rotting, needs structural repair and shingles, back stairway to 2 nd story is dangerous and improperly constructed, walls are peeling, front porch is settling on south corner and foundation is deteriorated and utilities are off. New this month	01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
406 Burr St (7-0688) Jackson County Treasurer House	01/29/2012 Front porch pillars are rotting, gutters are falling off, side porch foundation is settling and porch is sagging, roof is rotting, shingles need to be replaced, foundation is settling, asbestos siding is broken and pieces are missing in various locations, back porch and stairs are collapsing, bilco door is destroyed, utilities are off and interior dilapidated. New this month	01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
<p>710 Center St (2-1594) Jackson County Treasurer House/Garage</p>	<p>01/29/2012 Fascia and soffit damaged, paint peeling, chimney pulling away from house, house settling at northwest section, roof rotted around chimney, all decks at back of house are settling and not square, accessory structure soffit missing, repair all interior walls, ceilings, floor and utilizes. Utilities are off. New this month</p>	<p>01/29/2012 Condemned house/garage. 01/31/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.</p>
<p>628 Chester St (6-1435) Jackson County Treasurer House</p>	<p>01/29/2012 Roof is sagging, shingles need to be replaced, foundation is cracking and settling, rear porch is settling and rotting, gutters are falling off, replace the chimney above roof, utilities are off. New this month</p>	<p>01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.</p>
<p>652 Cooper St (7-0592.1) Jackson County Treasurer House</p>	<p>01/29/2012 Interior has been vandalized, copper is gone, full of household debris, back addition is not roofed properly, north wall is bowing, soffits and siding missing pieces, peeling paint, front porch needs to be re-built (foundation is sinking and rotting). New this month</p>	<p>01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.</p>

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
113 Damon St (5-1344) Jackson County Treasurer House/Garage	01/29/2012 Roof and fascia rotted and falling apart, garage is leaning to the right, front porch needs to be rebuilt, windows are rotting, steps are hazardous, large dead oak tree in front falling on house, utilizes are off, interior plaster falling from ceilings and walls. New this month	01/29/2012 Condemned house/garage. 01/31/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
704 Detroit St (7-0361) Jackson County Treasurer House/Garage	01/12/2012 South and west porches rotted and falling. Open holes in rotted roof system. Stair system unsafe, interior gutted. Home in blight condition. New this month	01/12/2012 Condemned house/garage. 01/18/2011 Notice and Order serviced on owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
1615 Deyo St (6-1122) Jackson County Treasurer House/Garage	01/29/2012 Home severely damaged by fire. Fire damage throughout entire home. Open and boarded windows. Unsafe chimney. Rear detached garage rotted and collapsing. New this month	01/29/2012 Condemned house/garage. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
220 S Dwight St (6-0904) Jackson County Treasurer House	01/29/2012 Gutters are falling off the house, windows are rotting/broken/missing. Interior is partially gutted. Structural support of 1 st floor Defective, back porch foundation inadequate and settling, siding is peeling and rotting, foundation needs tuckpointing and roof is rotting. New this month	01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
1416 S Elm Ave (6-1689) Jackson County Treasurer House	01/29/2012 Roofing not flashed properly, window frames rotting and broken, siding stripped and missing, structural framing exposed to the weather, utilities are off, exterior basement roof slopes to the house, missing light fixtures, interior ceilings are falling, soffit and fascia falling off, roofing shingles needs to be replaced. New this month	01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
503 First St (4-0389) Jackson County Treasurer House Property in HDC	01/29/2012 Siding peeling very bad, soffit and fascia peeling and rotting, front porch foundation sagging on south side, roof pulling away from house, front porch stairs built incorrect, siding rotting and missing on east side. Utilities off. New this month	01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
704 First St (3-0023) Jackson County Treasurer House Property in HDC	01/29/2012 Fire damage throughout 2 nd story. First floor ceilings/walls falling. Broken windows. Unsafe rear 2 nd story porch. Porch collapsing to southwest. Trash being dumped in rear yard. Front porch support columns rotted and foundation collapsing. New this month	01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
910 First St (3-2031) Jackson County Treasurer House	01/29/2012 Front porch settled and falling apart, roof rotted, windows rotted, siding peeling and rotted, entry steps/landing on north side destroyed, rear porch/upper deck needs to be rebuilt, downspouts/gutters missing, fence is broken at back lot line and front side fence to house. Utilities are off. New this month	01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
119 Francis Ct (5-1478) Jackson County Treasurer House	01/29/2012 Walls are bowing, foundation walls are bowing, chimney is falling apart, front porch is settling, roof needs to be rebuilt and flashed properly, siding pieces are missing exposing sheathing to the weather, windows are rotted and broken and some are boarded up, utilities are disconnected and interior is unfit. New this month	01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
<p>929 Francis St (5-0560) Jackson County Treasurer House</p>	<p>01/29/2012 Inadequate electrical service, cracked foundation, missing siding, raw sheathing exposed to weather, interior plaster falling off walls and ceiling, open wiring, no kitchen, stair railing system torn apart, no eaves, rotting windows, front porch is settling and dilapidated deck, no utilities. New this month</p>	<p>01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.</p>
<p>1201 E Ganson St (7-0876) Jackson County Treasurer House/Garage</p>	<p>01/29/2012 Foundation settling and cracked, chimney is leaning toward roof, roof is rotted and needs shingles, soffit and fascia. Rotting siding boards, improper deck supports for 2nd story deck on east side, mortar missing from foundation. Garage walls bowed, rotting, paint peeling, roof shingles need to be replaced. New this month</p>	<p>01/29/2012 Condemned house and garage. 01/31/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.</p>
<p>526 W Ganson St (2-1135) Jackson County Treasurer House</p>	<p>01/19/2012 Front porch flooring and support posts deteriorated and unsafe. Foundation failure in several locations. New this month</p>	<p>01/19/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.</p>

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
121 E High St (5-1286) Jackson County Treasurer House/Garage	01/26/2012 Chimney pulling away from building. Rear porch failing. No kitchen. Siding and paint in disrepair. Foundation in need of repair. Garage walls sagging and leaning. New this month	01/26/2012 Condemned house and garage. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
603 W High St (3-2286) Jackson County Treasurer House/Garage	01/26/2012 Roof and overhangs failing. Back porch sagging and improperly supported. Interior ceilings and walls home falling plaster. New this month	01/26/2012 Condemned house and garage. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
915 S Jackson St (4-0643) Jackson County Treasurer Garage/Shed	01/12/2012 Rear detached garage and shed roof and walls framings rotted with open holes through roof. New this month	01/12/2012 Condemned garage and shed. 01/18/2011 Notice and Order serviced on owner(s). Owner given 7 days to pull permit and 28 days to demolish. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
942 S Jackson St (4-0621) Jackson County Treasurer House	01/27/2012 Front porch settled. Foundation of house failing. Chimney pulling away from house and has large gaps in brick. Vacant and boarded for over 6 months. Roof structure deteriorated at west. Blight condition. New this month	01/27/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
1045 S Jackson St (4-0673) Jackson County Treasurer House	01/27/2012 Structural failure of main roof rafters, lower flat roof on north side deteriorated with structural deterioration and property in blight condition. New this month	01/27/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
329 Johnson St (6-0329) Jackson County Treasurer House	01/29/2012 Large sink hole to north of home, foundation collapsed, rotted roof system, collapsing chimney, unsafe rear deck, large tree collapsed onto northeast roof section. New this month	01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
710 Lansing Ave (2-1508) Jackson County Land Bank Garage/Barn	01/30/2012 Two story garage/barn on premises is leaning and has reduced structural integrity. Signs of structural failure. New this month	01/30/2012 Condemned garage/barn. 02/03/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
1007 Lansing Ave (1-0535.1) Jackson County Treasurer House	01/27/2012 Foundation failure on west, roof deteriorated allowing moisture to enter, siding missing exposing structural elements. Blight condition. New this month	01/27/2012 Condemned house. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
1010 Maple Ave (4-0902) Jackson County Treasurer House	01/27/2012 Foundation failure, chimney pulling away from house front porch settling and deteriorated, roof covering failure. New this month	01/27/2012 Condemned house. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1107 Maple Ave (4-0929) Jackson County Treasurer House/Garage	01/27/2012 Front porch settled, interior structural failure, rear porch settled, foundation failure, open window at east upper, property in blight condition and garage is deteriorated. New this month	01/27/2012 Condemned house and garage. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
115-17 E Mason St (5-0207) Jackson County Treasurer House	01/26/2012 Vacant and boarded for more than six months, unsafe for intended use (no utilities), attractive nuisance, deteriorated stairs at entry to 115 E Mason St. New this month	01/26/2012 Condemned house. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
116 E Mason St (5-0135) Jackson County Treasurer House	01/20/2012 Attractive nuisance, vacant and boarded for six (6) months or more, unsafe for intended use (no utilities), vacant and creating a blighting condition on the neighborhood. New this month	01/20/2012 Condemned house. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
124 W Mason St (4-0115) Jackson County Treasurer House	01/26/2012 Front porch footing failing, porch support failure, unsafe for intended use (no utilities), structure in blighted condition, structure is dilapidated and an attractive nuisance, foundation failure at northwest corner. New this month	01/26/2012 Condemned house. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
138 W Monroe St (8-2585) Jackson County Treasurer Garage	01/27/2012 Roof deteriorated, structure leaning and deteriorated, siding rotted, structure in blighted condition. New this month	01/27/2012 Condemned garage. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
408 Northwood Ln (1-0421) Jackson County Treasurer House/Shed	01/27/2012 Front porch roof collapsing, rear roof deteriorated with structural elements failure, interior of structure deteriorated (ceiling, walls), foundation failure, structure is in blighted condition. New this month	01/27/2012 Condemned house and shed. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
<p>410 N Park Ave (7-0258) Jackson County Treasurer House</p>	<p>01/27/2012 Rear portion of building has deteriorated roof and roof structure, porch settling and deteriorated, property vacant and boarded for six months or more, foundation failure, structure in blight condition. New this month</p>	<p>01/27/2012 Condemned house. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.</p>
<p>1514 Plymouth St (6-0515) Jackson County Treasurer House</p>	<p>01/23/2012 Structural failure of roof structure of southeast porch and severe settling of north 2-story addition, open at northeast windows, interior gutted and no utilities services, foundation failure, structure in blight condition. New this month</p>	<p>01/23/2012 Condemned house. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.</p>
<p>125 E Porter St (8-1982) Jackson County Treasurer House</p>	<p>01/27/2012 Roof structure deteriorated with structural wall failure, electric service disconnected from property and laying on the ground, attractive nuisance, open to the elements at two (2) upper windows, structure in blight condition. New this month</p>	<p>01/27/2012 Condemned house. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.</p>

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1810 Pringle Ave (6-1276) Jackson County Treasurer House/Garage	01/23/2012 Failure of roof covering resulting in structural deterioration, interior of building deteriorated, building in blighted condition. New this month	01/23/2012 Condemned house and garage. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
1011 Second Ct (3-2008) Jackson County Treasurer House/Garage	01/29/2012 Foundation is out of square and uneven from front to back, house is off plumb, plaster is falling off walls, building is full of mold, utilities are off, garage is tilting and twisting to the right. New this month	01/29/2012 Condemned house and garage. 02/01/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
111 Stanley Ave (5-1239) Jackson County Treasurer House/Garage	01/30/2012 Rear addition foundation failing, boarded over six months. Garage roof failing and structurally unsafe. New this month	01/30/2012 Condemned house and garage. 02/03/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
115 Summit Ave (6-0553) Jackson County Treasurer House/Garage	01/29/2012 Foundations settled/unsafe, unsafe second story stair system, front porch settled, roof system failed, boarded windows, interior vandalized, rear detached garage rotted/collapsing, home in blight condition. New this month	01/29/2012 Condemned house and garage. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
1515 Ten Eyck St (6-0657.1) Jackson County Treasurer House	01/29/2012 Front porch settled/unsafe, support columns fallen, south and east porch roof systems rotted, unsafe electric service, black mold on interior walls, trash located behind home, lack of utilities. New this month	01/29/2012 Condemned house. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
1042 Walker St (8-2448) Jackson County Treasurer House/Garage	01/30/2012 Porch foundation failing. Rear step unsafe, open box sill on north. Foundation in need of repair. Garage roof and sidewalls unsafe. Blight condition. New this month	01/30/2012 Condemned house and garage. 02/03/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
114 E Wilkins St (5-0203) Jackson County Treasurer House	01/29/2012 Home vacant and boarded for over six months, roof system is rotted, foundation failing, interior walls and ceilings are falling, there are not utilities, and the house is in blight condition. New this month	01/29/2012 Condemned house. 02/01/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
112 W Wilkins St (4-0771) Jackson County Treasurer House	01/29/2012 House vacant/boarded for over six months, rear deck rotted, broken windows, lack of utilities. New this month	01/29/2012 Condemned house. 02/01/2011 Notice and Order served on owner(s). Owner given 10 days to pull permit and 30 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
605 Williams St (4-0777) Jackson County Treasurer House	01/06/2012 Property repeated open and accessible. Two additional south 1 st story windows broken out. Interior gutted and full of debris. Foundation failing. Property in blight condition. New this month	01/06/2012 Condemned house. 01/18/2011 Notice and Order served on owner(s). Owner given 21 days to pull permit and 60 days to demolish. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1019 Williams St (4-0906) Jackson County Treasurer House	01/29/2012 Foundation collapsing on southeast, north and west sides; open holes through roof on south side, vacant/boarded for more than 6 months with no utilities. New this month	01/29/2012 Condemned house. 02/01/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
1020 Williams St (4-0686) Jackson County Treasurer House	01/29/2012 Foundation collapsed to south and east, holes through siding, rotted framing to north, interior gutted/vandalized, roof system failing. New this month	01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
1045 Williams St (4-0926) Jackson County Treasurer House	01/29/2012 Vacant/boarded more than six months, exterior walls rotted, interior gutted and filled with trash/debris, and foundation collapsing to south. Blight condition. New this month	01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
<p>1202 Williams St (4-1007) Jackson County Treasurer House/Garage</p>	<p>01/29/2012 Vacant/boarded more than six months, siding stripped from home, interior gutted/vandalized, rear detached garage foundation collapsed, boarded openings. House foundation crumbling to south. New this month</p>	<p>01/29/2012 Condemned house and garage. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.</p>
<p>1407 Williams St (4-1550) Jackson County Treasurer House</p>	<p>01/29/2012 East/west foundations settled/crumbling, rotted roof system, front porch rotted/settling, vacant/boarded in excess of six months, exterior walls unprotected and weather damaged, no utilities. New this month</p>	<p>01/29/2012 Condemned house. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.</p>
<p>1415 Williams St (4-1553) Jackson County Treasurer Garage</p>	<p>01/30/2012 Roof failing, siding in disrepair and foundation failing. Blight Condition. New this month</p>	<p>01/30/2012 Condemned garage. 02/06/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.</p>

CITY OF JACKSON

CONDEMNED PROPERTIES 2012

(Dangerous and Unsafe)

COUNTY OWNED

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
512 Wilson St (6-0316) Jackson County Treasurer House/Garage	01/29/2012 Foundation collapsing to east and south, front porch settled, rear porch support unsafe, boarded windows, holes through north wall of home, rear detached garage weather damaged, no utilities, blighted condition. New this month	01/29/2012 Condemned house and garage. 01/31/2011 Notice and Order served on owner(s). Owner given 7 days to pull permit and 28 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.
113 Wren St (5-1030) Jackson County Treasurer House	01/12/2012 Front porch and house roof systems rotted, foundation falling, interior utilities stripped, boarded windows, falling block Retaining walls, home and property in blight condition. New this month	01/12/2012 Condemned house. 01/18/2011 Notice and Order served on owner(s). Owner given 21 days to pull permit and 60 days to demolish. Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
117 W Biddle St (4-0731) Mabel Anderson Trust House	07/27/2011 Fire, water and smoke damage.	07/27/2011 Condemned house. 07/28/2011 Notice and Order mailed to owner(s). Owner given 45 days to pull permit and 120 days to repair. 11/28/2011 Reinspection conducted; property remains dangerous and unsafe. 12/15/2011 Staff recommended UPHOLDING Notice and Order. 12/15/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: 08/17/2011 Demolition permit issued; no inspections. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 01/17/2012.
425 N Blackstone St (1-0214) ACP4 LLC House	11/04/2011 Electrical system is hazardous. Interior of home vandalized; holes in walls, plumbing fixtures missing, electrical system Wiring and devised exposed and removed.	11/04/2011 Condemned house. 11/08/2011 Notice and Order mailed to owner(s). Owner given until November 18, 2011, to pull permit and until November 28, 2011, to have repairs completed. 11/15/2011 Amended Notice and Order mailed to owner(s). Owner given 10 days to pull demolition permit and 30 days to demolish structure. 01/13/2012 Reinspection scheduled. 01/26/2012 Staff recommended UPHOLDING Notice and Order. 01/26/2012 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 02/27/2012.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
933 Chittock Ave (5-0646) REO Holding 1 LLC House/Garage	12/12/2011 Front porch collapsing and unsafe. Dilapidated porch at back of house.	12/12/2011 Condemned house/garage. 12/13/2011 Notice and Order mailed to owner(s). Owner given 10 days to pull permit and 30 days to demolish. Permit Information: No permits issued to date. Current Status: Publication required. Property scheduled for the April Building Code Board of Appeals meeting.
330 S Dwight St (6-1084) Ralph III/Deborah Musolino House 2009 and 2010 taxes delinquent – in forfeiture	08/31/2011 Back door and 2 nd story window open and accessible. Vagrants entering the house illegally.	08/31/2011 Condemned house. 09/12/2011 Notice and Order mailed to owner(s). Owner given until September 23, 2011, to obtain demolition permit and until October 14, 2011, to demolish. 10/17/2011 Reinspection conducted; remains dangerous and unsafe. 11/17/2011 Staff recommended UPHOLDING Notice and Order. 11/17/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested.
606 N East Ave (8-1466) Federal Home Loan Mortgage Corp House	11/21/2011 Front porch collapsing and unsafe. Open holes through roof/floor. Roof system of house deteriorated with open areas through north valley.	11/21/2011 Condemned house. 11/28/2011 Notice and Order mailed to owner(s). Owner given 21 days to pull permit and 45 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Property repaired by owner, released from condemnation.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
311 N Elm Ave (7-1033.1) Sheri Bean House	12/28/2011 Structure fire throughout home. Smoke and water damage throughout.	12/28/2011 Condemned house. 12/30/2011 Notice and Order mailed to owner(s). Owner given 30 days to pull permit and demolish or repair. Permit Information: No permits issued to date. Current Status: Publication required. Property scheduled for the April Building Code Board of Appeals meeting.
<hr/>		
315 N Elm Ave (7-1031) Louis Brown Garage	08/12/2011 Open roof section sagging, support posts falling, wall section open, door rotted and building leaning.	08/12/2011 Condemned garage. 08/19/2011 Notice and Order mailed to owner(s). Owner given 10 days to obtain permit or supply detailed plans to repair and 28 days to demolish. 09/19/2011 Reinspection conducted; remains dangerous and unsafe. 10/27/2011 Staff recommended UPHOLDING Notice and Order. 10/27/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 02/17/2012.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
<p>201 S Elm Ave (6-0985) Pacunas Alban (New Owner 8/2011) Eric Ropp Joseph/Jue Allen House</p>	<p>02/18/2011 Fire damage throughout property. Damage to all rafters/wall framing.</p>	<p>01/31/2011 Condemned house. 02/18/2011 conducted interior inspection. 02/03/2011 Notice and Order mailed to owner(s). Owner given 45 days to pull permit and 3 months to repairs. 03/21/2011 Porch roof system removed per Notice and Order. 06/06/2011 Reinspection conducted, no permits issued, no progress on repairs.</p> <p>07/28/2011 Staff recommended UPHOLDING Notice and Order. 07/28/2011 Board UPHELD Notice and Order, bids for demolition to be requested.</p> <p>Permit Information: 11/02/2011 Demolition permit issued; no inspections.</p> <p>Current Status: Property demolished per Building Board order, released from condemnation.</p>
<p>311 E Euclid Ave (5-1836) Orion Group Inc House</p>	<p>08/15/2011 Home in blight condition. Roof system rotted, stairs unsafe, deck ready to collapse, missing/open rear door/window.</p>	<p>08/15/2011 Condemned house. 08/19/2011 Notice and Order mailed to owner(s). Owner given 10 days to obtain permit or supply detailed plans to repair and if not repairing 45 days to demolish. 10/07/2011 Reinspection conducted; remains dangerous and unsafe, no progress.</p> <p>10/27/2011 Staff recommended UPHOLDING Notice and Order. 10/27/2011 Board UPHELD Notice and Order, bids for demolition to be requested.</p> <p>Permit Information: No permits issued to date.</p> <p>Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested.</p>

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
306 First St (3-0039) Citizens Bank House Property in HDC	12/12/2011 North 2 nd story porch and 1 st story porch settled/falling and rotted floor systems. 2 nd story chimney bowing to south. Open holes stone foundation north side. Lack of tuck pointing on perimeter main foundation.	12/12/2011 Condemned house. 12/21/2011 Notice and Order mailed to owner(s). Owner given 10 days to pull permit and 30 days to demolish. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Division. Will go before Building Code Board of Appeals in March 2012 if the owner does not comply with the Notice and Order.
2019 First St (3-3211) Cynthia Rowen House	08/22/2011 Home covered with animal urine and feces. Home abandoned with over nine cats living in doors.	08/22/2011 Condemned house. 08/29/2011 Notice and Order mailed to owner(s). Owner given 5 days to obtain permit and 21 days to demolish house. 09/30/2011 Reinspection conducted; remains dangerous and unsafe. 10/27/2011 Staff recommended UPHOLDING Notice and Order. 10/27/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
<p>1601 Fourth St (3-2356) Gregg Ladd Etal (New Owner 09/2011) First National Mortgage Assn (New Owner 05/2011) Kim Farthing Barn/Garage</p>	<p>05/03/2011 Barn/Garage is dilapidated. Foundation failing, building not plumb, doors rotted and falling off. Holes in roof.</p>	<p>05/03/2011 Condemned garage/barn. 05/04/2011 Notice and Order mailed to owner(s). Owner given 15 days to pull permit and 60 days to repair. 07/05/2011 Reinspection conducted; no progress, remains dangerous and unsafe. 08/25/2011 Staff recommended UPHOLDING Notice and Order. 08/25/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition awarded 11/23/2011.</p>
<p>1051 Francis St (5-1049) Cliff Reed House</p>	<p>10/03/2011 Fire damage throughout home.</p>	<p>10/03/2011 Condemned house. 10/04/2011 Notice and Order mailed to owner(s). Owner given 21 days to obtain building permit to demolish or provide plans to repair and 60 days to complete. 12/16/2011 Reinspection scheduled. 01/26/2012 Staff recommended UPHOLDING Notice and Order. 01/26/2012 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 02/27/2012.</p>

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
311 W Franklin St (4-0328) Jason Ulach House Per County Treasurer – 2010 Special Assessment owing Taxes paid	05/05/2011 Fire/smoke damage throughout home. Detached garage rotted roof system.	05/05/2011 Condemned house. 05/11/2011 Notice and Order mailed to owner(s). Owner given 30 days to pull permit and 60 days to demolish/repair. 07/11/2011 Reinspection conducted; no progress, remains dangerous and unsafe. 10/27/2011 Staff recommended UPHOLDING Notice and Order. 10/27/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: 10/25/2011 Demolition permit issued; no inspections. Current Status: Property demolished by owner, released from condemnation.
511 S Gorham St (6-1082) Susan/Dannie Austin Garage	02/17/2011 Garage roof decayed to the point of collapse.	02/17/2011 Condemned garage. 03/03/2011 Notice and Order mailed to owner(s). Owner given until April 10, 2011, to pull permit and duration of permit to repair/demolish. 05/27/2011 Staff recommended UPHOLDING Notice and Order. 05/27/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: 11/02/2011 Demolition permit issued; no inspections. Current Status: Property demolished per Building Board order, released from condemnation.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1019 Hill Pl (1-0599) Pamela Davis House/Garage 2010 taxes delinquent	11/21/2011 Open and accessible. Front porch roof system rotted. Rear roof system rotted and main roof system sagging and water damaged. Interior gutted, missing electrical, mechanical and plumbing systems. Ceilings/walls falling.	11/21/2011 Condemned house/garage. 11/28/2011 Notice and Order mailed to owner(s). Owner given 21 days to pull permit and 60 days to demolish or repair. Permit Information: No permits issued to date. Current Status: Publication required. Property scheduled for the April Building Code Board of Appeals.
1112 S Highy St (3-1218.T) Terry Sanders House/Garage	11/08/2011 Fire, water and smoke damage.	11/08/2011 Condemned house/garage. 11/15/2011 Notice and Order mailed to owner(s). Owner given 30 days to pull permit and duration of permit to repair. Permit Information: 11/10/2011 Electrical permit issued; no inspections. Current Status: Property being repaired by owner, released into open permit status.
902 W High St (3-1497.1) Aka 1220 S Grinnell St Curtis Investment Holdings LLC House	12/19/2011 Open and Accessible. Home in blighted condition and uninhabitable.	12/19/2011 Condemned house/garage. 12/30/2011 Notice and Order mailed to owner(s). Owner given 14 days to pull demolition permit and 30 days to demolish structure. Permit Information: No permits issued to date. Current Status: Property is being monitored by Inspection Department. Will go before Building Code Board of Appeals in April 2012 if the owner does not comply with the Notice and Order.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
407 Homewild Ave (7-0319) Brandy Ekins House 2009 and 2010 taxes delinquent	07/29/2011 Roof, foundation and stairs of house deteriorated, decayed and collapsing.	07291/2011 Condemned house. 08/01/2011 Notice and Order mailed to owner(s). Owner given 14 days to obtain permit and 30 days to complete repairs or demolish. 09/02/2011 Reinspection conducted; remains dangerous and unsafe. 12/15/2011 Staff recommended UPHOLDING Notice and Order. 12/15/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: 08/17/2011 Demolition permit issued; no inspections. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 02/17/2012.
408 Homewild Ave (7-0277) Midfirst Bank (New Owner 03/2011) Janice Chambers House	08/02/2011 Foundation collapsed, house deteriorated, abandoned, blight condition.	08/02/2011 Condemned house. 08/10/2011 Notice and Order mailed to owner(s). Owner given 14 days to obtain permit and 45 days to demolish. 09/26/2011 Reinspection conducted; remains dangerous and unsafe. 10/27/2011 Staff recommended tabling until the November meeting. 10/27/2011 Board tabled until the November Board meeting. 11/17/2011 Staff recommended tabling until the December meeting. 11/17/2011 Board tabled until the December Board meeting. 12/15/2011 Staff recommended UPHOLDING Notice and Order. 12/15/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 02/17/2012.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
809 Homewild Ave (7-0377.1) Charles/Renatelle Titler House	06/27/2011 Open doors/windows. Holes in walls, roof sagging/rotted, interior unsanitary to live in.	06/27/2011 Condemned house. 06/29/2011 Notice and order mailed to owner(s). Owner given 14 days to obtain demolition permit, 30 days to demolish or 7 days to provide time line and pull permits to repair. 09/30/2011 Staff recommended UPHOLDING Notice and Order. 09/30/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: 01/13/2012 Demolition permit issued; no inspections. Current Status: Building Board UPHELD Notice and Order, bids for demolition awarded 02/07/2012.
Per County Treasurer – 2008, 2009 and 2010 taxes delinquent		
233 N Jackson St (1-0057) R & J Property Mgt LLC Commercial	12/16/2011 Brick/stone wall deteriorated and falling.	12/16/2011 Condemned commercial building. 12/16/2011 Notice and Order mailed to owner(s). Owner given until December 21, 2011 to pull permit and repair. Permit Information: 01/06/2012 Building permit issued; 01/18/2012 final inspection. Current Status: Property repaired by owner, released from condemnation.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
626 Kennedy St (8-1358) GMAC Mortgage LLC House/Garage	09/08/2011 Front porch rotted/falling. North wall foundation pushed/bowed outwards. Rear porch windows broken out. Interior Infested with fleas/unsanitary. Home in blight condition.	09/08/2011 Condemned house/garage. 09/12/2011 Notice and Order mailed to owner(s). Owner given 5 days to obtain permit or provide plans for repairs and 28 days to demolish. 10/10/2011 Reinspection conducted; no progress on repairs, remains dangerous and unsafe. 10/27/2011 Staff recommended UPHOLDING Notice and Order. 10/27/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested.
736 Loomis St (8-1582) US Bank NA Trustee (New owner 09/2011) Aaron/Heather Albrecht Garage	10/20/2011 Garage is leaning to the north, off north foundation, paint is peeling and fascia is deteriorated.	10/20/2011 Condemned garage. 10/27/2011 Notice and Order mailed to owner(s). Owner given 10 days to secure permit and until November 26, 2011, to repair/demolish. 01/13/2012 Reinspection scheduled. Permit Information: 12/29/2011 Building permit issued; 01/23/2012 final inspection. Current Status: Property repaired by owner, released from condemnation.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1002 Maple Ave (4-0898) Troycie Miller Chimney	05/05/2011 Masonry chimney in danger of collapse.	05/05/2011 Condemned chimney. 05/11/2011 Notice and order mailed to owner(s). Owner given 14 days to repair/remove. 05/31/2011 Reinspection conducted; remains dangerous and unsafe. 06/23/2011 Staff recommended UPHOLDING Notice and Order. 06/23/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Chimney repaired per Building Board order, released from condemnation.
116 W Mason St (4-0122) Alexander Bodo Jr Estate House	12/05/2011 Open and accessible and interior of of structure has been demolished.	12/05/2011 Condemned house. 12/07/2011 Notice and Order mailed to owner(s). Owner given 7 days to pull permit and 14 days to demolish structure.. 01/26/2012 Staff recommended UPHOLDING Notice and Order. 01/26/2012 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 02/27/2012.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
605-07 S Mechanic St (5-0212) Rose City Investments (New Owner 10/2011) First National Bank of America House	10/21/2011 Meth lab being operated from home. Unsafe/unsanitary living conditions. Home in blight condition.	10/21/2011 Condemned house. 10/26/2011 Notice and Order mailed to owner(s). Owner given 7 days to secure permit and 28 days to demolish. 12/15/2011 Staff recommended UPHOLDING Notice and Order. 12/15/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 02/17/2012.
1317 E Michigan Ave (6-0382) Maria E Cervantes/Jose Delossantos Commercial 2009 and 2010 taxes delinquent	08/31/2011 Roof system rotted with open hole in roof. 1 st and 2 nd floor systems water soaked. Ceilings/walls falling, electrical, mechanical, plumbing systems not operational. Foundation falling at northeast and southwest corners.	08/31/2011 Condemned commercial building. 09/12/2011 Notice and Order mailed to owner(s). Owner given until September 30, 2011, to obtain permit and until October 14, 2011, to demolish. 11/28/2011 Reinspection conducted; remains dangerous and unsafe. 12/15/2011 Staff recommended UPHOLDING Notice and Order. 12/15/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 02/17/2012.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1423 E Michigan Ave (6-0565) Joseph Hunter Etal House	07/28/2011 Home is severe blight condition.	07/28/2011 Condemned house. 08/01/2011 Notice and Order mailed to owner(s). Owner given 30 days to obtain permit and complete repairs or demolish. 09/02/2011 Reinspection conducted; remains dangerous and unsafe. 11/17/2011 Staff recommended UPHOLDING Notice and Order. 11/17/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: 09/27/2011 Demolition permit issued; no inspections. Current Status: Property demolished by owner, released from condemnation.
416 W Monroe St (1-0792) Jennie M Crittendon Etal Garage 2010 taxes delinquent	08/27/2011 Garage roof is rotting, deck is rotted off and foundation is falling.	08/27/2011 Condemned garage. 08/29/2011 Notice and Order mailed to owner(s). Owner given until September 7, 2011, to pull permit and until September 27, 2011, to demolish garage. 09/30/2011 Reinspection conducted; remains dangerous and unsafe. 11/17/2011 Staff recommended UPHOLDING Notice and Order. 11/17/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 12/19/2011.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
301 W Morrell St (4-1184) Chemkimich Realty Holdings LLC House	12/12/2011 Open and Accessible. Front porch floor/roof rotted and collapsing. Utilities stripped to interior. Chimney falling.	12/12/2011 Condemned house. 12/13/2011 Notice and Order mailed to owner(s). Owner given 10 days to pull permit and 30 days to demolish.
2009 and 2010 taxes delinquent		Permit Information: No permits issued to date. Current Status: Publication required. Property scheduled for the April Building Code Board of Appeals meeting.
303 W Morrell St (4-1184.1) Todd Smith House	12/12/2011 Dilapidated 2 nd story stairs. Open window on east. Front porch collapsing. Structure blight condition.	12/12/2011 Condemned house. 12/13/2011 Notice and Order mailed to owner(s). Owner given 10 days to pull permit and 30 days to demolish.
2009 and 2010 taxes delinquent		Permit Information: No permits issued to date. Current Status: Publication required. Property scheduled for the April Building Code Board of Appeals meeting.
341 W Morrell St (4-1188) Ollie Wilkie Jr House/Garage	12/19/2011 House framing is incomplete. Structural framing/sheathing exposed to the elements.	12/19/2011 Condemned house/garage. 12/30/2011 Notice and Order mailed to owner(s). Owner given 10 days to pull permit and 30 days to demolish structure and accessory structure.
		Permit Information: No permits issued to date. Current Status: Property scheduled for the March Building Code Board of Appeals meeting.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1018 Pigeon St (5-1041) Linda F Young House/Garage	08/27/2011 House open and accessible; windows broken out. Garage dilapidated and leaning to the north.	08/27/2011 Condemned house/garage. 08/29/2011 Notice and Order mailed to owner(s). Owner given until September 7, 2011, to pull demolition permit and until September 27, 2011, to demolish structures. 11/28/2011 Reinspection conducted; remains dangerous and unsafe. 12/15/2011 Staff recommended UPHOLDING Notice and Order. 12/15/2011 Board continued until the January Board meeting. 01/26/2012 Staff recommended UPHOLDING Notice and Order. 01/26/2012 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 02/27/2012.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1025 Pigeon St (5-1020) State of Michigan DNR House George/Elnora Hardman (Owners)	09/02/2011 Front porch dilapidated and settled. Chimney is pulling away from house. Foundation is crumbling, back porch collapsing.	09/02/2011 Condemned house. 09/12/2011 Notice and Order mailed to owner(s). Owner given 5 days to obtain permit and 14 days to demolish. 09/26/2011 Reinspection conducted; remains dangerous and unsafe. 10/27/2011 Staff recommended UPHOLDING Notice and Order. 10/27/2011 Board UPHELD Notice and Order, bids for demolition to be requested. 11/08/2011 Error with ownership. Property is owned by George/Elnora Hardman. Retailed Notice and Order to owner. Given 5 days to obtain permit and 14 days to demolish. 01/26/2012 Staff recommended UPHOLDING Notice and Order. 01/26/2012 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 02/27/2012.
720 Rock St (8-1823.1) Robert Ayers Etal (New owner) Jeffrey D/Debra D Kruse Garage/Deck	09/02/2011 Rear deck and garage heaved/leaning. Garage walls pushed from foundation, walls leaning, doors falling, and deck falling.	09/02/2011 Condemned garage/deck. 09/12/2011 Notice and Order mailed to owner(s). Owner given 5 days to obtain permit and 14 days to demolish. 12/15/2011 Staff recommended UPHOLDING Notice and Order. 12/15/2011 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: 01/06/2012 Demolition permit issued; no inspections. Current Status: Property being demolished by owner, monitor under open permit(s).

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
311 W Washington Ave (4-0286) Community Home Ownership Stairs 2009 and 2010 taxes delinquent – in forfeiture	09/23/2011 Stairs are unsafe; treads rotted, broken, open guardrails, weathered stair stringers.	09/23/2011 Condemned stairs. 09/27/2011 Notice and Order mailed to owner(s). Owner given 3 days to pull permit and 7 days to complete repairs. 12/16/2011 Reinspection scheduled. 01/26/2012 Staff recommended UPHOLDING Notice and Order. 01/26/2012 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: 09/29/2011 Building permit issued; no inspections. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 02/27/2012.
403-05 W Washington Ave (3-0033) Citizens Bank House	12/12/2011 Front two story brick porch falling to northeast corner. Brick pulled wary from home, falling to north street side. Brick stairway side wall to west pulling apart.	12/12/2011 Condemned house. 12/13/2011 Notice and Order mailed to owner(s). Owner given 10 days to pull permit and 30 days to demolish. 01/26/2012 Staff recommended UPHOLDING Notice and Order. 01/26/2012 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 02/27/2012.

CITY OF JACKSON

CONDEMNED PROPERTIES 2011

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
1125 Woodbridge St (4-1148) Richard O'Boyle House/Garage 2010 taxes delinquent	09/28/2011 Front porch collapsed at front supports, leaning 8" pulling from house. Eaves and soffits rotted/falling, holes in soffit. Hole through rear wall doors boarded.	09/28/2011 Condemned house/garage. 10/04/2011 Notice and Order mailed to owner(s). Owner given 21 days to obtain permit or provide plans for repairs and 45 days to demolish. 12/16/2011 Reinspection scheduled. 01/26/2012 Staff recommended UPHOLDING Notice and Order. 01/26/2012 Board UPHELD Notice and Order, bids for demolition to be requested. Permit Information: No permits issued to date. Current Status: Building Board UPHELD Notice and Order, bids for demolition to be requested 02/27/2012.

CITY OF JACKSON

CONDEMNED PROPERTIES 2010

(Dangerous and Unsafe)

Property Address (Stencil #)	Date and reason for condemnation	Summary of Activities and Building Code Board of Appeals actions
937 Chittock Ave (5-0648) James Caddell Etal Garage	10/14/2010 Garage falling and fire damaged.	10/14/2010 Condemned garage. 10/20/2010 Notice and Order mailed to owner(s). Owner given 14 days to pull permit and 45 days to demolish. 01/20/2011 Reinspection conducted, property remains dangerous and unsafe. 02/24/2011 Staff recommended UPHOLDING Notice and Order. 02/24/2010 Board UPHELD Notice and Order, bids for demolition to be requested Permit Information: Roofing permit issued 11/10/2010; no inspections; expired 05/09/2011. Current Status: Property repaired by owner, released from condemnation.

CITY OF JACKSON

HAZARDOUS PROPERTIES

(Secured and Released)

Property Address (Stencil #)	Date of Complaint	Date Referred to DPW or Contractor	Date Secured
309 N Elm Ave (7-1033) Robert Stackhouse House	01/03/2012	01/20/2012	01/23/2012
1009-11 First St (4-1244) Charles Beck House	12/28/2011	12/30/2011	01/03/2012
1013 First St (4-1247) Ralph Morgan House	12/28/2011	12/30/2011	01/03/2012
1007-09 Maple Ave (4-0881) Rita Shufelt House	12/19/2011	12/30/2011	12/30/2011
409 N Park Ave (7-0241) Dennis Baker House	01/10/2012	01/20/2012	01/23/2012

CITY OF JACKSON

UNFIT FOR HUMAN HABITATION

(Notice to Vacate)

Property Address (Stencil #)	Reason Vacated	Date of Complaint	Date Vacated	Reported by	Vacated by	Date Released
309 N Elm Ave (7-1033) Robert Stackhouse House	Lack of essential services	01/03/2012	01/03/2012	Staff	Frank Donovan	
710 Fourth St (3-0439) Jacqueline Killian House	Lack of essential services	01/12/2012	01/12/2012	JPD	Brian Taylor	



Department of Public Works - Engineering

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4160 — Facsimile: (517) 788-4639

CITY COUNCIL MEETING February 21, 2012

TO: Honorable Mayor and City Councilmembers
FROM: Jon H. Dowling, P.E., City Engineer and Director of Public Works
SUBJECT: Engineer's Report for Durand Street Construction from the south end to Morrell

MOTION: CONSIDERATION OF THE REQUEST TO RECEIVE THE ENGINEER'S REPORT FOR STREET CONSTRUCTION ON DURAND STREET FROM THE SOUTH END TO MORRELL STREET, AND ESTABLISHMENT OF MARCH 13, 2012, AT THE CITY COUNCIL MEETING AS THE TIME AND PLACE TO HOLD A PUBLIC HEARING OF NECESSITY.

The Department of Public Works - Engineering requests that City Council establish a public hearing of necessity to be held March 13, 2012, for street reconstruction on Durand Street from the south end to Morrell Street. This report is prepared for City Council per the Assessment Policy regarding the necessity of street construction.

Department of Engineering records show that Durand Street from the south end to Morrell Street was constructed in 1953 with asphalt pavement and concrete curb and gutter. In 2000, the pavement was chip sealed. The existing pavement has failed and has potholes throughout. The curb has deteriorated and settled in places and contributes to poor drainage. The attached photos show the current street conditions.

The cast iron water main on this part of Durand Street was built in the early 1950's. Since 1976 there have been 35 main breaks south of Morrell Street. The water main does not provide sufficient flow for fire protection.

The Department of Engineering proposes curb and gutter replacement and pavement replacement with new aggregate base and asphalt pavement throughout the entire project area. The antiquated cast iron water main within the project area will be replaced in conjunction with street construction. The water main portion of this project is part of the water main replacement program to improve water quality and pressure in the neighbourhood. Sanitary sewer repairs will also be done as needed.

Estimated project costs and funding are as follows:

Local Street Funds	\$ 461,561.52
Street Construction Assessments	\$ 128,438.48
Water Funds	<u>\$ 294,000.00</u>
Total Project Cost	\$ 884,000.00

The established individual assessment information has been reviewed by the City Assessor and includes corner lot benefits where applicable. According to the City Code, the City Assessor determines if corner lots benefits are granted. Associated costs are shown on the attached assessment maps. If this project is ordered, the assessment roll can be spread over a period of time. The number of years is based on the highest individual assessment amount that produces the longest period of time allowed for payment. Based on a schedule of assessments adopted by resolution on July 21, 1998, and on the highest individual assessments for this project, the number of annual installment periods will be ten.

RTM:sms

c: Dave Taylor, City Assessor
Lynn Fessel, City Clerk
Randall T. McMunn, P.E., Assistant City Engineer



Photo 1: Facing north on Durand at south end Cul-de-Sac



Photo 2: Facing north on Durand mid-way between south end & Oakdale ROW



Photo 3: Facing north on Durand at the Oakdale ROW



Photo 4: Facing north on Durand mid-way between Oakdale ROW and Elmwood



Photo 5: Facing north on Durand near Elmwood



Photo 5: Facing north on Durand mid-way between Elmwood and Morrell

OAKDALE AVENUE (UNOPENED)

\$0.00
EX
66'

GENTRY FAMILY PARTNERSHIP
C/O HOWARD/RUTHMARY GENTRY
1102 S DURAND ST
JACKSON, MI 49203
3-1218.A000

\$4,464.90
R-1
99'

JACKSON KEVIN L & ANNA M
1106 S DURAND ST
JACKSON, MI 49203
3-1218.AA00

\$3,743.30
R-1
83'

JOHNSON JAMES A & CORALIE A
1112 S DURAND ST
JACKSON, MI 49203
3-1218.B000

\$3,698.20
R-1
82'

KEERSMAEKERS MEGAN ETAL
1116 S DURAND ST
JACKSON, MI 49203
3-1218.D000

\$3,698.20
R-1
82'

RHODES MARGARET LE
1120 S DURAND ST
JACKSON, MI 49203
3-1218.E000

\$3,698.20
R-1
82'

MADDALENA ROBERT C ETAL LE
1124 S DURAND ST
JACKSON, MI 49203
3-1218.F000

\$3,698.20
R-1
82'

JONES ANNETT X
1128 S DURAND ST
JACKSON, MI 49203
3-1218.G000

\$3,788.40
R-1
84'

GETTSBURG AVENUE (UNOPENED)

\$0.00
EX
66'

S DURAND STREET

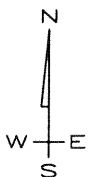
66'
ROW

660'
EX
\$0.00

OAKDALE AVENUE (UNOPENED)

JACKSON PUBLIC SCHOOLS
522 WILDWOOD AVE
JACKSON, MI 49201
(1200 S WISNER ST)
3-1218.0100

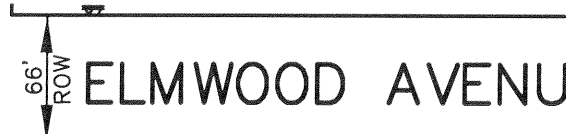
\$0.00
R-1
0.00'
JACKSON PUBLIC SCHOOLS
522 WILDWOOD AVE
JACKSON, MI 49201
(1 VACANT)
3-1218.2000



SCALE: 1" = 100'
DATE: 11/14/2011
DRAWN BY: EPR
CITY OF JACKSON
DEPARTMENT OF
ENGINEERING

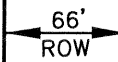
ASSESSMENT MAP FOR S. DURAND
FROM SOUTH END TO MORRELL
PAGE 1 OF 3

ELMWOOD AVENUE



66'	R-1	\$2,976.60	PUCKETT MARGARET C ETAL 1019 S DURAND ST JACKSON, MI 49203 3-1209.1A00
66'	R-1	\$2,976.60	HERENDEEN PEGGY A 1021 S DURAND ST JACKSON, MI 49203 3-1209.1000
66'	R-1	\$2,976.60	SZOKOWSKI DARLENE TRST 1025 S DURAND ST JACKSON, MI 49203 3-1209.2000
66'	R-1	\$2,976.60	CERQUEIRA BARBARA TRUST 1031 S DURAND ST JACKSON, MI 49203 3-1209.2A00
99'	R-1	\$4,464.90	SNYDER JOHN & LEONORA TRUST 1035 S DURAND ST JACKSON, MI 49203 3-120900000
66'	R-1	\$2,976.60	WILSON RICHARD G ETAL 1010 S BROWN ST #C15 JACKSON, MI 49203 3-1208.1000 (1041 S DURAND ST)
99'	R-1	\$4,464.90	WILSON CHARLES J 591 N UNION CITY RD COLDWATER, MI 49036 (1045 S DURAND ST) 3-120800000
67.52'	R-1	\$3,045.15	MANCINI CONNIE J 1051 S DURAND ST JACKSON, MI 49203 3-1208.2000

S DURAND STREET



66'	R-1	\$2,976.60	RAILER KENNETH 1018 S DURAND ST JACKSON, MI 49203 3-1202.1A00
66'	R-1	\$2,976.60	MELL MONICA A TRUST 1020 S DURAND ST JACKSON, MI 49203 3-1202.1000
66'	R-1	\$2,976.60	ROBINSON DENISE G 1024 S DURAND ST JACKSON, MI 49203 3-120200000
66'	R-1	\$2,976.60	DESNOYER VERONICA 1030 S DURAND ST JACKSON, MI 49203 3-1202.3000
66'	R-1	\$2,976.60	FLEMING MARY J LE 1032 S DURAND ST JACKSON, MI 49203 3-1202.2000
66'	R-1	\$2,976.60	SMITH CYNTHIA M 1036 S DURAND ST JACKSON, MI 49203 3-120300000
99'	R-1	\$4,464.90	DOWNING JOHN S ETAL CHERYL A DOWNING 1042 S DURAND ST JACKSON, MI 49203 3-1203.1000
100.56'	R-1	\$4,535.25	HERTZER VIRGIL J 1048 S DURAND ST JACKSON, MI 49203 3-1203.1A00

OAKDALE AVENUE (UNOPENED)

OAKDALE AVENUE (UNOPENED)



SCALE:	1" = 100'
DATE:	11/14/2011
DRAWN BY:	EPR
CITY OF JACKSON DEPARTMENT OF ENGINEERING	

ASSESSMENT MAP FOR S. DURAND
FROM SOUTH END TO MORRELL
PAGE 2 OF 3

PROJECT LIMITS

W MORRELL STREET

S DURAND STREET

ELMWOOD AVENUE

BENNETT KATHLEEN A
1401 W MORRELL ST
JACKSON, MI 49203
3-118000000

\$3,989.04
R-1
132'

WILKINS HARRY W JR
910 S DURAND ST
JACKSON, MI 49203
3-118200000

\$2,976.60
R-1
66'

BERRY AMANDA
912 S DURAND ST
JACKSON, MI 49203
3-118300000

\$2,976.60
R-1
66'

DELONGCHAMP ALICE M TRUST
916 S DURAND ST
JACKSON, MI 49203
3-118400000

\$2,976.60
R-1
66'

ROARK BARBARA
% SUSAN L HOYT
7321 ARBOL DR (1000 S DURAND ST)
ROCKFORD, MI 49341 3-118500000

\$2,976.60
R-1
66'

PARKER BENJAMIN B & JEANETTE M
1004 S DURAND ST
JACKSON, MI 49203
3-118600000

\$2,976.60
R-1
66'

MARTIN MARCIA M
1010 S DURAND ST
JACKSON, MI 49203
3-118700000

\$2,976.60
R-1
66'

MCARTHUR THOMAS & VICTORIA
3627 SASSAFRAS DR
JACKSON, MI 49201
(1012 DURAND ST) 3-118800000

\$2,731.25
R-1
60.56'

\$3,989.04
R-1
132'

EDER LINDA M
905 S DURAND ST
JACKSON, MI 49203
3-117900000

\$2,976.60
R-1
66'

FISHMEISTER BARBARA
909 S DURAND ST
JACKSON, MI 49203
3-117700000

\$2,976.60
R-1
66'

HAUSLER LELAND M
913 S DURAND ST
JACKSON, MI 49203
3-117600000

\$2,976.60
R-1
66'

CHAMPION JOYCE C LE
917 S DURAND ST
JACKSON, MI 49203
3-117500000

\$1,750.00
R-1
66'

BERKEMEIER PHILLIP H
1000 S THOMPSON ST
(S DURAND ST)
JACKSON, MI 49203
3-117400000

\$2,976.60
R-1
66'

MCLAUGHLIN RITA A LE
1005 S DURAND ST
JACKSON, MI 49203
3-117300000

\$2,976.60
R-1
66'

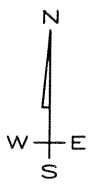
BRADLEY PAUL & SHARON
278 HARRINGTON RD
PARMA, MI 49269
(1011 S DURAND ST)
3-117200000

\$2,729.45
R-1
60.52'

MARRIOTT AUDREY C
1015 S DURAND ST
JACKSON, MI 49203
3-117100000

66'
ROW

66'
ROW



SCALE: 1" = 100'
DATE: 11/14/2011
DRAWN BY: EPR
CITY OF JACKSON
DEPARTMENT OF
ENGINEERING

ASSESSMENT MAP FOR S. DURAND
FROM SOUTH END TO MORRELL
PAGE 3 OF 3

CITY OF JACKSON



Office of Mayor
Martin J. Griffin

MICHIGAN

161 W. Michigan Ave.
Jackson, MI 49201
Phone: (517) 788-4028
Facsimile (517) 768-5820

CITY COUNCIL MEETING FEBRUARY 21, 2012

MEMO TO: City Councilmembers

FROM: Martin J. Griffin, Mayor 

DATE: February 13, 2012

SUBJECT: Human Relations Commission

MOTION: Approval of the Mayor's recommendation to appoint M. Teresa Gibson to the Human Relations Commission filling a current vacancy beginning immediately, and ending December 31, 2012.

In accordance with City Code, Chapter 15, Section 15-33. The HRC shall consist of nine citizens; at least five must be City residents. Nominations to fill vacancies shall be made by City Council or HRC to Mayor; at least one for each appointment. Mayor appoints subject to Council confirmation. HRC may appoint up to three ex-officio citizen members for indefinite terms; in addition, one City Councilmember shall be an ex-officio member. Three appointments made annually for three-year terms upon expiration of appointments ending December 31, 1999.

It is my desire, therefore, to appoint M. Teresa Gibson to the Human Relations Commission filling a current vacancy, beginning immediately, and ending December 31, 2012.

MJG:skh



City of Jackson Board/Commission Application

Name: M. Teresa Gibson

Address: 319 Marmon Ave Zip: 49402

Home Phone: _____ Other Phone: _____

Occupation: Student

Community Involvement/Activity

Volunteer Coach LHS-Track Volunteer at Bible Church

Volunteer Racquet & Gym at LHS - Girls Basketball

Are you a registered voter? Yes Ward? 3rd

Which Board or Commission(s) are you interested in?

- President Position
- _____
- _____

List additional information you feel may be pertinent to board or commission

Feel free to attach any information. (Resume, press clippings)

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

M. Teresa Gibson
Signature of Applicant

May 9, 2011
Date

Please return to Mayor's Office, City of Jackson, 161 W. Michigan Avenue, Jackson, MI 49201

RECEIVED
MAY 09 2011
BY: _____

M. Teresa Gibson
319 Moorman Drive
Jackson, MI 49202
(517) 240-4413
MG2SWEET@AOL.COM

OBJECTIVE

Seeking a Medical Administrative Assistant position in a fast paced environment, where I can use my skills and knowledge to assist those in need.

EMPLOYMENT HISTORY

U.S. Department of Commerce/U.S. Census Bureau, Detroit, MI

04/2010 - 05/2011 Enumerator

- Intake of the Census for the area assigned to me
- Filled out survey questionnaire and visit forms
- Recorded information, and did follow up return visits.

Michigan Department of Human Services, Jackson, MI

02/95 - 03/08 Caregiver

- Caregiver for Senior Citizens or person that was disable
- Assisted in bathing, and assisted in getting them dressed
- Light house cleaning, food preparation
- Occasionally did errands when needed

Michigan Department of Human Services, Jackson, MI

07/06 - 07/07 Foster Parent

- Foster Parent to teenaged girls that were placed in foster care
- Made sure that they attended school, doctors appointments, and court dates
- Made sure daily needs were met such as, food preparation, had clothing, and grooming

Community Development Department, Jackson, MI

03/04 - 06/04 Administrative Secretary

- Assisted clients in person and/or on the phone
- Data entry, typing, filling, mailing, doing errands for the department
- Updated, created maintain file systems

EDUCATION

Diploma

Major: Medical Administrative Assistant Program
Career Quest Learning Center, MI

Certificate

Major: Clerical Skills
Jackson Community College, MI

Certificate

Major: Accounting Assistant
Jackson Business Institute, MI

CERTIFICATES AND LICENSES

Presidents List, Career Quest Learning Center, Jackson, MI
Advance Word, Career Quest Learning Center, Jackson, MI
Medical Terminology, Career Quest Learning Center, Jackson, MI
CPR, Career Quest Learning Center, Jackson, MI

SKILLS AND ABILITIES

My skills are in the area of Computers Software, Advance Word, Advance Excel, Medical Terminology, Keyboarding I II II , Electronic Medical Records, CPR, Medical Billing.Coding, Vitals, EKG and OSHA

HONORS AND ACTIVITIES

- Presidents List
- Director's List
- Perfect Attendance
- City of Jackson, Coaching Soccer and Basketball, Jackson Public School System
- Volunteer Board Member, Jackson County Fair Housing Center, Hospice of Jackson, Grace Haven Shelter
- Volunteer Board Member, Junior Achievement Advisor, Big Brother/Big Sister Program



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
February 21, 2012

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk *Lynn Fessel*
SUBJECT: Public Hearing and Resolution for Special Assessment Roll No. 4211
MOTION: **RECESS AS CITY COUNCIL AND CONVENE AS A BOARD OF REVIEW.**

**A. PUBLIC HEARING ON SPECIAL ASSESSMENT ROLL NO. 4211
FOR METERLESS PARKING 2011-2012**

1. RESOLUTION CONFIRMING ROLL NO. 4211

**ADJOURN AS A BOARD OF REVIEW AND RECONVENE AS A CITY
COUNCIL.**

The public hearing was established at the City Council's February 7th meeting for February 21, 2012. The required notice was published in the Jackson Citizen Patriot and a notification letter was sent to each property owner included on the roll.

C: City Manager



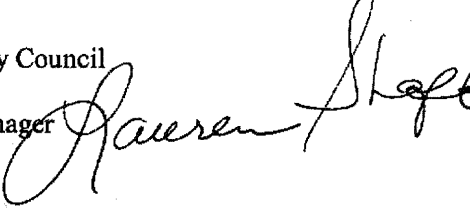
City Manager's Office

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4035 — Facsimile: (517) 768-5820

CITY COUNCIL MEETING January 24, 2012 Consent Agenda

Establish the Date For Public Hearing – Special Assessment Roll Meterless Parking – Downtown Development Authority

MEMO TO: Martin J. Griffin, Mayor
Member of the Jackson City Council

FROM: Laurence Shaffer, City Manager 

DATE: January 18, 2012

SUBJECT: Establish the Date of Public Hearing – Downtown Meterless Parking

It is requested and recommended that the City Council, consistent with Section 22-3 of the City Code establish a public hearing of necessity on continuing the operation of a meterless parking system for the downtown area.

MOTION: Establishment of February 7, 2012, at the City Council meeting as the time and place to hold a public hearing on the necessity of continuing the operation of the meterless parking system for the downtown area.

Find attached the material supporting the request that the City Council schedule a public hearing of necessity to invite comment and suggestions relative to the recommendation that rates for meterless parking be increased in downtown Jackson. That material is as follows:

1. Recommendation from the Downtown Development Authority (DDA) recommending adjustments in the fees for meterless parking.
2. Recommendation from the City Manager to the DDA seeking endorsement of a parking plan and budget. The report should be considered the City Engineer's report as referenced in the City Code, Section 22-3.

Although the plan recommended by the City Manager and endorsed by the DDA calls for a five year plan for rates for the per space charge and the minimum charge, the City Code appears to suggest that each year requires a separate approval by the City Council in order to appropriately proceed with the Special Assessment roll. The per space charge is recommended to be increased from \$42.00 per space to \$59.00 per space. This recommendation allows for the per space fee to be returned to the same rate that it was three (3) years ago. Also, the recommendation is to increase the minimum charge from \$100.00 to \$150.00.

It is clear that without changes in revenue or expenses, the parking fund – 586 account is not sustainable. Given the fact that expenses have exceeded revenue over the last three years and that the city did not issue a special assessment for parking last year, changes were required to stabilize the budget for the parking

system. The Parking Plan identifies expense reductions going forward of approximately 21percent. That reduction, in my estimation, encouraged the approval of the recommendation from the DDA to endorse the new revenue plan. The plan also identifies revenue from the 585 account that more appropriately should be applied to the 586 account.

In order to implement the change in the fine rates of parking violations, ordinance amendments are required. Consequently, assuming your agreement, I have asked the City Attorney to prepare said amendments for consideration at the February 7, 2012, City Council meeting.

LS:skh

Attachments



Downtown Development Authority (DDA)

1.

Memorandum

Date: January 17, 2012
To: City Council
From: Downtown Development Authority ^{JG}
Re: Meterless Parking Recommendation

The DDA Board met on January 12, 2012 and approved a motion, 6 votes to 1, recommending the following changes to the Meterless Parking System for the 2011-2012 Fiscal Year:

1. Increase the per space annual charge effective immediately, from \$42.00 per space to \$59.00 per space. Further the DDA approved an annual adjustment of \$1.00 per space for the following four (4) years or a per space parking charge of \$60.00 for FY 2012-2013, \$61.00 for FY 2013-2014, \$62.00 for FY 2014-2015, and \$63.00 for FY 2015-2016. Additionally the DDA approved a recommendation to increase the minimum charge from \$100.00 to \$150.00 and increases to \$153 for FY 2012-2013, \$156 for FY 2013-2014, \$159 for FY 2014-2015, and \$162 for FY 2015-2016.
2. Increase the overtime parking fines from \$5.00/\$15.00/\$25.00 for payment within two (2) hours, two to seven (7) days, and over eight (8) days to \$7.00/\$15.00/\$30.00.
3. Increase the various non-overtime and non-handicap violations from \$15.00/\$25.00/\$35.00 to \$17.00/\$34.00/\$68.00
4. Increase the fine for posted handicapped parking from \$40.00/\$50.00/\$60.00 to \$45.00/\$90.00/\$180.00 for violations paid within seventy-two (72) hours, thirty (30) days, or greater than thirty (30) days.

The DDA respectfully requests the City Council to consider this recommendation at their January 24, 2012 meeting.



City Manager's Office

161 W. Michigan Ave. • Jackson, MI 49201-1303
(517) 788-4035 • Facsimile (517) 768-5820

Jackson Downtown Development Authority
Meeting of January 12, 2012

10th Floor Conference Room
8:00 AM

②

MEMO TO: Richard Sneary, Chairman, Board of Directors
Members of the Board of Directors

FROM: Laurence Shaffer, City Manager *Laurence Shaffer*

DATE: January 11, 2012

SUBJECT: Endorsement of Parking Plan and Budget Prior to City Council Consideration

Allow this memorandum to serve as my recommendation and request that the Board of Directors of the Jackson Downtown Development Authority endorse a parking plan and budget prior to the Jackson City Council consideration of the various requested actions. The motions requested are as follows:

The Jackson Downtown Development Authority (JDDA) endorses the proposed parking plan and budget and, further, the recommendation that the Jackson City Council take the following actions:

1. Increase the per space annual charge, effective immediately, from \$42.00 per space to \$59.00 per space. Further, the JDDA endorses the annual adjustment of a \$1.00 increase per year for the following four (4) years or a per space parking charge of \$60.00 for FY 2012-2013; \$61.00 for FY 2013-2014; \$62.00 for FY 2014-2015; \$63.00 for FY 2015-2016. The JDDA further endorses the increase of the minimum charge for parking from \$100.00 to \$150.00, \$153.00, \$156.00, \$159.00, and \$162.00 for FY 2011/2012, FY 2012/2013, FY 2013/2014, FY 2014/2015 and FY 2015/2016 respectively.
2. Increase the overtime parking fines from \$5.00/\$15.00/\$25.00 for payment within two hours, two hours to thirty days and over thirty days to \$7.00/\$15.00/\$30.00.
3. Increase the various violations from \$15.00/\$25.00/\$35.00 to \$17.00/\$34.00/\$68.00 for obstructing traffic, parked on sidewalks, blocking any part of a driveway, within 15 feet of a hydrant, parked in or near crosswalk, parked within 30 feet of a stop sign, parked in an alley, front yard parking, no parking or standing and other.
4. Increase the fine for posted handicapped parking from \$40.00/\$50.00/\$60.00 to \$45.00/\$90.00/\$180.00 for violations paid within 72 hours, thirty days or greater than thirty days respectively.

Since the last meeting of the JDDA, staff working closely with Jonathan Greene, has developed a proposal that includes the following elements.

- Projected revenue has been increased for the FY 2011/2012 Fund 586, Parking Assessment Fund from \$91,839.00 to \$122,104.00 by increasing the parking space fees by \$14,186.00 and by

Downtown Development Authority

Page 2

January 11, 2012

moving Fund 585 proceeds of \$12,950.00 into Fund 586. Fines are proportionately increased to reflect changes in fine schedule. The parking space fee proposed is equal to the parking space fee levied three years ago.

- Projected revenue has been increased for the FY 2012/2013 Fund 586 to \$131,989.00 to reflect changes in fee charges.
- Expenses have been reduced for FY 2011/2012 from \$150,043.00 to \$134,406.00 and to \$117,994.00 for FY 2012/2013 or a total one year reduction of over 21 percent.
- Parking Fund 585 will see revenue increases of \$25,250.00 as a result of increasing the YMCA lot from \$1.00 per day to \$2.00 per day and by selling 40 parking permits per month for the old Consumer located on Pearl Street.
- A survey of fines for parking violations was conducted within the last thirty days. The fines proposed place the City of Jackson in the low to moderate range in every category.

Attached is supporting documentation that identifies the details related to the above proposals. Staff to include the City Manager, City Finance Director, Director of Public Works, Parking Manager and the City Assessor has worked diligently with Mr. Greene to develop a short term plan to reduce the operating budget as much as is reasonably possible. However, a draw will continue on the Working Capital Fund. Consequently, although this short term resolution will provide short term relief, it will not solve the issue of deficit funding permanently. We will continue to review both revenue and expenses collaboratively in order to achieve our goals of creating a supportive parking plan that functions on sound economic principles. Thank you for your consideration.

LS:skh

Attachment

cc: Jonathan Greene, Executive Director, JDDA
Matt Heins, Police Chief
Jon Dowling, City Engineer/Director of Public Works
Phil Hones, Finance Director
Bob Dietz, Parking Manager

(586) Parking Assessment Fund

PURPOSE - This Fund is used to account for the revenues and expenses of the City's Meterless Parking System.

CHARACTER - Revenues of this fund consist principally of parking assessments to property owners in the Central Business District. Such assessments are based on the annual operating expense of the System and include such items as the leasing of private parking lots used in the System, lot maintenance, snow removal, utilities and administrative expenses. In the event the City reverts back to a Metered Parking System this fund will be closed out and all parking operations of the City will be accounted for in the Automobile Parking System Fund (585).

AUTHORITY - This Fund was established November 1, 1984, which represents the beginning of first annual operating period covered by assessment. Continuation of the System depends on subsequent annual adoption of new assessment rolls each December 1st.

City of Jackson Fiscal Year 2012/13 Requested Budget Analysis of Estimated Changes in Working Capital

Fund 586 Parking Assessment Fund

	2009/10 Actual	2010/11 Actual	2011/12 Budget	2011/12 Projected	2012/13 Requested	2012/13 Proposed
Revenues	95,056	56,372	91,839	122,104	131,989	
Expenses	208,606	153,710	150,043	134,406	117,994	
Excess of Revenues Over (Under) Expenses	(113,550)	(97,338)	(58,204)	(12,302)	13,995	
Working Capital - Beginning of Year	261,716	148,166	50,828	50,828	38,526	
Working Capital - End of Year	148,166	50,828	(7,376)	38,526	52,521	

City of Jackson
Fiscal Year 2012/13 Requested Budget
Expenditure Detail

Fund 586 Parking Assessment Fund
Dept 586 Parking Assessment

Account Description	2009/10 Actual	2010/11 Actual	2011/12 Budget	2011/12 Projected	2012/13 Requested	2012/13 Proposed
Personal Services:						
586-586-000-706.000 Salaries and Wages	33,895	27,967	36,459	30,000	28,000	
586-586-000-707.000 Temporary Wages	14,706	18,577	19,381	15,000	15,000	
586-586-000-709.000 Overtime	1,626	1,336	3,000	1,300	1,300	
586-586-000-715.000 Employers FICA	3,883	3,553	4,501	2,616	2,579	
586-586-000-719.000 Health Insurance	3,640	3,722	4,554	4,000	4,200	
586-586-000-719.678 RX Drug Insurance	658	735	1,285	1,000	1,100	
586-586-000-719.679 Health Insurance Deductible	0	0	2,672	2,500	2,500	
586-586-000-722.000 Pension-General	2,735	2,407	3,370	2,700	2,700	
586-586-000-724.000 Unemployment Comp.	420	636	322	322	322	
586-586-000-724.001 Workers Compensation	652	611	420	432	432	
586-586-000-725.000 Other Fringe Benefits	411	370	595	595	595	
	<u>62,626</u>	<u>59,914</u>	<u>76,559</u>	<u>60,465</u>	<u>58,728</u>	<u>0</u>
Material and Supplies:						
586-586-000-740.000 Operating Supplies	702	1,232	2,000	1,250	1,250	
586-586-000-744.000 Uniform Allowance	277	158	500	150	150	
586-586-000-782.000 Materials	6,509	3,310	3,000	3,400	3,400	
	<u>7,488</u>	<u>4,700</u>	<u>5,500</u>	<u>4,800</u>	<u>4,800</u>	<u>0</u>
Contractual And Other:						
586-586-000-808.000 Audit Fees	135	169	169	169	175	
586-586-000-818.000 Contractual Services	3,153	10,292	5,746	5,746	6,030	
586-586-000-818.690 CS Forestry	355	0	0	0	0	
586-586-000-920.000 Utilities	3,691	4,643	6,000	4,800	5,040	
586-586-000-936.000 Pavement Repairs	118	3,512	2,000	9,310	5,341	
586-586-000-941.000 Rentals	44,796	23,070	0	0	0	
586-586-000-943.000 Equip. Rental - Motor Pool	19,608	12,665	10,500	13,000	13,000	
586-586-000-962.000 Uncollectible Accounts	0	119.78	0	0	0	
586-586-000-965.101 Admin.-General Fund	27,613	22,622	27,613	23,000	14,000	
586-586-000-966.000 PW Overhead	6,804	4,583	5,000	5,000	5,200	
586-586-000-967.000 ENG Overhead	12,319	7,420	10,956	8,116	5,680	
	<u>118,592</u>	<u>89,096</u>	<u>67,984</u>	<u>69,141</u>	<u>54,466</u>	<u>0</u>
Capital Outlay:						
586-586-000-984.000 Software	19,900	0	0	0	0	
	<u>19,900</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Expenses	<u>208,606</u>	<u>153,710</u>	<u>150,043</u>	<u>134,406</u>	<u>117,994</u>	<u>0</u>

City of Jackson
Fiscal Year 2012/13 Requested Budget
Revenue Detail

Fund 586 Parking Assessment Fund

Account Description	2009/10 Actual	2010/11 Actual	2011/12 Budget	2011/12 Projected	2012/13 Requested	2012/13 Proposed
586-000-000-652.000 Parking Fines	29,341	24,937	25,000	27,225	33,900	
586-000-000-653.000 Parking Permits (Daily \$2)	3,313	1,904	2,500	2,812	3,750	
586-000-000-653.005 Parking Permits (Lots 6,7,8,14)	17,048	14,548	14,725	14,725	14,400	
586-000-000-653.006 Parking Permits (Lot 9)	5,475	6,055	5,350	5,350	6,060	
586-000-000-664.000 Interest	2,000	1,278	820	820	820	
586-000-000-668.002 Rents and Royalties-113 LLC	0	0	0	12,950	13,500	- 585
586-000-000-685.677 Insurance Refund - W/C	1,129	1,150	0	0	0	
586-000-000-699.101 Cont.-General Fund	100	6,500	6,500	10,000	10,500	
586-000-000-699.895 Cont.-Special Assessment Fund	36,650	0	36,944	48,222	49,059	
Total Revenues	95,056	56,372	91,839	122,104	131,989	0

Sharon Hasen

From: Dave Taylor
Sent: Tuesday, December 06, 2011 3:29 PM
To: Larry Shaffer; Jason Yoakam; Jon Dowling; Bob Dietz; Jonathan Greene; Melissa Woodhurst; Lynn Fessel
Cc: Phil Hones
Subject: METERLESS PARKING 2011-2012 Revised spreadsheet

	Requested by DDA	
Rate per need	Minimum Charge	Current Total
\$42	\$100	\$34,036

2008-2009

Proposed 5 Year Plan with 2% Increases per Year

City Fiscal Year (July to June)	Per Space Rate per need	Minimum Charge	Total Revenue	Increase from current proposed total
2011-12	59	150	48,222	14,186
2012-13	60	153		
2013-14	61	156		
2014-15	62	159		
2015-16	63	162		

- Full presentation
w/ cuts
+ estimated replacements/repairs
+ how they are incorporated into rates

- other violations
New Ir
Permit 4060
35000
8900

Parking Ticket Fine Review

The current parking violation fine schedule was adopted in 2003 when the Engineering Department became responsible for the day to day operations of the parking systems. This schedule has not been modified for a variety of reasons but a cursory review is in order.

Parking fines should be used as a deterrent for illegal behavior not as a revenue stream. With this in mind a new fine schedule is being proposed by staff to continue to modify behavior so illegal parking does not create inconvenience or safety issues for permit holders, downtown visitors and the motoring public.

As noted in the attachment fiscal 10/11 realized \$23,262.50 in parking fines paid. With the recommended changes an additional \$8,900 could be realized. Again these fines are not intended as a revenue stream but a deterrent for illegal behavior.

Current fine schedule

Violation	If paid w/in 2 hrs	2 hrs to 30 days	31+ days
Overtime parking	\$5	\$15	\$25
Parking fee not paid in Lot #3, Y lot	\$5	\$15	\$25

	If paid w/in 72 hrs	72 hrs to 30 days	31+ days
Obstructing Traffic	\$15	\$25	\$35
Parked on Sidewalk	\$15	\$25	\$35
Blocking any part of driveway	\$15	\$25	\$35
Parked within an intersection	\$15	\$25	\$35
Within 15 feet of a hydrant	\$15	\$25	\$35
Parked on or within 20 feet of a crosswalk	\$15	\$25	\$35
Parked within 30 feet of a stop sign	\$15	\$25	\$35
Parked in an alley	\$15	\$25	\$35
Front yard parking	\$15	\$25	\$35
No parking or No standing	\$15	\$25	\$35
Other...	\$15	\$25	\$35

Posted Handicapped Parking	\$40	\$50	\$60
----------------------------	------	------	------

Current fine schedule generated \$23,162.50 in fiscal 10/11.

**Proposed Fine
schedule**

Violation	If paid w/in 2 hrs	2hrs to30 days	31+ days
Overtime parking	\$7	\$15	\$30
Parking fee not paid in Lot #3, Y lot	\$7	\$15	\$30

	If paid w/in 72 hrs	72 hrs to 30 days	31+ days
Obstructing Traffic	\$17	\$34	\$68
Parked on Sidewalk	\$17	\$34	\$68
Blocking any part of driveway	\$17	\$34	\$68
Within 15 feet of hydrant	\$17	\$34	\$68
Parked on or within 20 feet of a crosswalk	\$17	\$34	\$68
Parked within 30 feet of a stop sign	\$17	\$34	\$68
Parked in an alley	\$17	\$34	\$68
Front yard parking	\$17	\$34	\$68
No parking or No standing	\$17	\$34	\$68
Other...	\$17	\$34	\$68

Posted Handicapped Parking	\$45	\$90	\$180
----------------------------	------	------	-------

Anticipated increase in annual revenue \$8,900

Pay to park review (585)

Auto Parking System Fund (585)

The Auto Parking System includes City lots outside of the core downtown area and has one pay to park lot. This lot became a pay to park operation in September of 2004 and is located across from the YMCA between Washington Avenue and Wesley Street. The daily rate for this lot is \$1.

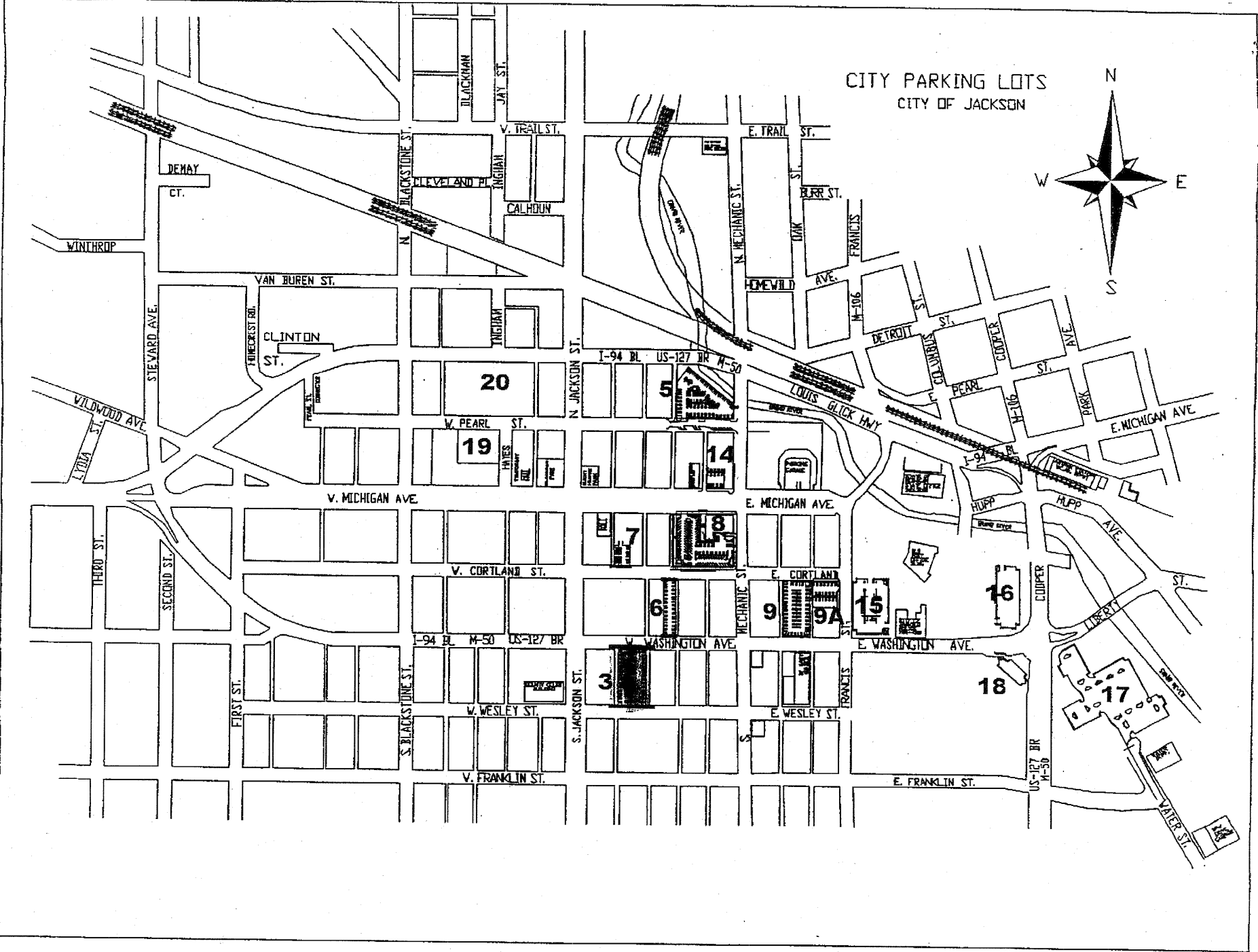
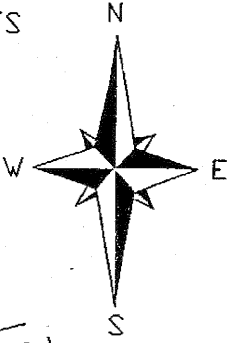
There are several other parking lots within the area making up this fund but none of these lots generate revenue either daily or monthly. These lots were obtained in the latest Consumers development era several years ago and have remained open to the public.

In order to continue maintaining the Y lot and the other surface lots a form of revenue generation is required. In consideration of this an increase in the daily rate in the Y lot from \$1 to \$2 is being recommended by staff. Also being recommended is a monthly permit fee of \$25 for the Hayes lot, the Library lot (across from Firestone) and the large parking area previously used by Consumers employees.

Below is an assessment of current, and projected, performance if these recommendations are accepted.

Area	Current annual activity	Projected annual w/increases
Outlying (Old Consumers lots)	None	480 permits (40 per month)@ \$25 each = \$12,000
Lot #3, Y lot	\$12,750 (average)	\$25,500
Total	\$12,750	\$37,500

CITY PARKING LOTS
CITY OF JACKSON



Overtime violation

City	First Level	Second Level	Third Level	Fourth Level
Ann Arbor	Next day \$25.00	By 14th day \$35.00	15-30 days \$55.00	31+ days \$75.00
Battle Creek	Within 10 days \$5.00	11-20 days \$10.00	20+ days \$15.00	
Grand Rapids	Within 10 days \$20.00	11-90 days \$40.00	91+days \$60.00	
Jackson	Within 2 hours \$5.00	2 hours-30 days \$15.00	31+days \$25.00	
Kalamazoo	Within 6 days \$10.00	7-13 days \$20.00	14-30 days \$30.00	31+ days \$40.00
Lansing	Within 14 days \$15.00	15-28 days \$25.00	29+ days \$35.00	
Average	\$13.66	\$24.16	\$36.66	\$57.50

No Parking Zone

Ann Arbor	Next day \$25.00	2-14 days \$35.00	15-30 days \$55.00	31+ days \$75.00
Battle Creek	Within 10 days \$5.00	11-20 days \$10.00	21+ days \$15.00	
Grand Rapids	Within 10 days \$30.00	11-90 days \$60.00	91+ days \$90.00	
Jackson	Within 72 hours \$15.00	3-30 days \$25.00	31+ days \$35.00	
Kalamazoo	Within 6 days \$10.00	7-13 days \$20.00	14-30 days \$30.00	30+ days \$40.00
Lansing	Within 14 days \$20.00	15-28 days \$30.00	29+ days \$40.00	
Average	\$17.50	\$30.00	\$44.16	\$57.50

RESOLUTION

BY THE BOARD OF REVIEW:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did prepare special assessments concerning the operation of a meterless parking system for the downtown area, which assessments were by him placed on Assessment Roll No. 4211 in the amount of \$47,460.00; and

WHEREAS, notice has been duly given that the City Council and Assessor would sit as a Board of Review in the City Hall Council Chambers at 161 W. Michigan Avenue, Jackson, Michigan, on Tuesday, the 21st day of February, 2012, at 7:00 p.m. to hear any and all objections and suggestions by interested parties concerning such special assessments; and

WHEREAS, the matter of said review having come on to be heard, and the City Assessor and the City Council 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 every special assessment as contained in said roll is hereby confirmed and made a valid lien against the property and a valid claim against the owner thereof, and the City Clerk is hereby directed to make certifications of this determination and attach same to said roll, and to then turn said roll over to the City Treasurer for collection.

BE IT FURTHER RESOLVED that each and every special assessment as contained in said roll is hereby divided into two (2) equal installments without interest (with a billing date of March 2, 2012), the first of which shall be due and payable by April 2, 2012, and the second of which shall be due and payable by June 4, 2012.

BE IT FURTHER RESOLVED that the unpaid balance of any special assessment contained in this roll may be paid in full at any time.

* * * * *

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

I, Lynn Fessel, 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 21st day of February, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, this 22nd day of February, 2012.

Lynn Fessel, City Clerk



Police Department

216 E. Washington Avenue - Jackson, MI 49201
Telephone: (517) 788-4100 — Facsimile: (517) 788-4129

CITY COUNCIL MEETING February 21, 2012

TO: Honorable Mayor and City Councilmembers
FROM: Matthew R. Heins
Chief of Police
SUBJECT: Justice Training Grant

RESOLUTION:

- A. Consideration of a resolution amending the 2011-2012 Budget to reflect the receipt of the Michigan Commission on Law Enforcement Standards (MCOLES) Grant, in the amount of \$33,283.**

A grant in the amount of \$33,283 has been awarded to the Jackson Police Department by the State of Michigan through MCOLES. This grant will be used to conduct Emergency Vehicle Operation training for Southern Michigan Criminal Justice Training Consortium (SMCJTC) members, which includes the Jackson Police Department. The Jackson Police Department is the fiscal agent for the Consortium.

The police department is now requesting the City Council adopt the attached resolution amending the 2011/2012 fiscal year budget.

Resolution

Whereas, the City has been awarded a Justice Training Grant from the State of Michigan, Michigan Commission on Law Enforcement Standards (MCOLES);

Whereas, the purpose of the grant is to ensure law enforcement personnel possess the necessary skills to reduce risks associated with emergency vehicle operation;

Whereas, this grant requires the activity relating to this project be kept in a separate account to facilitate reporting and compliance under the terms of the grant;

NOW, THEREFORE, BE IT RESOLVED, that the 2011/12 Budget be amended as follows:

General Fund

	<u>Increase</u>
REVENUES:	
101.315.212.539.000 MCOLES - State Justice Training Grant	33,283
	<u><u>33,283</u></u>
EXPENDITURES:	
101.315.212.706.000 Salaries	4,759
101.315.212.715.000 FICA	69
101.315.212.724.001 Workers' Compensation	71
101.315.212.751.000 Gasoline	1,980
101.315.212.818.000 Contractual Services	10,404
101.315.212.939.000 Vehicle Maintenance	16,000
	<u>16,000</u>
	<u><u>33,283</u></u>

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

I, Lynn Fessel, Clerk in and for the City of Jackson, County and State aforesaid, do hereby certify that foregoing is a true and complete copy of a Resolution adopted by the Jackson City Council on February 21, 2012.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Jackson, on the 22nd day of February 2012.

City Clerk



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
February 21, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk

SUBJECT: Request to transfer Class C Liquor License

MOTION: CONSIDERATION OF A REQUEST FROM WOOL E. BULLY'S INC. TO TRANSFER ALL STOCK IN 2010 CLASS C LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT, LOCATED AT 300 W. NORTH, JACKSON, MI 49202, JACKSON COUNTY, WHEREIN RICKY L. LE MASTER TRANSFERS 60,000 SHARES OF STOCK TO NEW JOINT STOCKHOLDERS, TOMAS N. COBB AND TRACINA COBB.

I received the attached Local Approval Notice/Resolution from the State Liquor Control Commission regarding the subject request, distributed it to various departments and received the following responses.

The City Police, Fire, Building Inspection and Treasury Departments have no objections. The Jackson County Health Department also has no objections.

Therefore, I recommend the resolution be adopted with the request considered for Approval.

Thank you.

C: City Manager

RESOLUTION

At a _____ meeting of the _____
(Regular or Special) (Township Board, City or Village Council)

called to order by _____ on _____ at _____ P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request from WOOL E. BULLY'S, INC. TO TRANSFER ALL STOCK IN 2010 CLASS C LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT, LOCATED AT 300 W NORTH, JACKSON, MI 49202, JACKSON COUNTY, WHEREIN RICKY L. LE MASTER TRANSFERS 60,000 SHARES OF STOCK TO NEW JOINT STOCKHOLDERS, TOMAS N. COBB AND TRACINA COBB.

be considered for _____
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this legislative body that the application be:

_____ for issuance
(Recommended or Not Recommended)

State of Michigan _____)

County of _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
(Township Board, City or Village Council) (Regular or Special)

meeting held on _____
(Date)

(Signed) _____
(Township, City or Village Clerk)

SEAL

(Mailing address of Township, City or Village)



Department of Community Development

Building a Stronger Community

161 W. Michigan Avenue • Jackson, MI 49201-1303•

Facsimile (517) 780-4781

Administrative Services
(517) 788-4060

Building Inspection
(517) 788-4012

Rehabilitation Services & Information
(517) 788-4070

CITY COUNCIL MEETING

February 21, 2012

NEW BUSINESS

- TO:** Honorable Mayor and City Councilmembers
- FROM:** Patrick H. Burtch, Deputy City Manager/Community Development Director
- RE:** Resolution to Amend Fiscal Year 2009/2010 Community Development Block Grant Budget
- MOTION:** **Approve the resolution to amend the Community Development Block Grant budget for fiscal year 2009/2010 to reallocate funds within previously approved street projects**

Community Development staff has received a request (attached) from the Engineering Department to reallocate unused Community Development Block Grant (CDBG) street funds to other eligible street projects. The request is to reallocate funds to the following projects:

Loomis – Leroy to Argyle	\$53,140
Forest – bend in street to Edgewood	\$37,000
Homewild – Ellery to Edgewood	\$42,500

City Council previously awarded \$137,000 in fiscal year 2009/2010 for the Loomis – Leroy to Argyle project. The funds requested for reallocation to this project are to support the cost of aggregate base and grading for full pavement reconstruction, the cost of additional sidewalk construction, and unforeseen subgrade undercut to stabilize the subgrade.

Community Development staff has determined the subgrade undercut to stabilize the subgrade to be a change order and is a CDBG-eligible expenditure. The additional expenditures for full pavement construction and sidewalk construction have been deemed to be a change in the scope of the project and as such are not CDBG-eligible because CDBG funding for the change in scope was not identified and approved before the work was completed. Staff recommends reallocating \$26,041 to the Loomis – Leroy to Argyle project for the work to stabilize the subgrade.

In the current fiscal year, City Council awarded \$106,000 for the Forest – bend to Edgewood project and \$116,000 for the Homewild – Ellery to Edgewood project. The original scope of each project included reconstruction with asphalt pavement. The reallocation request is to fund a change in the scope of each project to utilize concrete pavement, an additional cost of \$60,000, and setup a contingency of \$19,500.

CDBG funds may only be utilized to fund reasonable and necessary costs. Base standards cannot be exceeded or go beyond the normal scope of work in the area. As prior local street projects in the City have not utilized concrete, staff has determined the additional funds to use concrete for the Forest and Homewild projects to be ineligible. Also, CDBG contingency funds are not permitted and Staff does not recommend funding this activity.

Attached is a resolution to amend the CDBG budget for fiscal year 2009/2010. The resolution will reallocate unused street funds in the amount of \$26,041 to the Loomis – Leroy to Argyle project to fund additional, CDBG-eligible costs associated with the project.

Cc: Jon Dowling, City Engineer/Director of Public Works
Steve Maga, Staff Accountant
Heather Soat, Accounting Manager
Michelle Pultz-Orthaus, Records Management Coordinator



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
February 21, 2012

MEMO TO: Honorable Mayor and City Councilmembers
FROM: Lynn Fessel, City Clerk *Lynn*
SUBJECT: Special Assessment Roll Nos. 4205 through 4210

MOTION: CONSIDERATION OF RESOLUTIONS ESTABLISHING MARCH 27, 2012, AT THE CITY COUNCIL MEETING AS THE TIME AND PLACE TO HOLD PUBLIC HEARINGS ON THE FOLLOWING SPECIAL ASSESSMENT ROLLS, AND DIRECTING THE CITY ASSESSOR TO PREPARE THE ROLLS, IN ACCORDANCE WITH THE RECOMMENDATION OF THE CITY CLERK.

- 1. Special Assessment Roll No. 4205 – Delinquent Miscellaneous General Fund Accounts Receivable**
- 2. Special Assessment Roll No. 4206 – Delinquent Miscellaneous Building Department Fund Accounts Receivable**
- 3. Special Assessment Roll No. 4207 – Delinquent Miscellaneous CDBG Fund Accounts Receivable**
- 4. Special Assessment Roll No. 4208 – Delinquent Miscellaneous WasteWater Fund Accounts Receivable**
- 5. Special Assessment Roll No. 4209 – Delinquent Miscellaneous Water Fund Accounts Receivable**
- 6. Special Assessment Roll No. 4210 – Delinquent Miscellaneous Public Works Fund Accounts Receivable**

C: City Manager

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance Nos. 98-6 and 98-20, it is the policy of the City Council to periodically review and dispose of all unpaid assessable claims; and

WHEREAS, the City Clerk has determined that there are delinquent miscellaneous General Fund accounts receivable totaling, \$8,914.33; and

WHEREAS, the City Clerk requests that said delinquent charges be certified to the City Assessor for the preparation of a special assessment roll.

NOW, THEREFORE, BE IT RESOLVED that the City Council concurs with the recommendation of the City Clerk and hereby directs the City Assessor to prepare for review by the City Council Assessment Roll No. 4205 covering delinquent miscellaneous General Fund accounts receivable.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that the City Council and the City Assessor will sit as a Board of Review on Tuesday, the 27th day of March, 2012, at the hour of 7:00 p.m. in the Council Chambers, City Hall, 161 West Michigan Avenue, Jackson, and will hear any and all objections and suggestions by interested parties that may be made regarding assessments as contained in said roll.

* * * * *

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

I, Lynn Fessel, 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 on the 21st day of February, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 22nd day of February, 2012.

Lynn Fessel, City Clerk

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance Nos. 98-6 and 98-20, it is the policy of the City Council to periodically review and dispose of all unpaid assessable claims; and

WHEREAS, the City Clerk has determined that there are delinquent miscellaneous Building Department Fund accounts receivable totaling, \$33,634.73; and

WHEREAS, the City Clerk requests that said delinquent charges be certified to the City Assessor for the preparation of a special assessment roll.

NOW, THEREFORE, BE IT RESOLVED that the City Council concurs with the recommendation of the City Clerk and hereby directs the City Assessor to prepare for review by the City Council Assessment Roll No. 4206 covering delinquent miscellaneous Building Department Fund accounts receivable.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that the City Council and the City Assessor will sit as a Board of Review on Tuesday, the 27th day of March, 2012, at the hour of 7:00 p.m. in the Council Chambers, City Hall, 161 West Michigan Avenue, Jackson, and will hear any and all objections and suggestions by interested parties that may be made regarding assessments as contained in said roll.

* * * * *

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

I, Lynn Fessel, 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 on the 21st day of February, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 22nd day of February, 2012.

Lynn Fessel, City Clerk

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance Nos. 98-6 and 98-20, it is the policy of the City Council to periodically review and dispose of all unpaid assessable claims; and

WHEREAS, the City Clerk has determined that there are delinquent miscellaneous Community Development Block Grant Fund accounts receivable totaling, \$2,730.65; and

WHEREAS, the City Clerk requests that said delinquent charges be certified to the City Assessor for the preparation of a special assessment roll.

NOW, THEREFORE, BE IT RESOLVED that the City Council concurs with the recommendation of the City Clerk and hereby directs the City Assessor to prepare for review by the City Council Assessment Roll No. 4207 covering delinquent miscellaneous Community Development Block Grant Fund accounts receivable.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that the City Council and the City Assessor will sit as a Board of Review on Tuesday, the 27th day of March, 2012, at the hour of 7:00 p.m. in the Council Chambers, City Hall, 161 West Michigan Avenue, Jackson, and will hear any and all objections and suggestions by interested parties that may be made regarding assessments as contained in said roll.

* * * * *

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

I, Lynn Fessel, 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 on the 21st day of February, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 22nd day of February, 2012.

Lynn Fessel, City Clerk

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance Nos. 98-6 and 98-20, it is the policy of the City Council to periodically review and dispose of all unpaid assessable claims; and

WHEREAS, the City Clerk has determined that there are delinquent miscellaneous WasteWater Fund accounts receivable totaling, \$204.64; and

WHEREAS, the City Clerk requests that said delinquent charges be certified to the City Assessor for the preparation of a special assessment roll.

NOW, THEREFORE, BE IT RESOLVED that the City Council concurs with the recommendation of the City Clerk and hereby directs the City Assessor to prepare for review by the City Council Assessment Roll No. 4208 covering delinquent miscellaneous WasteWater Fund accounts receivable.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that the City Council and the City Assessor will sit as a Board of Review on Tuesday, the 27th day of March, 2012, at the hour of 7:00 p.m. in the Council Chambers, City Hall, 161 West Michigan Avenue, Jackson, and will hear any and all objections and suggestions by interested parties that may be made regarding assessments as contained in said roll.

* * * * *

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

I, Lynn Fessel, 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 on the 21st day of February, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 22nd day of February, 2012.

Lynn Fessel, City Clerk

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance Nos. 98-6 and 98-20, it is the policy of the City Council to periodically review and dispose of all unpaid assessable claims; and

WHEREAS, the City Clerk has determined that there are delinquent miscellaneous Water Fund accounts receivable totaling, \$3,085.80; and

WHEREAS, the City Clerk requests that said delinquent charges be certified to the City Assessor for the preparation of a special assessment roll.

NOW, THEREFORE, BE IT RESOLVED that the City Council concurs with the recommendation of the City Clerk and hereby directs the City Assessor to prepare for review by the City Council Assessment Roll No. 4209 covering delinquent miscellaneous Water Fund accounts receivable.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that the City Council and the City Assessor will sit as a Board of Review on Tuesday, the 27th day of March, 2012, at the hour of 7:00 p.m. in the Council Chambers, City Hall, 161 West Michigan Avenue, Jackson, and will hear any and all objections and suggestions by interested parties that may be made regarding assessments as contained in said roll.

* * * * *

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

I, Lynn Fessel, 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 on the 21st day of February, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 22nd day of February, 2012.

Lynn Fessel, City Clerk

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, under the authority granted by Ordinance Nos. 98-6 and 98-20, it is the policy of the City Council to periodically review and dispose of all unpaid assessable claims; and

WHEREAS, the City Clerk has determined that there are delinquent miscellaneous Public Works Fund accounts receivable totaling, \$54,313.50; and

WHEREAS, the City Clerk requests that said delinquent charges be certified to the City Assessor for the preparation of a special assessment roll.

NOW, THEREFORE, BE IT RESOLVED that the City Council concurs with the recommendation of the City Clerk and hereby directs the City Assessor to prepare for review by the City Council Assessment Roll No. 4210 covering delinquent miscellaneous Public Works Fund accounts receivable.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give notice that the City Council and the City Assessor will sit as a Board of Review on Tuesday, the 27th day of March, 2012, at the hour of 7:00 p.m. in the Council Chambers, City Hall, 161 West Michigan Avenue, Jackson, and will hear any and all objections and suggestions by interested parties that may be made regarding assessments as contained in said roll.

* * * * *

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

I, Lynn Fessel, 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 on the 21st day of February, 2012.

IN WITNESS WHEREOF, I have hereto affixed my signature and the Seal of the City of Jackson, Michigan, on this 22nd day of February, 2012.

Lynn Fessel, City Clerk



**CITY COUNCIL MEETING
FEBRUARY 21, 2012**

TO: Honorable Mayor and City Councilmembers

FROM: Philip Hones, Finance Director

DATE: February 15, 2012

RE: Extension of Deferred Retirement Option Plan for ERS Members to June 30, 2016

MOTION: **To approve the Ordinance and to place it on the next available City Council Agenda for adoption**

Current City employees who are members of the City's Employee Retirement System have the ability to enter the City's Deferred Retirement Option Program, or DROP. This Program basically lets an eligible employee begin to draw his/her pension, which is put into a separate account, for up to three years after making the election. The current ordinance calls for the expiration of this Program on June 29, 2012.

The Employees Retirement System Board, at its last scheduled meeting on February 1st, voted unanimously to recommend that the DROP Program be extended for another four years, or until June 30, 2016. The actuarial cost of extending this Program has been calculated to be 1.21% of ERS member payroll.

Attached is the proposed DROP ordinance drafted by the City Attorney's Office that extends the expiration date for another four years to June 30, 2016. The changes made are indicated on that draft.

Please feel free to contact me at 768-6384 if you have any questions.

ORDINANCE NO. 2012-____

An Ordinance amending Section 2-509.2 of Chapter 2, Article VI, of the Jackson City Code of Ordinances, to extend for an additional four (4) years the time for an eligible city employee to participate in the Deferred Retirement Option Program (DROP).

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Sections 2-509.2 of Chapter 2, Article VI, of the Code of Ordinances, City of Jackson, Michigan, be, and the same hereby is, amended as follows:

* * * * *

Sec. 2-509.2. Deferred retirement option program (DROP).

- (a) Effective July 1, 2008 through June 30, ~~2012~~2016, a person from benefit group general who satisfies the age and service conditions established in [section] 2-509(b)(1) is eligible to voluntarily elect to terminate membership in the retirement system but remain actively employed in a membership position for up to three (3) additional years, freeze retirement benefit level (including amount of credited service, final average compensation and applicable multiplier) on the effective date of the election, and direct the board of trustees to pay the monthly retirement benefit to a board-approved defined contribution retirement plan account (hereafter referred to as a DROP account), managed by a board-approved independent investment company. Once participation in DROP is commenced, the decision to choose to enter the DROP is irrevocable.
- (1) The person's DROP benefit will be the monthly retirement benefit to which the member would have been entitled if the member had actually retired on the DROP effective date (less the annuity withdrawal, as set forth in section 2-513.2, if applicable). At the time of the DROP election, the member must choose between the straight life pension (section 2-513) or one of the optional forms of payment (section 2-514). That choice is irrevocable once the member commences participation in DROP.
 - (2) The board will send the monthly retirement benefit checks to the independent company to be invested as directed by the participating person, and in accordance with the procedures established by the independent company. The independent investment company will provide educational information to each participant about the available investment options, information about costs and fees associated with each investment option, and timely account activity statements. A person participating in DROP will assume all responsibility for DROP account performance and costs associated with investment decisions, and will accrue the benefit of all investment decisions.
 - (3) If the person electing to participate in DROP also elects the annuity withdrawal option (section 2-513.2), the annuity withdrawal funds will be deposited directly

into the person's individual DROP account. The board will select an independent investment company to manage and maintain individual, self-directed DROP investment accounts for each person electing to participate in this option, as well as guidelines for the company managing said accounts. The board will ensure that persons who elect to participate in DROP have a reasonably diverse set of investment options from which to choose.

- (4) During the period of DROP participation, the participating person will discontinue making contributions to the retirement system based on the participating person's compensation earned as an employee in a membership position. The city will continue to make contributions to the retirement system, however, as if the DROP participant working in a membership position was still a member of the retirement system.
- (5) The person entering the DROP must cease employment in a membership position no later than the third anniversary of entering DROP. Failure to terminate employment in a membership position by the third anniversary of entering DROP will result in a forfeiture of the person's monthly pension benefit otherwise payable to the person's individual DROP account and/or payable as a pension benefit.
- (6) Upon termination of employment in a membership position, the former DROP participant will begin receiving retirement benefit as a monthly pension payment. Upon termination of DROP participation, the participant must choose one or more distribution methods, as provided in the plan guidelines adopted by the board in April 2008 or any guideline adopted hereafter, which may be changed from time to time.
- (7) If a person participating in DROP dies either (i) before actual termination of service, or (ii) after termination of service but before the DROP account balance has been fully paid out, the participant's designated beneficiary(ies) will receive the remaining balance in the participant's DROP account in the manner in which the beneficiary elects from the approved list of distribution methods reference in subsection (a)(6), above. If the DROP participant fails to name a beneficiary, the DROP account balance will be paid to the participant's beneficiary of benefit from the retirement system. If there is no such beneficiary, the account balance will be paid in a lump sum to the participant's estate. Benefits payable from the retirement system are determined as though the DROP participant had separated from service the day before the participant's date of death.
- (8) If the person participating in DROP becomes totally and permanently disabled from further performance of the essential functions of the membership position, the person's participation in DROP ceases and the member will receive such benefits as if the member had retired and terminated employment when the person commenced participation in DROP.

- (b) The DROP, as established by this ordinance and operated pursuant to the guidelines established by the board in April 2008 or any guideline adopted hereafter, is intended to operate in accordance with Section 415 of the Internal Revenue Code and any other applicable laws of the United States. Any provision of portion of the DROP that is found to be in conflict with the applicable laws is hereby declared null and void.
- (c) The option to elect DROP expires at 5:00 p.m. on June ~~29~~³⁰, ~~2012-2016~~ unless action is taken to extend the program. Persons who elected to participate in DROP, effective on or before June 30, ~~2012~~²⁰¹⁶, may continue in the program for a maximum of three (3) years following the effective date of such election.
- (d) Participation in DROP by persons in benefit group MAPE is governed by the provision of the labor agreement between the city and the MAPE/Jackson Unit.

(Ord. No. 2008.5, § 2, 5-27-08)

* * * * *

Section 2. Effective Date

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



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
February 21, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk

SUBJECT: Adoption of Ordinance No. 2012.2

**MOTION: FINAL ADOPTION OF ORDINANCE NO. 2012.2
AMENDING SECTION 25-30 OF ARTICLE II OF
CHAPTER 25 OF THE CITY OF JACKSON CODE OF
ORDINANCES TO INCREASE THE PENALTIES FOR
PARKING VIOLATIONS**

Requested action is adoption of Ordinance No. 2012.2 approved by City Council on February 7, 2012.

C: City Manager

ORDINANCE 2012. 2

An Ordinance to amend Section 25-30 of Article II of Chapter 25 of the City of Jackson Code of Ordinances to increase the penalties for parking violations.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Sections 25-30 of Article II of Chapter 25 of the Code of Ordinances, City of Jackson, Michigan, be, and the same hereby is, amended as follows:

* * * * *

Sec. 25-30. Schedule of parking fines; payment; authority to void.

(a) Fines for general parking violations.

- (1) The fine for violating the overtime parking prohibitions of this chapter shall be ~~five-seven~~ dollars (\$57.00) if paid within two (2) hours, ~~and fifteen~~ dollars (\$15.00) if paid over two (2) hours but less than eight (8) days, and thirty dollars (\$30.00) thereafter.
- (2) The fine for violating the handicapped parking restrictions of this chapter shall be ~~forty-five~~ dollars (\$4045.00) if paid within seventy-two (72) hours, ~~and fifty-ninety~~ dollars (\$5090.00) if paid over seventy-two (72) hours but less than eight (8) days, and one hundred eighty dollars (\$180) thereafter.
- (3) The fine for violating all other sections of the city's parking ordinance shall be ~~fifteen-seventeen~~ dollars (\$1517.00) if paid within seventy-two (72) hours, ~~and twenty-five-dollar~~ thirty-four dollars (\$2534.00) if paid over seventy-two (72) hours but less than eight (8) days, and sixty-eight dollars (\$68.00) thereafter.
- (4) ~~An additional ten dollar (\$10.00) fine shall be assessed upon all parking violations not paid within thirty (30) calendar days from the date of issuance.~~

(b) Payment. All parking fines shall be paid in person or by mail at the City of Jackson Clerk's Office located on the first floor of the City Hall building located at 161 West Michigan Avenue, Jackson, Michigan.

(c) Authority to void. Both the city manager and the city attorney are hereby authorized to void any and all parking citations as deemed necessary; provided, further, that once a parking citation has become a district court matter, the city

attorney shall have the sole prosecutorial authority and discretion to dismiss any and all such parking citations.

Section 2. This Ordinance takes effect thirty (30) days after adoption.



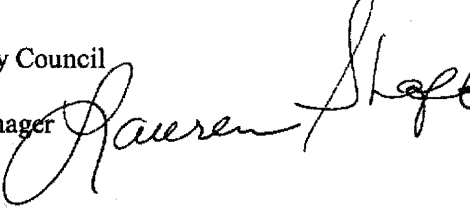
City Manager's Office

161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4035 — Facsimile: (517) 768-5820

CITY COUNCIL MEETING January 24, 2012 Consent Agenda

Establish the Date For Public Hearing – Special Assessment Roll Meterless Parking – Downtown Development Authority

MEMO TO: Martin J. Griffin, Mayor
Member of the Jackson City Council

FROM: Laurence Shaffer, City Manager 

DATE: January 18, 2012

SUBJECT: Establish the Date of Public Hearing – Downtown Meterless Parking

It is requested and recommended that the City Council, consistent with Section 22-3 of the City Code establish a public hearing of necessity on continuing the operation of a meterless parking system for the downtown area.

MOTION: Establishment of February 7, 2012, at the City Council meeting as the time and place to hold a public hearing on the necessity of continuing the operation of the meterless parking system for the downtown area.

Find attached the material supporting the request that the City Council schedule a public hearing of necessity to invite comment and suggestions relative to the recommendation that rates for meterless parking be increased in downtown Jackson. That material is as follows:

1. Recommendation from the Downtown Development Authority (DDA) recommending adjustments in the fees for meterless parking.
2. Recommendation from the City Manager to the DDA seeking endorsement of a parking plan and budget. The report should be considered the City Engineer's report as referenced in the City Code, Section 22-3.

Although the plan recommended by the City Manager and endorsed by the DDA calls for a five year plan for rates for the per space charge and the minimum charge, the City Code appears to suggest that each year requires a separate approval by the City Council in order to appropriately proceed with the Special Assessment roll. The per space charge is recommended to be increased from \$42.00 per space to \$59.00 per space. This recommendation allows for the per space fee to be returned to the same rate that it was three (3) years ago. Also, the recommendation is to increase the minimum charge from \$100.00 to \$150.00.

It is clear that without changes in revenue or expenses, the parking fund – 586 account is not sustainable. Given the fact that expenses have exceeded revenue over the last three years and that the city did not issue a special assessment for parking last year, changes were required to stabilize the budget for the parking

system. The Parking Plan identifies expense reductions going forward of approximately 21percent. That reduction, in my estimation, encouraged the approval of the recommendation from the DDA to endorse the new revenue plan. The plan also identifies revenue from the 585 account that more appropriately should be applied to the 586 account.

In order to implement the change in the fine rates of parking violations, ordinance amendments are required. Consequently, assuming your agreement, I have asked the City Attorney to prepare said amendments for consideration at the February 7, 2012, City Council meeting.

LS:skh

Attachments



Downtown Development Authority (DDA)

1.

Memorandum

Date: January 17, 2012
To: City Council
From: Downtown Development Authority ^{JG}
Re: Meterless Parking Recommendation

The DDA Board met on January 12, 2012 and approved a motion, 6 votes to 1, recommending the following changes to the Meterless Parking System for the 2011-2012 Fiscal Year:

1. Increase the per space annual charge effective immediately, from \$42.00 per space to \$59.00 per space. Further the DDA approved an annual adjustment of \$1.00 per space for the following four (4) years or a per space parking charge of \$60.00 for FY 2012-2013, \$61.00 for FY 2013-2014, \$62.00 for FY 2014-2015, and \$63.00 for FY 2015-2016. Additionally the DDA approved a recommendation to increase the minimum charge from \$100.00 to \$150.00 and increases to \$153 for FY 2012-2013, \$156 for FY 2013-2014, \$159 for FY 2014-2015, and \$162 for FY 2015-2016.
2. Increase the overtime parking fines from \$5.00/\$15.00/\$25.00 for payment within two (2) hours, two to seven (7) days, and over eight (8) days to \$7.00/\$15.00/\$30.00.
3. Increase the various non-overtime and non-handicap violations from \$15.00/\$25.00/\$35.00 to \$17.00/\$34.00/\$68.00
4. Increase the fine for posted handicapped parking from \$40.00/\$50.00/\$60.00 to \$45.00/\$90.00/\$180.00 for violations paid within seventy-two (72) hours, thirty (30) days, or greater than thirty (30) days.

The DDA respectfully requests the City Council to consider this recommendation at their January 24, 2012 meeting.



City Manager's Office

161 W. Michigan Ave. • Jackson, MI 49201-1303
(517) 788-4035 • Facsimile (517) 768-5820

Jackson Downtown Development Authority
Meeting of January 12, 2012

10th Floor Conference Room
8:00 AM

②

MEMO TO: Richard Sneary, Chairman, Board of Directors
Members of the Board of Directors

FROM: Laurence Shaffer, City Manager *Laurence Shaffer*

DATE: January 11, 2012

SUBJECT: Endorsement of Parking Plan and Budget Prior to City Council Consideration

Allow this memorandum to serve as my recommendation and request that the Board of Directors of the Jackson Downtown Development Authority endorse a parking plan and budget prior to the Jackson City Council consideration of the various requested actions. The motions requested are as follows:

The Jackson Downtown Development Authority (JDDA) endorses the proposed parking plan and budget and, further, the recommendation that the Jackson City Council take the following actions:

1. Increase the per space annual charge, effective immediately, from \$42.00 per space to \$59.00 per space. Further, the JDDA endorses the annual adjustment of a \$1.00 increase per year for the following four (4) years or a per space parking charge of \$60.00 for FY 2012-2013; \$61.00 for FY 2013-2014; \$62.00 for FY 2014-2015; \$63.00 for FY 2015-2016. The JDDA further endorses the increase of the minimum charge for parking from \$100.00 to \$150.00, \$153.00, \$156.00, \$159.00, and \$162.00 for FY 2011/2012, FY 2012/2013, FY 2013/2014, FY 2014/2015 and FY 2015/2016 respectively.
2. Increase the overtime parking fines from \$5.00/\$15.00/\$25.00 for payment within two hours, two hours to thirty days and over thirty days to \$7.00/\$15.00/\$30.00.
3. Increase the various violations from \$15.00/\$25.00/\$35.00 to \$17.00/\$34.00/\$68.00 for obstructing traffic, parked on sidewalks, blocking any part of a driveway, within 15 feet of a hydrant, parked in or near crosswalk, parked within 30 feet of a stop sign, parked in an alley, front yard parking, no parking or standing and other.
4. Increase the fine for posted handicapped parking from \$40.00/\$50.00/\$60.00 to \$45.00/\$90.00/\$180.00 for violations paid within 72 hours, thirty days or greater than thirty days respectively.

Since the last meeting of the JDDA, staff working closely with Jonathan Greene, has developed a proposal that includes the following elements.

- Projected revenue has been increased for the FY 2011/2012 Fund 586, Parking Assessment Fund from \$91,839.00 to \$122,104.00 by increasing the parking space fees by \$14,186.00 and by

Downtown Development Authority

Page 2

January 11, 2012

moving Fund 585 proceeds of \$12,950.00 into Fund 586. Fines are proportionately increased to reflect changes in fine schedule. The parking space fee proposed is equal to the parking space fee levied three years ago.

- Projected revenue has been increased for the FY 2012/2013 Fund 586 to \$131,989.00 to reflect changes in fee charges.
- Expenses have been reduced for FY 2011/2012 from \$150,043.00 to \$134,406.00 and to \$117,994.00 for FY 2012/2013 or a total one year reduction of over 21 percent.
- Parking Fund 585 will see revenue increases of \$25,250.00 as a result of increasing the YMCA lot from \$1.00 per day to \$2.00 per day and by selling 40 parking permits per month for the old Consumer located on Pearl Street.
- A survey of fines for parking violations was conducted within the last thirty days. The fines proposed place the City of Jackson in the low to moderate range in every category.

Attached is supporting documentation that identifies the details related to the above proposals. Staff to include the City Manager, City Finance Director, Director of Public Works, Parking Manager and the City Assessor has worked diligently with Mr. Greene to develop a short term plan to reduce the operating budget as much as is reasonably possible. However, a draw will continue on the Working Capital Fund. Consequently, although this short term resolution will provide short term relief, it will not solve the issue of deficit funding permanently. We will continue to review both revenue and expenses collaboratively in order to achieve our goals of creating a supportive parking plan that functions on sound economic principles. Thank you for your consideration.

LS:skh

Attachment

cc: Jonathan Greene, Executive Director, JDDA
Matt Heins, Police Chief
Jon Dowling, City Engineer/Director of Public Works
Phil Hones, Finance Director
Bob Dietz, Parking Manager

(586) Parking Assessment Fund

PURPOSE - This Fund is used to account for the revenues and expenses of the City's Meterless Parking System.

CHARACTER - Revenues of this fund consist principally of parking assessments to property owners in the Central Business District. Such assessments are based on the annual operating expense of the System and include such items as the leasing of private parking lots used in the System, lot maintenance, snow removal, utilities and administrative expenses. In the event the City reverts back to a Metered Parking System this fund will be closed out and all parking operations of the City will be accounted for in the Automobile Parking System Fund (585).

AUTHORITY - This Fund was established November 1, 1984, which represents the beginning of first annual operating period covered by assessment. Continuation of the System depends on subsequent annual adoption of new assessment rolls each December 1st.

City of Jackson Fiscal Year 2012/13 Requested Budget Analysis of Estimated Changes in Working Capital

Fund 586 Parking Assessment Fund

	2009/10 Actual	2010/11 Actual	2011/12 Budget	2011/12 Projected	2012/13 Requested	2012/13 Proposed
Revenues	95,056	56,372	91,839	122,104	131,989	
Expenses	208,606	153,710	150,043	134,406	117,994	
Excess of Revenues Over (Under) Expenses	(113,550)	(97,338)	(58,204)	(12,302)	13,995	
Working Capital - Beginning of Year	261,716	148,166	50,828	50,828	38,526	
Working Capital - End of Year	148,166	50,828	(7,376)	38,526	52,521	

City of Jackson
Fiscal Year 2012/13 Requested Budget
Expenditure Detail

Fund 586 Parking Assessment Fund
Dept 586 Parking Assessment

Account Description	2009/10 Actual	2010/11 Actual	2011/12 Budget	2011/12 Projected	2012/13 Requested	2012/13 Proposed
Personal Services:						
586-586-000-706.000 Salaries and Wages	33,895	27,967	36,459	30,000	28,000	
586-586-000-707.000 Temporary Wages	14,706	18,577	19,381	15,000	15,000	
586-586-000-709.000 Overtime	1,626	1,336	3,000	1,300	1,300	
586-586-000-715.000 Employers FICA	3,883	3,553	4,501	2,616	2,579	
586-586-000-719.000 Health Insurance	3,640	3,722	4,554	4,000	4,200	
586-586-000-719.678 RX Drug Insurance	658	735	1,285	1,000	1,100	
586-586-000-719.679 Health Insurance Deductible	0	0	2,672	2,500	2,500	
586-586-000-722.000 Pension-General	2,735	2,407	3,370	2,700	2,700	
586-586-000-724.000 Unemployment Comp.	420	636	322	322	322	
586-586-000-724.001 Workers Compensation	652	611	420	432	432	
586-586-000-725.000 Other Fringe Benefits	411	370	595	595	595	
	<u>62,626</u>	<u>59,914</u>	<u>76,559</u>	<u>60,465</u>	<u>58,728</u>	<u>0</u>
Material and Supplies:						
586-586-000-740.000 Operating Supplies	702	1,232	2,000	1,250	1,250	
586-586-000-744.000 Uniform Allowance	277	158	500	150	150	
586-586-000-782.000 Materials	6,509	3,310	3,000	3,400	3,400	
	<u>7,488</u>	<u>4,700</u>	<u>5,500</u>	<u>4,800</u>	<u>4,800</u>	<u>0</u>
Contractual And Other:						
586-586-000-808.000 Audit Fees	135	169	169	169	175	
586-586-000-818.000 Contractual Services	3,153	10,292	5,746	5,746	6,030	
586-586-000-818.690 CS Forestry	355	0	0	0	0	
586-586-000-920.000 Utilities	3,691	4,643	6,000	4,800	5,040	
586-586-000-936.000 Pavement Repairs	118	3,512	2,000	9,310	5,341	
586-586-000-941.000 Rentals	44,796	23,070	0	0	0	
586-586-000-943.000 Equip. Rental - Motor Pool	19,608	12,665	10,500	13,000	13,000	
586-586-000-962.000 Uncollectible Accounts	0	119.78	0	0	0	
586-586-000-965.101 Admin.-General Fund	27,613	22,622	27,613	23,000	14,000	
586-586-000-966.000 PW Overhead	6,804	4,583	5,000	5,000	5,200	
586-586-000-967.000 ENG Overhead	12,319	7,420	10,956	8,116	5,680	
	<u>118,592</u>	<u>89,096</u>	<u>67,984</u>	<u>69,141</u>	<u>54,466</u>	<u>0</u>
Capital Outlay:						
586-586-000-984.000 Software	19,900	0	0	0	0	
	<u>19,900</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Expenses	<u><u>208,606</u></u>	<u><u>153,710</u></u>	<u><u>150,043</u></u>	<u><u>134,406</u></u>	<u><u>117,994</u></u>	<u><u>0</u></u>

City of Jackson
Fiscal Year 2012/13 Requested Budget
Revenue Detail

Fund 586 Parking Assessment Fund

Account Description	2009/10 Actual	2010/11 Actual	2011/12 Budget	2011/12 Projected	2012/13 Requested	2012/13 Proposed
586-000-000-652.000 Parking Fines	29,341	24,937	25,000	27,225	33,900	
586-000-000-653.000 Parking Permits (Daily \$2)	3,313	1,904	2,500	2,812	3,750	
586-000-000-653.005 Parking Permits (Lots 6,7,8,14)	17,048	14,548	14,725	14,725	14,400	
586-000-000-653.006 Parking Permits (Lot 9)	5,475	6,055	5,350	5,350	6,060	
586-000-000-664.000 Interest	2,000	1,278	820	820	820	
586-000-000-668.002 Rents and Royalties-113 LLC	0	0	0	12,950	13,500	- 585
586-000-000-685.677 Insurance Refund - W/C	1,129	1,150	0	0	0	
586-000-000-699.101 Cont.-General Fund	100	6,500	6,500	10,000	10,500	
586-000-000-699.895 Cont.-Special Assessment Fund	36,650	0	36,944	48,222	49,059	
Total Revenues	95,056	56,372	91,839	122,104	131,989	0

Sharon Hasen

From: Dave Taylor
Sent: Tuesday, December 06, 2011 3:29 PM
To: Larry Shaffer; Jason Yoakam; Jon Dowling; Bob Dietz; Jonathan Greene; Melissa Woodhurst; Lynn Fessel
Cc: Phil Hones
Subject: METERLESS PARKING 2011-2012 Revised spreadsheet

	Requested by DDA	
Rate per need	Minimum Charge	Current Total
\$42	\$100	\$34,036

2008-2009

Proposed 5 Year Plan with 2% Increases per Year

City Fiscal Year (July to June)	Per Space Rate per need	Minimum Charge	Total Revenue	Increase from current proposed total
2011-12	59	150	48,222	14,186
2012-13	60	153		
2013-14	61	156		
2014-15	62	159		
2015-16	63	162		

- Full presentation w/ cuts

+ estimated replacements/repairs + how they are incorporated into rates

- other violations
New Ir
Permit 4060
35000
8900

Parking Ticket Fine Review

The current parking violation fine schedule was adopted in 2003 when the Engineering Department became responsible for the day to day operations of the parking systems. This schedule has not been modified for a variety of reasons but a cursory review is in order.

Parking fines should be used as a deterrent for illegal behavior not as a revenue stream. With this in mind a new fine schedule is being proposed by staff to continue to modify behavior so illegal parking does not create inconvenience or safety issues for permit holders, downtown visitors and the motoring public.

As noted in the attachment fiscal 10/11 realized \$23,262.50 in parking fines paid. With the recommended changes an additional \$8,900 could be realized. Again these fines are not intended as a revenue stream but a deterrent for illegal behavior.

Current fine schedule

Violation	If paid w/in 2 hrs	2 hrs to 30 days	31+ days
Overtime parking	\$5	\$15	\$25
Parking fee not paid in Lot #3, Y lot	\$5	\$15	\$25

	If paid w/in 72 hrs	72 hrs to 30 days	31+ days
Obstructing Traffic	\$15	\$25	\$35
Parked on Sidewalk	\$15	\$25	\$35
Blocking any part of driveway	\$15	\$25	\$35
Parked within an intersection	\$15	\$25	\$35
Within 15 feet of a hydrant	\$15	\$25	\$35
Parked on or within 20 feet of a crosswalk	\$15	\$25	\$35
Parked within 30 feet of a stop sign	\$15	\$25	\$35
Parked in an alley	\$15	\$25	\$35
Front yard parking	\$15	\$25	\$35
No parking or No standing	\$15	\$25	\$35
Other...	\$15	\$25	\$35

Posted Handicapped Parking	\$40	\$50	\$60
----------------------------	------	------	------

Current fine schedule generated \$23,162.50 in fiscal 10/11.

**Proposed Fine
schedule**

Violation	If paid w/in 2 hrs	2hrs to30 days	31+ days
Overtime parking	\$7	\$15	\$30
Parking fee not paid in Lot #3, Y lot	\$7	\$15	\$30

	If paid w/in 72 hrs	72 hrs to 30 days	31+ days
Obstructing Traffic	\$17	\$34	\$68
Parked on Sidewalk	\$17	\$34	\$68
Blocking any part of driveway	\$17	\$34	\$68
Within 15 feet of hydrant	\$17	\$34	\$68
Parked on or within 20 feet of a crosswalk	\$17	\$34	\$68
Parked within 30 feet of a stop sign	\$17	\$34	\$68
Parked in an alley	\$17	\$34	\$68
Front yard parking	\$17	\$34	\$68
No parking or No standing	\$17	\$34	\$68
Other...	\$17	\$34	\$68

Posted Handicapped Parking	\$45	\$90	\$180
----------------------------	------	------	-------

Anticipated increase in annual revenue \$8,900

Pay to park review (585)

Auto Parking System Fund (585)

The Auto Parking System includes City lots outside of the core downtown area and has one pay to park lot. This lot became a pay to park operation in September of 2004 and is located across from the YMCA between Washington Avenue and Wesley Street. The daily rate for this lot is \$1.

There are several other parking lots within the area making up this fund but none of these lots generate revenue either daily or monthly. These lots were obtained in the latest Consumers development era several years ago and have remained open to the public.

In order to continue maintaining the Y lot and the other surface lots a form of revenue generation is required. In consideration of this an increase in the daily rate in the Y lot from \$1 to \$2 is being recommended by staff. Also being recommended is a monthly permit fee of \$25 for the Hayes lot, the Library lot (across from Firestone) and the large parking area previously used by Consumers employees.

Below is an assessment of current, and projected, performance if these recommendations are accepted.

Area	Current annual activity	Projected annual w/increases
Outlying (Old Consumers lots)	None	480 permits (40 per month)@ \$25 each = \$12,000
Lot #3, Y lot	\$12,750 (average)	\$25,500
Total	\$12,750	\$37,500

Overtime violation

City	First Level	Second Level	Third Level	Fourth Level
Ann Arbor	Next day \$25.00	By 14th day \$35.00	15-30 days \$55.00	31+ days \$75.00
Battle Creek	Within 10 days \$5.00	11-20 days \$10.00	20+ days \$15.00	
Grand Rapids	Within 10 days \$20.00	11-90 days \$40.00	91+days \$60.00	
Jackson	Within 2 hours \$5.00	2 hours-30 days \$15.00	31+days \$25.00	
Kalamazoo	Within 6 days \$10.00	7-13 days \$20.00	14-30 days \$30.00	31+ days \$40.00
Lansing	Within 14 days \$15.00	15-28 days \$25.00	29+ days \$35.00	
Average	\$13.66	\$24.16	\$36.66	\$57.50

No Parking Zone


Ann Arbor	Next day \$25.00	2-14 days \$35.00	15-30 days \$55.00	31+ days \$75.00
Battle Creek	Within 10 days \$5.00	11-20 days \$10.00	21+ days \$15.00	
Grand Rapids	Within 10 days \$30.00	11-90 days \$60.00	91+ days \$90.00	
Jackson	Within 72 hours \$15.00	3-30 days \$25.00	31+ days \$35.00	
Kalamazoo	Within 6 days \$10.00	7-13 days \$20.00	14-30 days \$30.00	30+ days \$40.00
Lansing	Within 14 days \$20.00	15-28 days \$30.00	29+ days \$40.00	
Average	\$17.50	\$30.00	\$44.16	\$57.50



CITY CLERK'S OFFICE
Lynn Fessel, City Clerk

CITY COUNCIL MEETING
February 21, 2012

MEMO TO: Honorable Mayor and City Councilmembers

FROM: Lynn Fessel, City Clerk 

SUBJECT: Adoption of Ordinance No. 2012.3

**MOTION: FINAL ADOPTION OF ORDINANCE NO. 2012.3
ESTABLISHING A REGISTRY FOR NON-OWNER
OCCUPIED STRUCTURES AND UNITS, AND TO REVISE
VARIOUS SECTIONS OF CHAPTER 14 IN ORDER TO
UPDATE CERTAIN PROVISIONS**

Attached you will find a copy of the ordinance with changes made after Council approval on January 24. The City Attorney's opinion is that the changes are minor and Council may proceed with adoption. A clean copy is attached as well. Requested action is adoption of Ordinance No. 2012.3.

C: City Manager



Department of Community Development Building a Stronger Community

161 W. Michigan Avenue • Jackson, MI 49201-1303
Telephone (517) 788-4060 • Facsimile (517) 780-4781

CITY COUNCIL MEETING February 21, 2012 Ordinances

TO: Honorable Mayor and City Councilmembers
FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director
SUBJECT: Ordinance to Amend Chapter 14 of the City of Jackson Code of Ordinances

MOTION

Approve the Ordinance and place it on the next regularly scheduled City Council Agenda for adoption.

On January 24, 2012, City Council approved modifications made to the Housing Code in Chapter 14 of the City of Jackson Code of Ordinances, including the establishment of a new Non-Owner Occupied Residential Property Registry. The February 21, 2012 regular City Council meeting was designated as the date and time to consider adoption of the ordinance.

In the interim, the City Manager, Deputy City Manager/Community Development Director, Chief Building Official and Housing Rehabilitation Coordinator conducted over 15 meetings with a myriad of City landlords at their behest to discuss the changes being made to the ordinance and how it would affect rental housing. Staff in attendance at these meetings took copious notes as to suggestions made by the various landlords as to how the ordinance could be improved. While not all suggestions were incorporated into the attached amendment, a significant number were. After reviewing Attachment 1, you will notice changes which we believe to be non-substantive in nature, yet have taken into account many of the concerns of both landlords and other citizens.

The proposed revisions to Chapter 14 are provided in two attached documents. Attachment 1 represents a marked up version of the current ordinance, reflecting changes in strikeout removals and bold additions. Attachment 2 is how the Ordinance will appear once adopted.

cc: Bethany Smith, Deputy City Attorney

Chapter 14 HOUSING*

*Cross references: Buildings and building regulations, Ch. 5; community development, Ch. 8; fire prevention and protection, Ch. 10; garbage and rubbish, Ch. 12; human relations, Ch. 15.

Art. I. Non-Owner Occupied Residential Property Registry, §§ 14-1--14-25

Art. II. Minimum Housing Standards, §§ 14-26--14-120

Div. 1. Generally, §§ 14-26--14-40

Div. 2. Enforcement, §§ 14-41--14-60

Div. 3. Fire Safety, §§ 14-61--14-70

Div. 4. Exterior Standards, §§ 14-71--14-80

Div. 5. Interior Standards, §§ 14-81--14-90

Div. 6. Minimum Standards for Light and Ventilation, §§ 14-101--14-110

Div. 7. Minimum Space Requirements, §§ 14-111--14-120

Art. III. Housing Commission, §§ 14-121--14-130

Art. IV. Fair Housing, §§ 14-131--14-150

Art. V. Non-Residential Buildings, §§ 14-151--14-312

Div. 1. In General, §§ 14-151--14-200

Div. 2. Property Maintenance Standards, §§ 14-201--14-300

Div. 3. Enforcement Procedures, §§ 14-301--14-312

ORDINANCE NO. 2012-_____

An ordinance adding Article I – Non-Owner Occupied Residential Property Registry to Chapter 14 of the Code of Ordinances, City of Jackson, Michigan to provide a registry of residential dwellings and units that are non-owner occupied, to require that the non-owner occupied residential dwellings or units meet the requirements of the Housing Code, and to require the property owner to designate a local responsible agent to accept notices for and grant access to non-owner occupied residential dwellings and units; to eliminate obsolete sections of Chapter 14, to update sections of Chapter 14 so that the sections are in harmony with the current plumbing, building, mechanical, and electrical codes, to revise fee schedules contained in Chapter 14 to more closely approximate the current costs of the conduct of inspections, and to eliminate redundancy with other City of Jackson Ordinances.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Chapter 14 of the Code of the City of Jackson be, and the same hereby is , amended to read as follows:

ARTICLE I – NON-OWNER OCCUPIED RESIDENTIAL PROPERTY REGISTRY

Section 14-1. Title.

This article shall be known as the “Non-owner Occupied Residential Property Registry.”

Section 14-2. Findings and purpose.

The City Council finds that there are non-owner occupied residential dwellings or units in the City that have become unsafe, unsanitary and unsecure due to deterioration. The City Council finds that it is in the best interests of the health, safety and welfare of the City and its residents to require that all non-owner occupied residential dwellings or units be registered and inspected to ensure safe, secure and sanitary living conditions for those residing in non-owner occupied residential dwellings or units. The City Council also finds that by requiring property registration of all non-owner occupied residential dwellings or units in the City, the continuing maintenance of safe and quality non-owner occupied residential dwellings and units will be maintained and property values will be enhanced. The City Council also finds that requiring designation of a responsible local agent will ensure timely notice under the law to the property owner and assist code enforcement inspectors in their duties to inspect non-owner occupied dwellings or units.

Section 14-3 Definitions.

Unless the context indicates otherwise, the following words used in this article shall have these meanings:

Owner is used as the term is defined in Section 14-26 of this Code.

Non-owner occupied residential dwelling or unit means any residential dwelling or unit intended to be used as habitable space in which the owner of the dwelling or unit does not reside, or where individuals other than or in addition to the owner reside, whether pursuant to an oral or written lease or for other valuable consideration including, but not limited to, cash, barter of goods and services, and imputed rent. This does not include relatives that reside with the owner in the same unit. This term also refers to any residential dwelling or unit that has been ~~unoccupied~~-vacated by the owner or by a person with the consent of the owner for a period of more than ~~thirty-one hundred eighty~~ (~~3180~~) days.

Responsible Local Agent means a representative of a person, corporation, partnership, firm, joint venture, trust, association, organization, or other entity having a legal or equitable interest in property who has authority to do the following:

- (1) Receive all official notices concerning housing, zoning, dangerous buildings and other ordinance violations on behalf of the owner of a non-owner occupied residential dwelling or unit, and any notice received by the responsible local agent shall be deemed to have been received by the property owner; and
- (2) Be responsible for providing access to the non-owner occupied residential dwelling or unit for any inspection necessary to ensure compliance with the terms of the City of Jackson Code of Ordinances.

Section 14-4 Property registration required.

- (1) No person shall rent, lease, offer for rent or lease, or allow another person to occupy any non-owner occupied residential dwelling or unit without a property registration issued by the City. **In the absence of a current property registration, the Chief Building Official shall order the owner to take immediate legal action as may be required to vacate the premises, including eviction proceedings.**
- (2) Upon the adoption of this ordinance, any owner of a non-owner occupied residential dwelling or unit must register the non-owner occupied residential dwelling or unit within one hundred twenty (120) days of the effective date of this ordinance. Upon expiration of the initial one hundred twenty (120) day period, an owner of a non-owner occupied residential dwelling or unit must register the non-owner occupied residential dwelling or unit within ~~thirty-fourty-five~~ (~~3045~~) days of the non-owner occupied residential dwelling or unit becoming non-owner occupied.

Section 14-5 Exceptions.

A property registration is not required under the following circumstances:

- (1) A single family residential dwelling that is entirely owner-occupied; **or**

- (2) Upon the sale of any single family residential dwelling that is intended for occupancy by the buyer where possession is delayed for up to ninety (90) days; **or**
- (3) The premises are a jail, school, or government-owned care facility; provided however that this does not create an exception for state or federally subsidized housing facilities; or
- (4) The premises are occupied by a person with a documented or recorded life estate in the premises.

Section 14-6 Application and fees.

An owner of a non-owner occupied residential dwelling or unit shall apply for a property registration on forms provided by the Department of Community Development. The owner must pay the required application fees and all outstanding inspection fees and applicable late charges. No application for property registration is valid unless filled out accurately and completely, signed by the owner and the Responsible Local Agent, **if applicable**, and the proper fees have been paid. It is a violation of this article for an owner to provide inaccurate information on an application for a property registration. A property registration fee once tendered may not be refunded or transferred.

Section 14-7 Issuance of property registration.

A property registration shall be issued if the applicant meets all of the following requirements:

- (1) An application form is properly submitted;
- (2) An Acknowledgment of Local Responsible Agent form is submitted and signed by the Local Responsible Agent, if required;
- (3) All application fees are paid;
- (4) ~~The non-owner occupied residential dwelling or unit has a valid certificate of compliance;~~
- ~~(5)~~ All outstanding inspection fees and late fees are paid;
- (65) Payment in full of all of the following fines, fees and debts relating to the property being registered owed to the City that are currently due or past due, including but not limited to:
 - ~~(a)~~**a.** Outstanding water or sewer bills;
 - ~~(b)~~**b.** All charges for mowing, cleanup, weed or debris removal; **and**
 - ~~(c)~~**c.** Any fees, penalties, or debts of any sort arising from provisions of the housing code, including any blight violations. **;** **and**
 - ~~(d)~~ ~~The Responsible Local Agent, if required, has been designated.~~

~~Section 14-8 Conditional property registration.~~

~~During the initial one hundred twenty (120) days after adoption of this ordinance, a conditional property registration shall be issued if a property registration application has been properly submitted for a non-owner occupied residential dwelling or unit that does not have a valid certificate of compliance and an appointment for a housing inspection~~

~~has been scheduled. After the initial one hundred twenty (120) day period following adoption of this ordinance, a conditional property registration will not be issued and a non-owner occupied residential dwelling or unit may not be occupied until a property registration and a certificate of compliance have been issued.~~

Section 14-98 Amendment of property registration information.

If any information submitted upon the application for issuance of a property registration changes, the owner must notify the Department of Community Development within ten (10) days and submit an amended application. Failure to update information within ten (10) days is a violation of this article and subject to late fees.

Section 14-109 Property registration valid for two (2) years.

A property registration is valid for a period of two (2) years from the date of issuance ~~unless revoked for cause by the City~~. A renewal property registration must be applied for at least sixty (60) days prior to the expiration date. Failure to timely renew a property registration is a violation of this article and shall subject the applicant to late fees.

~~Section 14-11 Inspection of non-owner occupied residential dwelling or unit.~~

~~Before a certificate of compliance can be issued, an inspection of the non-owner occupied residential dwelling or unit must be conducted by a code enforcement official. Any violations that constitute an emergency situation must be corrected immediately. If found to be unfit for human habitation, the non-owner occupied residential dwelling or unit must be immediately vacated. All other violations found upon the inspection must be corrected within ninety (90) days. A non-owner occupied residential dwelling or unit may not be occupied until a certificate of compliance has been issued.~~

~~Section 14-12 Reasons for revocation or denial of property registration.~~

~~A property registration or conditional property registration may be denied or revoked by the Chief Building Official for any of the following reasons:~~

- ~~(1) — Whenever the City finds that the owner of any non-owner occupied residential dwelling or unit has failed to comply with a notice of violation issued pursuant to Chapter 14 of this Code;~~
- ~~(2) — If an owner or responsible local agent has refused or failed to allow an inspection of the non-owner occupied residential dwelling or unit by a code enforcement official;~~
- ~~(3) — An act, omission or condition exists at the non-owner occupied residential dwelling or unit that is unauthorized or beyond the scope of the property registration granted;~~
- ~~(4) — The owner has committed an act or omission, or allowed a condition to exist at the non-owner occupied residential dwelling or unit that is prohibited by the provisions of this article or any other city ordinance, regulation or provision, or by any state or federal law;~~

- ~~(5) — The owner has committed an act or omission, or allowed a condition to exist at the non-owner occupied residential dwelling or unit that is contrary to the public health, safety, and welfare of the citizens of Jackson; and/or~~
- ~~(6) — The owner has committed an act or omission, or allowed a condition to exist at the non-owner occupied residential dwelling or unit that is a nuisance as identified in Chapter 17 of the Code of Ordinances.~~

~~Section 14-13 Effect of revocation or denial of property registration.~~

~~An owner whose property registration has been denied or revoked shall not permit occupancy of a non-owner occupied residential dwelling or unit until the non-owner occupied residential dwelling or unit is properly registered with the City and a property registration has been issued. Upon denial or revocation of a property registration, the owner shall immediately take such legal action as may be required to vacate the premises, including eviction proceedings. No person shall occupy the non-owner occupied residential dwelling or unit until the reason for denial or revocation of a property registration has been abated or corrected and the non-owner occupied residential dwelling or unit has been issued a property registration. Upon denial or revocation of a property registration, any application or inspection fees shall not be refunded.~~

~~Section 14-14 Right to a hearing upon revocation or denial.~~

~~An owner denied a property registration or whose property registration has been revoked shall have the right to a hearing before the Building Code Board of Examiners and Appeals, provided a written request is filed with the Building Code Board of Examiners and Appeals within ten (10) days after receipt of notice of denial or revocation. The Building Code Board of Examiners and Appeals may affirm a denial or revocation or reinstate any property registration after a hearing. The action of the Building Code Board of Examiners and Appeals shall be final and may be appealed to the circuit court within twenty-one (21) days from the date the Building Code Board of Examiners and Appeals makes the determination.~~

Section 14-150 Responsible Local Agent.

For a non-owner occupied residential dwelling or unit owned by a person or entity that resides **more than seventy-five (75) miles** outside of Jackson County, the property owner must designate a Responsible Local Agent who resides within seventy-five (75) miles of Jackson County. If the Responsible Local Agent is a corporation, limited liability company, partnership or other for-profit or non-profit entity, the address of the registered office or headquarters of the entity must be within seventy-five (75) miles of Jackson County.

Section 14-161 Notice to owner or Responsible Local Agent.

All notices required by Chapters 2.5, 4, 5, 12, 13, 14, 17, 26 or 28 concerning a non-owner occupied residential dwelling may be served by either first class mail, certified mail or personal service upon the owner or upon the Responsible Local Agent, if one has been designated.

| Section 14-~~17~~² Transfer of ownership.

If the ownership of a non-owner occupied residential dwelling or unit is transferred, any property registration under this article shall become void. An application for registration must be made at the time of closing by the purchaser, transferee, or grantee, and the seller of the non-owner occupied residential dwelling or unit must notify the City within ~~ten~~ **forty-five** (~~10~~⁴⁵) days of the sale or transfer and provide the name and address of the purchaser or transferee. A purchaser or transferee who intends to live in a single-family dwelling that was a non-owner occupied single-family dwelling prior to the sale or transfer, but will be an owner-occupied single-family dwelling after the sale or transfer, need not comply with registering the property once a transfer affidavit and proof that a 100% ~~primary-Principal~~ **Residency eExemption (PRE)** has been filed with the City Assessor. No refunds or credits of fees will be given when there is a transfer of ownership.

| Section 14-~~18~~³ Presumption of non-owner occupied residential dwelling or unit.

Whenever a residential dwelling or unit used for or intended for residential purposes is vacant or occupied by anyone other than the owner of record as shown in the records of the City Assessor, there shall exist a presumption that the dwelling or a portion of the dwelling is a non-owner occupied residential dwelling or unit regardless of whether monetary compensation is exchanged between the owner and the person(s) occupying the residential dwelling or unit.

| Section 14-~~19~~⁴ Fees and charges.

Application fees, inspection fees, applicable late fees as well as any other charges in connection with property registration shall be established by resolution of the City Council.

| Section 14-~~20~~¹⁵ Revenues.

All revenues raised shall be placed in a Housing Code Enforcement Fund. No part of the funds held in the Housing Code Enforcement Fund may be transferred to the general operating fund for any purpose.

| Section 14-~~21~~¹⁶ Disclaimer of liability.

The City shall not be liable to any person or entity by reason of the inspections required by this article or the issuance of a property registration. A property registration is not a warranty or guarantee that there are no defects in the non-owner occupied residential

dwelling or unit. The inspection of the land use, exterior and interior of the dwelling or unit is limited to visual inspection only. The City does not guarantee or approve, and shall not be held responsible for, defects not noted in any inspection report or for any latent, structural or mechanical defects thereto.

| Section 14-~~22~~**17** Penalties.

| ~~Conviction for~~ A violation of any provision of this article is a blight violation **punishable as subject to the penalties** provided in Chapter 2.5 of this Code. Each day that a provision of this article continues to exist is a separate offense. In the case of a multi-unit non-owner occupied residential dwelling, each unit that is in violation of any provision of this article constitutes a separate offense.

| Section 14-~~23~~**18** Abatement of Rent.

In addition to all other remedies provided for in this chapter, if a summary proceeding action is pending for a non-owner occupied residential dwelling or unit, and when there is no current, valid registration for a non-owner occupied residential dwelling or unit, no rent payments shall be accepted, retained, or recoverable by the owner or lessor of the non-owner occupied residential dwelling or unit for the period of time in which the non-owner occupied residential dwelling or unit was not registered under this article.

| Section 14-~~24~~**19** Severability.

If any provision of this article is determined to be unenforceable by a court, the remainder of this article shall be deemed severable and is to remain in full force and effect.

| **Secs. 14-20--14-25. Reserved.**

ARTICLE II. MINIMUM HOUSING STANDARDS

DIVISION 1. GENERALLY

All words and terms used in this article shall be given their common and normal meaning unless defined hereinafter. The words and terms defined hereinafter shall be given the meaning indicated in the interpretation and enforcement of this article. All other words and provisions of this article shall be interpreted so as to eliminate or prevent the conditions set out in findings and determinations of necessity.

Unless the context clearly indicates otherwise, when words are used in this article, the following rules of construction shall apply:

- (1) The singular includes and shall apply to the plural, and the plural applies to and includes the singular.
- (2) The masculine gender shall include the feminine and neuter, and feminine and neuter shall include the masculine.
- (3) Where the text uses the negative of a defined word, the negative of the definition shall be applied.
- (4) The definition of a verb or a noun shall be used in an appropriate fashion where the adverbial or adjectival form of the word is used.

Sec. 14-26. Definitions.

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

Abandoned dwelling means a dwelling which is unoccupied in ~~a bona fide~~ **any** manner for a period of more than six (6) months. A dwelling will be presumed abandoned when mortgage or tax foreclosure proceedings have been initiated for that property, no mortgage or tax payments have been made by the property owner for at least 90 days, and the property has been vacant for at least 90 days. **A dwelling may not be considered abandoned if all appropriate permits are issued, in force, and construction is ongoing.**

Accessory structure means a detached structure customarily incidental to the principal structure and located on the same lot with such principal structure including, but not limited to, detached garages, carports, sheds, fences, playhouses, and swimming pools. Accessory structure does not include tents, fabric covered assemblies, and shelters or storage containers.

Approved, as applied to a material, device or method of construction, means approved by the Chief Building Official under the provisions of this article, or approved by other authority designated by law to give approval in the matter in question.

Basement means that portion of a building partly underground, but having less than half its clear height below the average grade of the adjoining ground (See Cellar).

Building Code Board of Examiners and Appeals means the Board appointed by the Mayor and City Council to provide for reasonable interpretations of the provisions of the building code and the housing code.

Building code means the building codes officially adopted by the City Council; or such other codes as may be officially adopted by the City Council for the purpose of regulating the administration, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures. **Building codes officially adopted by the City Council include, but are not limited to:**

- (1) **Michigan Building Code as set forth in MCL 125.1501, et seq., R408.30401, as amended.**
- (2) **Michigan Electrical Code as set forth in MCL 125.1501, et seq., R408.30801, as amended.**
- (3) **Michigan Mechanical Code as set forth in MCL 125.1501, et seq., R408.30901, as amended.**
- (4) **Michigan Plumbing Code as set forth in MCL 125.1501, et seq., R408.30701, as amended.**
- (5) **Michigan Rehabilitation Code for Existing Buildings, as set forth in MCL 125.1501, et seq., R408.30551, as amended.**
- (6) **Michigan Residential Code as set forth in MCL 125.1501, et seq., R408.30501, as amended.**

Cellar means that portion of a building partly underground, having half or more than half of its clear height below the average grade of the adjoining ground.

Chief Building Official means the official designated by the **cityCity** to enforce building, zoning, or similar laws and this article, or his or her duly authorized representatives.

Dwelling means any building which is wholly or partly used, designed, or constructed for the purpose of, or intended to be used for human habitation.

- (1) *One-family dwelling* means a building containing one (1) dwelling unit.
- (2) *Two-family dwelling* means a building containing two (2) dwelling units.
- (3) *Multiple-family dwelling* means a building containing more than two (2) dwelling units.
- (4) *Boardinghouse, lodging house, or tourist house* means a building arranged or used for lodging with or without meals, for compensation.
- (5) *Dormitory* means a building arranged or used for lodging six (6) but not more than twenty (20) individuals and having common toilet and bathroom facilities.
- (6) *Hotel* means a building arranged or used for sheltering, sleeping or feeding, for compensation and open for permanent or transient guests.

Dwelling unit means one (1) or more rooms arranged for the use of one (1) or more individuals living together as a single housekeeping unit, with cooking, living, sanitary and sleeping facilities.

Egress means a place or means of going out.

Enforcement Officer means the official designated herein or otherwise charged with the responsibilities of administering this article, or his or her authorized representatives.

Exit door means that portion of a means of egress between the termination of the means of egress at the exterior of the dwelling or dwelling unit and the outside of the dwelling or dwelling unit.

Exterior property area means the open space on the premises and on adjoining property under the control of owners or operators of such premises.

Extermination means the control and elimination of insects, rodents, vermin or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poison, spraying, fumigating, trapping or by any other approved pest elimination methods.

Fire Official means the Chief of the Fire Department or his or her duly authorized representatives.

Floor area means the area of the floor contained within the partitions or walls enclosing any room over which floor the ceiling height is not less than the minimum height required by this article and excluding the floor area of any closets.

Flush water closet means a toilet bowl flushed with water under pressure or under static head with a water-sealed trap above the floor level.

Garbage means spoiled or discarded animal or vegetable material resulting from the handling, preparation, cooking or consumption of food for humans or animals, as well as other organic waste material subject to rapid decomposition, including trash to which such material has adhered. **This definition is not meant to preclude the composting of yard waste in an appropriate container as approved by the Chief Building Official.**

Gross floor area means the total floor area in a building or structure.

Habitable room means a room or enclosed floor space arranged for living, sleeping, eating or cooking purposes (not including bathrooms, water closet compartments, laundry rooms, pantries, foyers, hallways, storage rooms and other accessory floor spaces).

Hazard means that condition which presents a danger to the health and safety of persons and surrounding property.

Heated water means water heated to a temperature of not less than one hundred twenty (120) degrees Fahrenheit at the outlet.

Hotel (See Dwelling).

Human habitation means the use of any room, rooming unit, dwelling unit, building or premises for the purpose of living, sleeping, cooking or eating purposes by one (1) or more persons.

Infestation means the presence of insects, rodents, vermin or other pests.

Integral means incorporated in the design of the structure and performing a specific function or serving a specific purpose.

Kitchen means a room or portion of a room containing a minimum of seventy (70) square feet of floor area used for the preparation or consumption of food, and containing the facilities and equipped as provided in this article.

Kitchenette means a room or a portion of a room containing less than seventy (70) square feet of floor area used for the preparation of food, and containing the facilities and equipped as provided in this article.

Motel means the same as a hotel.

Multiple-family dwelling (See Dwelling).

Occupant means any person, over one (1) year of age (including owner or operator) living and sleeping in a dwelling or dwelling unit or having actual possession of such dwelling or dwelling unit.

Openable area means that part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Operator means any person who has charge, care, control or management of a building or part thereof in which dwelling units are let.

Owner means any person who, alone or with any other persons, shall:

- (1) Have a freehold or lesser estate in, or a land contract vendee's interest in, any premises, dwelling or dwelling unit, with or without accompanying actual possession thereof; or
- (2) Have charge, care or control of any premises, dwelling or dwelling unit, as owner or agent of the owner, or as executor, administrator, trustee or guardian of the estate of the owner.

Person means an individual, firm, corporation, association or partnership.

Plumbing means, but is not limited to, water heating facilities, water pipes, garbage disposal units, waste lavatories, bathtubs, shower baths, installed clothes washing machines, or other similar equipment, catch basins, drains, vents or other similarly supplied fixtures, together with all connections to potable water, sanitary sewer or vent lines.

Premises means a lot, plot or parcel of land including the buildings or structures thereon.

Public hall means a hall, corridor or passageway not within the exclusive control of one (1) occupant.

Refuse means, but is not limited to, garbage, rubbish, trash, debris, and junk; household appliances or furniture intended for interior use; inoperable, disassembled, or broken toys; mechanical or electrical devices or any kind; ferrous and non-ferrous metals; industrial sludge; solid commercial or industrial waste; or animal waste, but does not include human body waste, liquid, or other waste regulated by statute.

Responsible Local Agent means a representative of a person, corporation, partnership, firm, joint venture, trust, association, organization, or other entity having a legal or equitable interest in property who has authority to do the following:

- (1) Receive all official notices concerning housing, zoning, dangerous buildings and other ordinance violations on behalf of the owner of a non-owner occupied residential dwelling or unit, and any notice received by the responsible local agent shall be deemed to have been received by the property owner; and
- (2) Be responsible for providing access to the non-owner occupied residential dwelling or unit for any inspection necessary to ensure compliance with the terms of the City of Jackson Code of Ordinances.

Residence building means a building in which sleeping accommodations, with or without cooking facilities as a unit, are provided, except when classified as an institution under the building code.

Rooming house means any dwelling or that part of any dwelling containing one (1) or more rooming units.

Rooming units means any room or group of rooms forming a single habitable unit used or intended to be used for living or sleeping but not for cooking purposes.

Rubbish means combustible and noncombustible waste materials, except garbage; and the term shall include, but is not limited to, the residue from the burning of wood, coal, coke and other combustible materials; paper; rags; cartons; boxes; wood; excelsior; rubber; leather; tree branches; yard trimmings; tin cans; metals; mineral matter; glass, crockery; dust and other similar material.

Single-family, owner-occupied dwelling means any dwelling occupied by a single family of which one (1) or more members of the family are owners of the freehold of the premises or a lesser estate, or a land contract vendee's interest therein other than a tenancy for a period of time or at will.

Storage area means a room or space in an unoccupied basement, cellar, **attic**, ~~or~~ garage, **or any accessory structure** designated for the holding or keeping of materials which are intended for future use and drawn upon when needed.

Supplied means installed, furnished or provided by the owner or his or her authorized representative.

Temporary Structure means, but is not limited to, tents, fabric covered assemblies and shelters, or storage containers that are not fastened to a permanent foundation.

Unfit for human habitation means that dwelling or dwelling unit which is a hazard to the health and welfare of the occupants because it lacks maintenance or is in disrepair, lacks essential services (gas, water, electric and sewer), is unsanitary, or insect-, vermin-, or rodent-infested.

Ventilation means the process of supplying and removing air by natural or mechanical means to or from any space.

- (1) Natural - Ventilation by opening to outer air through windows, skylights, doors, louvers, or stacks without wind-driven devices.
- (2) Mechanical - Ventilation by power-driven devices.

Window means and includes a window, skylight, glazed door, glass block panel, or other light-transmitting medium.

Workmanlike means executed in a skillful manner such as generally plumb, level, square, in line, undamaged, without marring adjacent work, utilizing **as close to** identical material **as possible**, and finished to a completed state. Alternative methods and materials must be approved by the Chief Building Official or his or her designee.

Workshop area means a room or space in an unoccupied basement, cellar, or garage utilized for repairing articles.

(Code 1977, § 8.615; Ord. No. 91-13, § 2, 4-9-91)

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 14-27. Maintenance of facilities.

All dwellings shall be maintained and repaired in a workmanlike manner. All required and integral equipment in every dwelling shall be installed in accordance with the Michigan Building Code or Michigan Residential Code, and maintained in accordance with the provisions of the housing code so as to properly and safely perform intended functions.

(Code 1977, § 8.614; Ord. No. 93-6, § 1, 5-25-93)

Sec. 14-28. Purpose.

The purpose of this article is to protect the public health, safety and welfare of occupants in buildings used or intended to be used for human habitation as hereafter provided by:

- (1) Establishing minimum standards for exterior property areas, exterior structure, interior structure, basic facilities, light and ventilation, occupancy requirements, and fire safety. These standards are designed to be reasonably high but at the same time practical and attainable.
- (2) Fixing the responsibilities of owners, operators, occupants, and Responsible Local Agents of dwellings and dwelling units.
- (3) Providing for administration, enforcement and penalties.

(Code 1977, § 8.602; Ord. No. 91-13, § 1, 4-9-91)

Sec. 14-29. Applicability.

The provisions of this article shall apply to all existing structures used, designed and constructed for the purpose of or intended to be used for human habitation. The minimum standards required under this code are designed to prevent fire hazards, structural deterioration, inadequate light, air and heat, and unsanitary and overcrowded conditions which constitute a menace to the safety, health and welfare of the occupants.

This chapter also applies as a point of sale inspection for all sales of new or rehabilitated dwellings for which a ~~n~~Neighborhood ~~e~~Enterprise ~~z~~Zone Act certificate **as defined by PA 147 of 1992, as amended**, is in effect. Before any sale of such a dwelling, the Building Inspection Division must inspect the dwelling for compliance with all housing, construction, and safety codes. No sale may be finalized until the Department of Community Development issues a certificate of compliance.

(Ord. No. 2003.12, § 2, 9-2-03)

Secs. 14-30--14-40. Reserved.

DIVISION 2. ENFORCEMENT

Sec. 14-41. Enforcement agency.

The provisions of this article shall be enforced by the Chief Building Official, Fire Official, and the Chief of Police or their designated representatives.

(Code 1977, § 8.603)

Sec. 14-42. Inspections.

- (~~a~~1) In order that they may perform their duties to safeguard the health, safety and welfare of the occupants of dwellings and of the general public, the Chief Building Official, Chief of Police and Fire Official are hereby

authorized to make or cause to be made such inspections of dwellings or dwelling units as are necessary to enforce the provisions of this article. The inspections that are authorized for the purpose of enforcement of the provisions of this article shall be made at a reasonable time. The word "dwelling" as used in this paragraph shall include, but not be limited to, those categories of structures defined in section 14-26.

- (b2) The ~~building~~ Chief Building Official, Chief of Police and Fire Official shall inspect buildings and structures regulated by this article. Inspections may be conducted even though ~~an unexpired~~ a current certificate of compliance is on record with the Department of Community Development.
- (e3) An inspection shall be conducted in the manner best calculated to secure compliance with this article and appropriate to the needs of the community.
- (d4) In an emergency situation, the Chief Building Official, Chief of Police and Fire Official have the right to enter at any time. For purposes of this article, an emergency shall exist when the Chief Building Official, Chief of Police or Fire Official has reasonable grounds to believe that a condition hazardous to health or safety exists on the premises and requires immediate attention.
- (e5) In a nonemergency situation or where the owner or occupant of any dwelling demands a warrant for inspection of the premises, the Chief Building Official, Chief of Police or Fire Official shall obtain a warrant from a court of competent jurisdiction.

(Code 1977, § 8.604; Ord. No. 93-22, § 1, 10-12-93)

Sec. 14-42.1. Issuance of certificate of compliance.

The certificate of compliance shall be issued only upon an inspection of the premises by the Chief Building Official or his or her appointed designee.

- (a1) The Chief Building Official shall not issue a certificate of compliance when any existing condition constitutes a violation of this article.
- (b2) Upon a finding that there is not a condition that would constitute a violation of this article, the certificate of compliance shall be issued. Upon a finding that there is a condition that would constitute a violation of this article, the certificate of compliance shall not be issued, and an order to comply with this article shall be issued immediately and served upon the owner in accordance with section 14-45. Upon reinspection and proof of compliance, the order shall be rescinded and a certificate of compliance shall be issued. Subject to the provisions of subsection (e3), a certificate shall not be valid for a period of more than two (2) years.
- (e3) A certificate of compliance shall be issued on condition that the building or structure remains free from violations of this article. If upon reinspection pursuant to section 14-42 the Chief Building Official determines that conditions exist which constitute a violation of this article, the certificate shall be immediately suspended as to affected areas, and an

order to comply with this article shall be issued immediately and served upon the owner in accordance with section 14-45. On reinspection and proof of compliance, the order shall be rescinded and the suspended certificate reinstated or a new certificate issued.

(Ord. No. 93-22, § 2, 10-12-93)

Section 14-42.2 Reasons for revocation or denial of certificate of compliance.

A certificate of compliance may be denied or revoked by the Chief Building Official for any of the following reasons:

- (1) Whenever the City finds that the owner of any non-owner occupied residential dwelling or unit has failed to comply with a notice of violation issued pursuant to Chapter 14 of this Code;**
- (2) If an owner or responsible local agent has refused or failed to allow an inspection of the non-owner occupied residential dwelling or unit by a code enforcement official;**
- (3) An act, omission or condition exists at a non-owner occupied residential dwelling or unit that is unauthorized or beyond the scope of the property registration granted;**
- (4) The owner has committed an act or omission, or allowed a condition to exist at the non-owner occupied residential dwelling or unit that is prohibited by the provisions of this article or any other City ordinance, regulation or provision, or by any state or federal law;**
- (5) The owner has committed an act or omission, or allowed a condition to exist at the non-owner occupied residential dwelling or unit that is contrary to the public health, safety, and welfare of the citizens of Jackson; or**
- (6) The owner has committed an act or omission, or allowed a condition to exist at the non-owner occupied residential dwelling or unit that is a nuisance as identified in Chapter 17 of the Code of Ordinances.**

Sec. 14-43. Inspection fees.

- (a1)** The owner of a dwelling unit shall be charged by the Chief Building Official for inspections conducted pursuant to this article in accordance with the resolutions adopted by the City Council. The owner or occupant of property whose dwelling is inspected pursuant to a housing rehabilitation program or other housing assistance program of the **cityCity** shall not be charged for such inspection.
- (b2)** The first ten dollars (\$10.00) of any initial inspection fee imposed under this section shall be applied toward the issuance of a certificate of compliance required pursuant to PA 167 of 1968, as last amended.
- (e3)** If the owner fails to pay an invoice for inspection fees directed to him or her under section 14-43(a) within thirty (30) days, the **cityCity** may cause the costs reflected in said invoice to be assessed against the premises as a special assessment, pursuant to Serial Section 273 of the City Charter, and

may institute an action against the owner for the collection of said costs in any court of competent jurisdiction. However, the ~~city~~City's attempt to collect such costs by any process shall not invalidate or waive the lien upon the premises.

- (4) All revenues raised shall be placed in a Housing Code Enforcement Fund. No part of the funds held in the Housing Code Enforcement Fund may be transferred to the general operating fund for any purpose.

(Code 1977, § 8.605; Ord. No. 91-14, § 1, 4-23-91; Ord. No. 92-8, § 1, 5-19-92; Ord. No. 92-17, § 1, 10-20-92; Ord. No. 93-22, § 3, 10-12-93; Ord. No. 98-23, § 1, 8-18-98)

Sec. 14-44. Violations observed.

When violations of this article are observed, the Chief Building Official or his or her authorized representative shall file a written report of such violations with the Department of Community Development.

(Code 1977, § 8.606)

Sec. 14-45. Notices and orders.

Notice of violations of this article and orders for the correction of such violations shall be given to the owner or his or her agent within five (5) working days from the date of inspection. Notice shall:

- (1) Be in writing.
- (2) Identify the property involved, the day of the inspection and the name of the inspector.
- (3) Cite the conditions that constitute violations of this article.
- (4) State the time allotted for correction of the violations. Emergency hazards shall be corrected immediately. For purposes of this section, the time allotted for correction of nonemergency violations shall be no less than thirty (30) and no more than ninety (90) calendar days.
- (5) Inform the owner of his or her right to appeal to the Building Code Board of Examiners and Appeals.

(Code 1977, § 8.607)

Sec. 14-45.1. Transfer of ownership.

It shall be unlawful for the owner of any dwelling or dwelling unit who has received a notice of violation and order for correction, or upon whom a notice of violation and order for correction has been served, pursuant to section 14-45, to sell, transfer, or otherwise dispose of to another until the provisions of the notice of violation and order for correction have been complied with, or until such owner furnishes the grantee or transferee a true copy of said notice of violation and order for correction issued by the Chief Building Official, and shall furnish to the Chief Building Official a signed and notarized statement from the grantee or transferee acknowledging the receipt of such notice of violation and order for correction, and fully accepting the responsibility without

condition for making the corrections or repairs required by such notice of violation and order for correction.

(Ord. No. 91-12, § 1, 4-9-91)

Sec. 14-46. Notice to vacate.

When the Chief Building Official, Chief of Police or Fire Official finds any dwelling unfit for human habitation, he or she shall serve notice to vacate on the owner or his or her responsible local agent as follows:

- (1) **By personal service on the owner or the responsible local agent; or**
- (2) By ~~delivery~~ **personal service** to the owner, the responsible local agent, or to a person of suitable age and discretion at the owner's or responsible local agent's ~~usual~~ **abode** ~~last known address~~; or
- (~~2~~3) By first class mail addressed to the owner or his or her responsible local agent at his or her last known address; or
- (~~3~~4) By posting the notice for a twenty-four (24) hour period in placard form in a conspicuous place on the premises to be vacated. No person shall deface or remove such placard from any dwelling except by authority in writing from the Chief Building Official.

(Code 1977, § 8.608)

Sec. 14-47. Vacating of unfit building.

Any dwelling or dwelling unit which has been declared unfit for human habitation shall be vacated within a reasonable time as required by the Chief Building Official, Chief of Police or Fire Official. No person shall occupy such dwelling or dwelling unit until written approval is secured from the Chief Building Official.

(Code 1977, § 8.609)

Sec. 14-48. Correction of violation.

The time limit set for the correction of a violation may be extended by the Chief Building Official or the Building Code Board of Examiners and Appeals if the owner can show a good faith effort to comply with the repair order. Time limits may also be extended by the Chief Building Official for repairs which cannot be carried out within the allotted period because of the seasonal nature of the work to be done.

(Code 1977, § 8.610)

Sec. 14-49. Noncompliance cases.

If the owner or occupant fails to comply with the correction order contained in the notice of violation, the Chief Building Official may bring an action to enforce the provisions of this article.

If the violation constitutes an emergency, or the owner ignores the correction order, the Chief Building Official may cause the necessary repairs to be made or take other

corrective action up to and including condemnation and demolition of the structure, and the charges collected as a special assessment against the premises as provided in the Charter of the **cityCity**.
(Code 1977, § 8.611)

Sec. 14-50. Penalties.

~~Conviction for a~~ **A** violation of any provision of this article is a blight violation ~~punishable as~~ **subject to the penalties** provided in Chapter 2.5 of this Code. Each day of violation of a provision of this article relating to the physical condition of any dwelling shall constitute a separate violation.

(Code 1977, § 8.612; Ord. No. 2004.22, § 1, 11-9-04)

Editor's note: Section 2 of Ord. No. 2004.22 states: This amendment does not effect any existing litigation and does not abate any action or proceeding pending under or by virtue of this ordinance as it existed before this amendment if such litigation or proceeding was filed before December 31, 2004.

Sec. 14-51. Appeal.

The Building Code Board of Examiners and Appeals may grant a specific variance to any requirement of this article if the literal application of a requirement would result in practical difficulty for compliance with the particular section(s) at issue. An owner, or agent thereof, whose building has been inspected, may apply to the Building Code Board of Examiners and Appeals for a hearing for reconsideration of the notice of violation(s) and any correction order(s) contained therein. No variance shall be granted if same would result in either the purpose or the intent of the particular section(s) at issue being abrogated. The Building Code Board of Examiners and Appeals may attach in writing any conditions in connection with the granting of a variance that, in its judgment, are necessary to protect the health, safety and welfare of the people of the **cityCity**. In authorizing a variance, the Board shall require such evidence as it may deem necessary to insure that the purpose and intent of the particular section(s) at issue will be satisfied. In reviewing a request for a variance, the Board shall consider the following to determine whether practical difficulty exists:

- (1) Whether there are exceptional or extraordinary conditions applying to the property that do not apply to other similar properties;
- (2) Whether the exceptional or extraordinary conditions resulted from the action of the property owner;
- (3) Whether there exists alternative or equivalent methods or materials that would allow the purpose and intent of the particular section(s) at issue to be satisfied;
- (4) Whether strict compliance with the ordinance requirements would be unreasonably burdensome on the property owner;
- (5) Whether strict compliance with the ordinance requirements would cause a financial hardship for the property owner;
- (6) Whether the granting of a variance would result in a substantial detriment to the property; and

- (7) Whether the variance requested ~~is~~ is the minimum variance possible that would still allow the purpose and intent of the particular section(s) at issue to be met.

(Code 1977, § 8.613; Ord. No. 90-18, § 1, 9-11-90)

Sec. 14-52. Appeal application fee.

Any person who files an appeal with the Building Code Board of Examiners and Appeals pursuant to section 14-51 shall be obligated to accompany his or her appeal with an application fee established by City Council resolution. The Board may waive an application fee if it finds same would cause a financial hardship for the applicant.

(Ord. No. 92-17, § 2, 10-20-92)

Secs. 14-53--14-60. Reserved.

DIVISION 3. FIRE SAFETY

Sec. 14-61. Fire safety regulations.

No person shall occupy as owner-occupant, or let to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (1) Cooking and heating equipment. All cooking and heating equipment, components and accessories in every heating, cooking and water heating device shall be maintained free from leaks and obstructions, and kept functioning properly so as to be free from fire, health and accident hazards. All installations and repairs shall be made in accordance with the manufacturer's installation and maintenance instructions or other laws or ordinances of the ~~city~~City. Portable cooking equipment employing flame and portable heating equipment employing flame are prohibited, except that unvented fuel-burning room heaters equipped with oxygen depletion sensors and listed in accordance with ANSI Standard Z21.11.2 shall be permitted in single-family, owner-occupied dwelling units only.
- (2) Storage of flammable liquids prohibited.
 - a. No dwelling or dwelling unit shall be located within a building containing any establishment handling, dispensing or storing flammable liquids with a flashpoint of one hundred ten (110) degrees Fahrenheit or lower.
 - b. No dwelling or dwelling unit shall handle, dispense, or store flammable liquids with a flashpoint of one hundred ten (110) degrees Fahrenheit or lower.
- (3) Egress. The owner of every existing dwelling shall be responsible for the safety of all persons in or occupying such premises with respect to the adequacy of means of egress therefrom.
 - a. Any existing dwelling not now provided with exitway facilities as herein prescribed for new dwellings and in which the exitways are

deemed inadequate for safety by the Chief Building Official or Fire Official shall be provided with such additional safe means of egress as shall be ordered by the Chief Building Official or Fire Official.

- b. If new or altered exitway facilities are installed or constructed, they shall comply with all requirements of the Michigan Building Code or Michigan Residential Code.
- c. It shall be unlawful to obstruct or reduce in any manner the clear width of any doorway, hallway, passageway or any other exitway required by this article. All egress doors shall be readily openable from the side from which egress is to be made without the use of a key or special knowledge or effort. Double keyed deadbolt locks are strictly prohibited.
- d. Every sleeping room shall have at least one (1) window or one (1) door opening directly to the outside to serve as an emergency exit if the normal avenues of escape are blocked, which can be opened from the inside without the use of tools and of such size as required by the Michigan Building Code or Michigan Residential Code.
- e. Fire escapes shall be permitted only by special order of the Chief Building Official in existing buildings when more adequate exitway facilities cannot be provided. Fire escapes shall be constructed in accordance with Michigan Building Code.

(4) Fire suppression systems. Automatic fire suppression systems shall be provided in non-fire-rated storage and workshop areas larger than one hundred (100) square feet in area in multiple-family or mixed use residential structures.

(5) Smoke detectors. Smoke detectors shall be installed in accordance with the Michigan Building Code or the Michigan Residential Code.

(Code 1977, § 8.616; Ord. No. 98-13, § 1, 6-16-98)

Secs. 14-62--14-70. Reserved.

DIVISION 4. EXTERIOR STANDARDS

Sec. 14-71. Exterior property areas.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling, or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (1) Sanitation. All exterior property areas shall be maintained in a clean and sanitary condition free from any accumulation of rubbish, refuse or garbage and junk.

- (2) Prohibited uses. No horse, cow, calf, swine, sheep, goat, chickens, geese or ducks or any other livestock shall be kept in any dwelling, or accessory structure, or part thereof, or on any property.
- (3) Grading and drainage. All premises shall be graded and maintained so as to prevent the accumulation of stagnant water thereon, or within any building or structure located thereon. All cisterns and septic tanks must be disconnected and filled with sand **if not used for stormwater retention**.
- (4) Sidewalks and driveways. All sidewalks and driveways shall be maintained in sound condition in accordance with ASTM standards. Private sidewalks ~~and driveways~~ shall be concrete, brick or asphalt. **Expansions of existing driveways, parking areas, or sidewalks shall be paved concrete, brick or asphalt surfaces.**
- (5) Accessory structures. All accessory structures shall be maintained in a structurally sound condition and in good repair. No accessory structure shall be occupied as a dwelling.
- (6) Temporary structures. No temporary structure shall be occupied as a dwelling or maintained longer than 30 days.

(Code 1977, § 8.617; Ord. No. 94-3, § 1, 2-1-94)

Sec. 14-72. Exterior Building Envelope.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (1) Structure. Every foundation, wall and roof shall be reasonably weatherproof, waterproof and rodent-proof, shall be capable of privacy and kept in good repair.
 - a. The foundation elements shall adequately support the building at all points of the building footprint.
 - b. Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other condition which might admit rain, dampness or rodents to the interior portions of the walls, or which might provide harborage for insects or other vectors of disease. Exterior walls and wood trim shall be well and sufficiently painted so as to prevent same from deteriorating and becoming havens for rodents, insects and other vectors of disease. Defective paint that is suspected of containing lead levels in excess of allowable limits shall be treated or removed in accordance with established H.U.D. and E.P.A. guidelines.
 - c. The roof system shall be free of defects of any kind including, but not limited to, deflection **that is not a consequence of, or results in, an unsafe condition**, the admission of moisture, damage to structural members, sheathing, flashings, roof covering, ventilation, and drainage systems.
 - d. Gutters and downspouts shall be provided so as to prevent rainwater from causing dampness in the walls or interior portion of

the building and to prevent ground water from migrating to or entering into the basement walls or foundation.

- (2) Stairs and porches. Every inside and outside stair, every porch and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the loads to which they are subjected and shall be kept in sound condition and in good repair. In the case of stairs with four (4) or more risers, the stairway shall be equipped with a full length handrail and/or guardrail. Such handrails and guardrails shall be installed in accordance with the Michigan ~~Residential-Building~~ Code or the Michigan ~~Building-Residential~~ Code.
- (3) Openings. Every window, exterior door, and basement hatchway and their frames shall be maintained in good repair, operate as designed and intended, and shall be weatherproof, rodent-proof, and waterproof.
- (4) Chimneys. All chimneys shall be maintained in sound condition, free of holes and breaks and operate as intended. All chimneys shall be properly capped and supplied with an appropriate cleanout. The top of the chimney shall be at least two (2) feet above any point on the roof within a ten (10) foot radius of the chimney, but shall not be less than three (3) feet above the highest point where the chimney passes through the roof.
- (5) Street numbers. All buildings shall bear distinctive street numbers at least four (4) inches in height at or near the front entrance of such building. The owners of all buildings shall cause the correct numbers to be placed thereon. All numbers shall be facing the street, shall be of a contrasting color and in such a position as to be plainly visible from the street. The use of Arabic numerals is required.

(Code 1977, § 8.621)

Secs. 14-73--14-80. Reserved.

DIVISION 5. INTERIOR STANDARDS

Sec. 14-81. Interior structure.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (1) Free from dampness. All the interior areas of the dwelling, including the cellar, basement and crawl space, shall be maintained reasonably free from dampness to prevent conditions conducive to decay or deterioration of the structure.
- (2) Structural members. The supporting structural members of every dwelling or dwelling unit used for human occupancy shall be maintained in a structurally sound manner with no evidence of deterioration that would render them incapable of supporting the imposed load.

- (3) Stairs and railings. Every stair, ~~every~~ porch, and ~~every~~ appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the loads to which they are subjected and shall be kept in sound condition and in good repair. In the case of stairs with four (4) or more risers, the stairway shall be equipped with a full length handrail and/or guardrail. Such handrails and guardrails shall be installed in accordance with the Michigan ~~Residential Building~~ Code or the Michigan ~~Building~~ **Residential** Code.
- (4) Bathroom and kitchen floors. The floor surface of all bathrooms, kitchens and water closets shall be constructed of impervious material and maintained so as to permit such floor to be easily kept in a clean and sanitary condition. This subsection shall not be construed to prohibit carpeting placed over a floor impervious to water.
- (5) Sanitation.
 - a. Cleanliness before occupancy. No owner shall permit any vacant dwelling unit or premises to be inhabited by new occupants unless such dwelling unit or premises are clean, sanitary and fit for human occupancy.
 - b. Responsibility. The interior of every dwelling and multiple dwelling used for human habitation shall be maintained in a clean and sanitary condition by the occupant. The owner shall be responsible for maintaining the structure and premises thereof which he occupies and controls.
 - c. No room or area of a dwelling or dwelling unit shall be so cluttered as to prevent access to egress, utilities, or mechanical components of the structure.
 - d. Rubbish, **refuse**, and garbage. Rubbish, **refuse**, and garbage shall be kept inside temporary storage facilities according to the requirements of chapter 12 of this Code. The owner of every dwelling shall supply approved containers with tightly fitting covers for the temporary storage of ~~garbage and~~ rubbish, **refuse, and garbage** prior to removal.
 - e. Insect and rodent harborage. Buildings used for human habitation shall be kept free from insect and rodent infestation. The owner of every dwelling shall be responsible for the extermination of all insects, rodents and other pests within a dwelling.
 - f. Interior cabinetry. Bathroom, kitchen, and kitchenette cabinetry and countertops shall be maintained in **sound condition and a clean and sanitary condition and in good repair** ~~proper working order~~.
 - g. Interior walls, ceilings and floors. Every interior wall, ceiling and floor shall be maintained in sound condition and in good repair. Walls shall be capable of affording privacy for the occupants. Interior walls, ceilings and trim shall be kept free from defects in painted surfaces. Defective paint is paint on surfaces which is cracking, scaling, chipping, peeling or loose. Defective paint that is

suspected of containing lead levels in excess of allowable limits shall be treated or removed in accordance with established H.U.D. and E.P.A. guidelines.

(Code 1977, § 8.622)

~~DIVISION 6. MINIMUM FACILITIES STANDARDS~~

Sec. 14-82. Basic facilities requirements.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (1) Cooking and kitchen facilities. Except for efficiency apartments, no food shall be prepared in any room used for sleeping purposes. No kitchen or cooking accommodations shall be permitted or maintained in any room or space in any building for the common or joint use of the occupants of more than one (1) dwelling or unit.
- (2) Sanitary facilities.
 - a. Bathroom. Every dwelling or dwelling unit shall contain a room which affords privacy, employing the use of a door and a panic-proof lock set, to a person within such room, and which is equipped with a flush water closet, a lavatory basin, and a bathtub or shower in good working condition and properly connected to a potable water and sanitary sewage system. The lavatory basin may be located outside such room provided it is adjacent thereto. The lavatory basin and bathtub or shower shall be properly connected with both hot and cold potable water lines.
 - b. In rooming houses, boarding houses, lodging houses or tourist houses, there shall be at least one (1) bathroom for every four (4) occupant rooms. Each bathroom shall be located on the same level as the rooms they serve.
 - bc. Kitchen sink. Every dwelling unit shall contain a kitchen sink in good working condition, and properly connected to hot and cold potable water lines and to an approved sanitary sewage system.
 - ed. Plumbing fixtures. Plumbing fixtures shall be arranged so as to prevent the wetting of supporting framework. The space beneath such fixtures shall be accessible and shall not be so enclosed as to prevent ventilation sufficient to maintain dry and sanitary conditions.
- (3) Water connection and water heating facilities. Every kitchen sink, lavatory basin, bathtub or shower, water closet, and laundry facility shall be properly trapped and vented, shall have faucets and fixture fittings, and shall be properly connected to an adequate potable water system and public sanitary sewer system if available in accordance with the Michigan Plumbing Code.

- a. All water distribution piping shall be **properly supported and** capable of supplying water at forty (40) pounds minimum pressure, eighty (80) pounds maximum pressure, and flow rates (gpm) in accordance with the Michigan Plumbing Code at every required kitchen sink, lavatory basin, bathtub shower and laundry facility.
 - b. Every dwelling ~~unit~~ shall be supplied with water heating facilities which are installed in an approved manner, properly maintained and properly connected with hot water lines to those fixtures which are required in the above subsection to be supplied with hot water. Water heating facilities shall be capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub shower and laundry facility or other similar units at a temperature of not less than one hundred twenty (120) degrees Fahrenheit at any time needed.
- (4) Heating facilities. Every dwelling ~~unit~~ shall have heating facilities which are properly installed, are maintained in safe and good working condition and are capable of safely and adequately heating all habitable rooms and bathrooms in every dwelling unit located therein to a temperature of at least seventy (70) degrees Fahrenheit with an outside temperature of ten (10) degrees below zero, and with the measurement being taken three (3) feet above the floor level in accordance with the Michigan Mechanical Code. **All gas piping shall be properly supported.**
- (5) Electrical system.
- a. Each habitable room shall be provided with a minimum of two (2) duplex receptacles conveniently located to adequately supply the electrical fixtures and appliances therein.
 - b. Kitchen receptacles shall be individually grounded. Countertop receptacles shall be protected by a ground fault circuit interrupter.
 - c. Each bathroom shall be provided with at least one (1) duplex receptacle located within three (3) feet of the sink and shall be protected by a ground fault circuit interrupter.
 - d. A dedicated circuit shall be provided for the laundry appliances. The laundry area shall be provided with at least one (1) duplex receptacle located adjacent to the laundry appliances and shall be protected by a ground fault circuit interrupter.
 - e. A dedicated circuit shall be provided for the furnace, with a disconnect located within sight of the furnace.
 - f. All outside receptacles shall be protected by a ground fault circuit interrupter.
 - g. Three-way switching shall be provided for all stairways with **six (6) or more** ~~than six (6) stairs.~~ **risers. Three-way switching is not required if the stairway is continuously illuminated or the lights are automatically controlled.**
 - h. Every room or space including, but not limited to, habitable rooms, hallways, stairways, bathrooms, kitchens, laundry rooms, garages,

utility rooms, basements, cellars, crawlspaces, work rooms, or storage rooms shall be provided with ~~ceiling~~-a lighting fixture controlled by a switch at the entryway except that:

1. A habitable room may be provided with a switched receptacle or a duplex receptacle located within six (6) feet of the entrance doorway.
 2. The light provided for the laundry equipment area may be connected to the dedicated laundry circuit.
 3. An attic that is accessible by stairs shall be provided with at least one (1) light outlet switched near the entryway.
 4. Each main entrance shall be provided with a suitable lighting fixture outside of the door and a switch convenient to the door. Each enclosed porch shall be provided with a suitable lighting fixture outside the door.
 5. All garages shall be provided with at least one (1) inside lighting fixture, a ground fault circuit interrupter protected outlet, and a switched lighting fixture outside the service door. If the exterior of the service door is adequately illuminated by other lighting, a lighting fixture outside of the service door is not required.
- i.** The electrical service must have an ampacity of not less than the load served.
- ~~10~~**j.** Existing electrical services that do not comply with subsection **9(5)(i)** above shall be upgraded in accordance with the **Michigan Residential Building Code** or Michigan **Building Residential Code**.
- ~~11~~**k.** The following requirements are in addition to the requirements of subsections **(5)(a)(1)** through and including subsection ~~10~~**(5)(j)** for two-family and multiple-family dwellings:
- ~~a.~~ ~~Each dwelling unit shall be provided with a separate service.~~
 - ~~b~~**1.** Each occupant shall be provided access to his or her respective service disconnecting means and over-current protection devices.
 - ~~e~~**2.** Common areas shall **not** be ~~provided with~~ **fed from a dwelling unit panelboard.** ~~separate service.~~
- ~~12~~**l.** Evidence of inadequate or unsafe wiring in an existing dwelling shall include, but is not limited to, any of the following:
- ~~a~~**1.** The use of extension cords in lieu of permanent wiring.
 - ~~b~~**2.** Oversized fuses or circuit breakers.
 - ~~e~~**3.** Improper extensions to the wiring system.
 - ~~d~~**4.** Overloading of service or branch circuits.
 - ~~e~~**5.** Misuse of electrical materials and equipment.
 - ~~f~~**6.** Insufficient receptacles in a rooms or area.
 - ~~g~~**7.** Lack of operable lighting as required in subsection **8(5)(h)**.

- ~~13~~**m.** Every non-conforming structure or use is permitted to remain or continue, provided, that:
- 1.** The structure or use complies with all applicable provisions of the zoning ordinance;
 - ~~b~~**2.** The structure has not been vacant for more than 180 days;
 - ~~e~~**3.** Repairs to a structure do not increase the non-conformity of the structure or use; **or**
 - ~~d~~**4.** Repairs of any part of a structure or system ~~does~~**do** not alter the existing design or installation of the structure or system being repaired.

(Code 1977, § 8.618; Ord. No. 94-16, § 1, 11-30-94)

Secs. 14-~~92~~**83**--14-100. Reserved.

DIVISION ~~7~~**6**. MINIMUM STANDARDS FOR LIGHT AND VENTILATION

Sec. 14-101. Minimum requirements.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (1) Windows. Every habitable room and bathroom shall have at least one (1) window or skylight facing directly to the outdoors or to a court. The minimum total window area measured between stops for every habitable room shall be at least eight ~~(8)~~ percent (**8%**) of the total floor area of such room. All windows shall be fully operational and the sashes shall be capable of remaining open with approved sash control devices. This requirement is waived if the room is provided with adequate artificial lighting.
- (2) Ventilation. Every habitable room and bathroom shall have at least one (1) window that can be easily opened and will adequately ventilate the room. The total openable window area in every habitable room shall be at least four ~~(4)~~ percent (**4%**) of the total floor area of such room. This requirement is waived if the room is provided with adequate mechanical ventilation.
- (3) Egress window. Any room that may be used for sleeping purposes shall be supplied with an egress window in compliance with the Michigan ~~Residential Building~~ Code or Michigan ~~Building Residential~~ Code.
- (4) Light and ventilation in public halls and stairways. Every public hall and stairway serving dwellings, excluding one- and two-family dwellings and townhouses, shall be adequately lighted at all times, and shall be provided with as much ventilation to the outer air as required by the Michigan Building Code. This language shall not be construed to exempt one- and two-family dwelling units and townhouses from the requirements of the Michigan Residential Code.

- (5) Storm-screen units. The owner of a dwelling shall be responsible for all storm-screen units.
- a. Doors. Every uninsulated door opening directly from any dwelling or dwelling unit to the outdoors that may be used for ventilation purposes shall be supplied with a storm-screen unit. Every insulated door shall be provided with a screen only. Every hinged screen or storm-screen door in a dwelling or dwelling unit shall have a self-closing device in good working condition.
 - b. Windows. Every uninsulated window opening directly from any dwelling or dwelling unit to the outdoors that may be used for ventilation purposes shall be supplied with a storm-screen unit. Every insulated window shall be provided with a screen only. Each basement or cellar window, when open for ventilation, shall be screened and every other opening to a basement which might provide an entry for rats or other vermin shall be supplied with a screen or other device as to effectively prevent their entrance.

(Code 1977, § 8.619)

Secs. 14-102--14-110. Reserved.

| DIVISION 87. MINIMUM SPACE REQUIREMENTS

Sec. 14-111. Occupancy requirements.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling or dwelling unit, for the purpose of living therein which does not comply with the following requirements:

- (1) Minimum room widths. A habitable room, other than a kitchen, shall not be less than seven (7) feet in any plan dimension. Kitchens shall have a clear passageway of not less than three (3) feet between counterfronts and appliances, or counterfronts and walls.
- (2) Minimum ceiling heights. In all existing habitable spaces, hallways, laundry areas, bathrooms, toilet rooms, and habitable basement areas shall have a clear ceiling height of not less than six (6) feet six (6) inches.
Exceptions:
 - a. In one- and two-family dwellings, beams or girders spaced not less than four (4) feet on center and projecting not more than six (6) inches below the required ceiling height.
 - b. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study, or recreation purposes, having a ceiling height of not less than six (6) feet six (6) inches with not less than six (6) feet four (4) inches of clear height under beams, girders, ducts, and similar obstructions.
 - c. Rooms occupied exclusively for sleeping, study, or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least six (6) feet six (6) inches over

not less than one-third (1/3) of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of five (5) feet or more shall be included.

- (3) Bedroom and living room requirements. Every bedroom and living room shall comply with the requirements of (a) through (c) below.
 - a. Room area. Every **dwelling unit shall have at least one (1) habitable living room that shall contain at least have not less than** one hundred twenty (120) square feet **of gross floor area**, and every bedroom shall ~~contain at least~~ **have a floor area of not less than** seventy (70) square feet.
 - b. Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces. Exception: units that contain fewer than two (2) bedrooms.
 - c. Water closet accessibility. Every bedroom shall have access to at least one (1) water closet and one (1) lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom, or an adjacent story.
- (4) Prohibited occupancy. Kitchens, kitchenettes, and non-habitable spaces shall not be used for sleeping purposes.
- (5) Minimum sleeping space. In every dwelling unit, every room occupied for sleeping purposes by one (1) occupant shall contain at least seventy (70) square feet of floor space. Every room occupied for sleeping purposes by more than one (1) occupant shall contain at least fifty (50) square feet of floor space for each occupant.
- (6) Fire separation walls. In two-family and multiple-family residential structures, and mixed-use structures, each dwelling unit shall be completely separated from the adjacent dwelling unit by fire separation walls and floor/ceiling assemblies in accordance with the Michigan Building Code or Michigan ~~Residential~~ **eCode**. In mixed-use occupancies, the fire separation rating between residential and non-residential uses shall be in accordance with the Michigan Building Code. Attached garages in all dwellings shall be completely separated from the adjacent dwelling by fire separation walls and floor/ceiling assemblies in accordance with the Michigan Building Code or Michigan Residential Code.
- (7) Lodgers prohibited. The Chief Building Official may prescribe conditions under which lodgers or boarders may be permitted in dwellings. It shall be the duty of the owner to see that the requirements of the Chief Building Official are complied with at all times. A failure to so comply on the part of any occupant, after due and proper notice from the owner shall be deemed sufficient cause for the summary eviction of such occupant and the cancellation of his or her lease. A failure to so comply on the part of any occupant after due and proper notice from the Chief Building Official

shall be deemed sufficient cause to order the property vacated. The provisions of this section may be extended to owner-occupied dwellings, as may be found necessary by the Chief Building Official.

- (8) Thermal environment. Every nonhabitable attic space shall be insulated with an NFPA rated insulation material to a minimum value of R-13 or above so as to provide minimum thermal protection.

(Code 1977, § 8.620)

Secs. 14-112--14-120. Reserved.

ARTICLE III. HOUSING COMMISSION

Sec. 14-121. Continuation.

The Jackson Housing Commission heretofore created pursuant to Act No. 18 of the Public Acts of Michigan of 1933, Extra Session (MCL 125.651 et seq., MSA 5.3011 et seq.), as amended, is hereby continued.

(Code 1977, § 1.203(1))

Sec. 14-122. Membership.

The members of the ~~h~~**H**ousing ~~e~~**C**ommission shall be appointed in conformity with a resolution adopted by the ~~city council~~**City Council** in accordance with Section 4 of Michigan Public Act 18 of 1933 (Ex. Session) as last amended.

(Code 1977, § 1.203(2); Ord. No. 2000.1, § 1, 1-11-00)

Sec. 14-123. Powers and duties.

The ~~h~~**H**ousing ~~e~~**C**ommission shall have all the powers and duties vested or permitted to be vested in housing commissions by Act No. 18 of the Public Acts of Michigan of 1933, Extra Session (MCL 125.651 et seq., MSA 5.3011 et seq.), as amended, and any laws which are supplemental thereof, it being the legislative intention to vest in the ~~housing commission~~**Housing Commission** all powers and duties permitted by law.

(Code 1977, § 1.203(3))

Sec. 14-124. Employees.

The ~~h~~**H**ousing ~~e~~**C**ommission shall select and appoint such employees as it shall deem necessary for the proper exercise of its powers, functions and duties and shall pay them such compensation as it shall, with the approval of the ~~mayor~~**Mayor**, fix and determine.

(Code 1977, § 1.203(4))

Secs. 14-125--14-130. Reserved.

ARTICLE IV. FAIR HOUSING

Sec. 14-131. Definitions.

- (a) The terms used to classify groups protected by the provisions of this article shall have the same meaning as used in Act No. 453 of the Public Acts of Michigan of 1976 (MCL 37.2101 et seq., MSA 3.548(101) et seq.), as amended (Elliot-Larsen Civil Rights Act).
- (b) The term "source of income" means only lawful sources from which income is derived. When used in this article this term shall not be deemed to preclude a good faith business decision by an owner, lessee or sublessee of real property that an individual be denied access to housing due to his inability to meet the financial burdens attendant to the purchase, lease or sublease of such housing accommodation.
- (c) The term "respondent" means the person alleged to have violated this article. It shall refer also to the person authorized to answer the complaint if that person is not the alleged violator.

(Code 1977, § 9.155)

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 14-132. Discrimination in sale, lease or rental prohibited.

It shall be unlawful for any owner, lessee or sublessee of real property, or any agent or representative thereof, to refuse to sell, exchange, rent or lease any housing accommodation of any sort within the **cityCity** because of an individual's religion, race, color, national origin, age, sex, familial status, handicap (disability) or source of income.
(Code 1977, § 9.150)

Sec. 14-133. Discrimination in lending prohibited.

It shall be unlawful for any person to discriminate in the lending of money, guaranteeing of loans, accepting of mortgages or otherwise making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation of any sort within the **cityCity** because of an individual's religion, race, color, national origin, age, sex, familial status, handicap (disability) or source of income.
(Code 1977, § 9.151)

Sec. 14-134. Discrimination by real estate broker or employee prohibited.

It shall be unlawful for any real estate broker, or employee of a real estate broker, to refuse to accept offers to purchase, offers to lease or any other proposed agreements with reference to the sale, exchange or lease of real property because of an individual's religion, race, color, national origin, age, sex, familial status, handicap (disability) or source of income.
(Code 1977, § 9.152)

Sec. 14-135. Discrimination in terms and privileges prohibited.

It shall be unlawful for any owner, lessee or sublessee of real property or any other person concerned with a real estate transaction to discriminate against an individual involved in such transaction because of that individual's religion, race, color, national origin, age, sex, familial status, handicap (disability) or source of income.
(Code 1977, § 9.153)

Sec. 14-136. Publication indicating certain preferences prohibited.

It shall be unlawful for any person to publish, circulate, issue, display, or cause to be published, circulated, issued or displayed, any communication, notice, advertisement or sign relating to the sale, rental or lease of real property within the ~~city~~City indicating exclusion of or preference for any person or group of persons based upon religion, race, color, national origin, age, sex, familial status, handicap (disability) or source of income.
(Code 1977, § 9.154)

Sec. 14-137. False or substantially misleading statements prohibited.

It shall be unlawful for any person to knowingly or intentionally present a false or substantially misleading statement to authorities charged with enforcement of this article, or to sign a complaint for violation of this article, knowing that it is based upon false or substantially misleading information.
(Code 1977, § 9.156)

Sec. 14-138. Exclusions.

This article shall not apply to the:

- (1) Rental of a housing accommodation in a building which contains housing accommodations for not more than two (2) families living independently of each other, if the owner or lessor or a member of his family resides in one (1) of the housing accommodations.
- (2) Rental of a room in a single-family dwelling by the owner or lessor if he or a member of his family resides therein.
- (3) Rental of a housing accommodation for a period of time not to exceed twelve (12) months by the owner or lessor where it was occupied and maintained as his home for at least three (3) months immediately prior to occupancy by the tenant and is temporarily vacated while being maintained as a legal residence.
- (4) Restriction by a religious organization or institution of facilities for housing or accommodation, to persons of the denomination involved.
- (5) Limitation of occupancy in a federally funded housing project or to the provision of federally funded public accommodations, assistance, or services to persons of low income, over fifty (50) years of age, or who are handicapped.
- (6) Limitation by an educational institution of the use of its facilities to those affiliated with such institution.

- (7) Practice by the owner of an owner-occupied one- or two-family dwelling, housing accommodations, or public accommodation devoted entirely to the housing and accommodation of individuals of one (1) sex, to restrict occupancy and use of the facility on the basis of an individual's sex.

(Code 1977, § 9.157)

Sec. 14-139. Rules.

| The ~~city attorney~~ **City Attorney** is hereby authorized to promulgate any rules and forms deemed necessary to implement the provisions of this article.

(Code 1977, § 9.158)

Sec. 14-140. Penalties.

Any person violating any of the provisions of this article may, upon conviction thereof, be sentenced to pay a fine of not more than five hundred dollars (\$500.00) or be imprisoned for not more than ninety (90) days or both.

(Code 1977, § 9.159)

Secs. 14-141--14-150. Reserved.

ARTICLE V. NON-RESIDENTIAL BUILDINGS

DIVISION 1. IN GENERAL

Sec. 14-151. Findings and determination of necessity.

| The City Council finds that there are many non-residential buildings in the ~~city~~ **City** which are poorly maintained or neglected by their owners. These buildings adversely affect citizens who own or occupy nearby buildings and dwellings by lowering property values and rental values. Many of these poorly maintained and neglected buildings have become so dilapidated that occupancy is no longer economically feasible. This increases the incidence of vandalism and fire. The City Council finds that the elimination and prevention of these conditions is necessary and is in the best interest of the ~~city~~ **City** and its citizens.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-152. Purpose.

| The purpose of this article is to maintain, preserve and improve the stock of non-residential buildings in the ~~city~~ **City**. To accomplish this, this article sets out minimum standards for the exterior maintenance of all non-residential buildings. In carrying out this purpose, it is the intention of the City Council to exercise its full powers to protect the public health, safety and welfare, whether the powers so exercised are derived from the Constitution, state law or the City Charter.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-153. Interpretations.

All words and terms used in this article shall be given their common and normal meaning unless defined hereinafter. The words and terms defined hereinafter shall be given the meaning indicated in the interpretation and enforcement of this article. All other words and provisions of this article shall be interpreted so as to eliminate or prevent the conditions set out in findings and determinations of necessity.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-154. General term usage.

Unless the context clearly indicates otherwise, when words are used in this article, the following rules of construction shall apply:

- (1) The singular includes and shall apply to the plural, and the plural applies to and includes the singular.
- (2) The masculine gender shall include the feminine and neuter, and feminine and neuter shall include the masculine.
- (3) Where the text uses the negative of a defined word, the negative of the definition shall be applied.
- (4) The definition of a verb or a noun shall be used in an appropriate fashion where the adverbial or adjectival form of the word is used.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-155. Definitions.

[The following words, terms and phrases, when used in this article, will have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Basic structural elements means the parts of a building which provide the principal strength, stability, integrity, shape and safety of the building, including, but not limited to plates, studs, joists, rafters, stringers, stairs, sub-flooring, flooring, sheathing, lathing, roofing, siding, window frames, door frames, porches, railings, eaves, chimneys, flashing, masonry and all other essential components.

Building means any structure upon a property, presently or formerly used or intended to be used in whole or in part for the purpose of commerce, trade, manufacture, business, government, worship, education, office, medical, storage or other non-residential purpose.

City means the municipal corporation that is the City of Jackson and includes all authorized agents of the City of Jackson, when acting within the scope of their authority.

Court means a court of competent jurisdiction.

Deteriorate means to decay, decompose or degenerate.

Deterioration or deteriorated means the fact or process of decay or degeneration which has progressed to the point where it has resulted in or will soon result in making an object or mechanism unsafe, unsanitary, inoperable, unusable or unsuitable for its intended use, including, but not limited to the advanced stage of rot, rust, mold, vermin ingestion, infestation or destruction.

Emergency means a condition of imminent danger calling for immediate action in order to avoid death, injury or illness to a human or the destruction or severe damaging of real or personal property.

Garbage means any spoiled or discarded animal or vegetable material resulting from the handling, preparation, cooking or consumption of food for humans or animals, as well as other organic waste material subject to rapid decomposition, including trash to which such material has adhered. **This definition is not meant to preclude the composting of yard waste in an appropriate container as approved by the Chief Building Official.**

Good repair means to be properly installed, stable and maintained sufficiently free of defects or deterioration so as to be functional for its present use and to be safe and sanitary.

Good workmanship means executed in a skillful manner such as generally plumb, level, square, in line, undamaged, without marring adjacent work, utilizing **as close to** identical material **as possible**, and finished to a completed state. Alternative methods and materials must be approved by the Chief Building Official or his or her designee.

Non-residential means any structure or portion of a structure occupied or intended to be occupied, in whole or in part, for a use other than a dwelling, home, residing place, living space or sleeping space for one (1) or more human beings, either permanently or transiently.

Owner or ownership means any person holding legal or equitable title to a property or to real improvements upon a property, solely, jointly, by the entirety, in common, or as land contract vendee. Owner shall also mean any person who in fact has been empowered to act on behalf of, or as the agent of the owner. Owner shall also mean a person who has or exercises care, custody, dominion or control over any property. Owner shall not include any person who is a tenant.

Person means a human individual, as an association of individuals, a public, private or not-for-profit corporation, a firm or partnership.

Premises means property.

Property means any lot or parcel of land inclusive of any building or improvements located thereon.

Regular mail means that class of mail designed by the U.S. Postal Service as "first class" mail. Regular mail shall also include post cards and postal cards.

Responsible person means an owner or a person or persons designated in this article as being responsible for meeting the standards of this article.

Sanitary means free of grease, excrement, dirt, food residue, garbage, rust or similar matter which can harbor bacteria unsafe to humans or animals, or which produces strong odors or which provides for, or is an available source of food for, animals or insects.

Structure means anything constructed or placed upon a property which is supported by the ground or which is supported by any other structure, except a currently licensed vehicle.

Trash means waste materials and items which are not in good repair or are discarded and which are of little or no value, including, but not limited to plaster, paper, wrappings, plant cuttings, household furnishings, building materials, packing and clothing, appliances, equipment, machinery or parts thereof.

Unsafe means a condition which is reasonably likely to do harm to humans or property if not corrected or stopped.

Vermin means rodents, birds and insects which are destructive of real or personal property or injurious to health.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-156. Applicability.

The provisions of this article shall apply to any person owning, occupying, managing or controlling any non-residential building in the **cityCity** as identified by this article.
(Ord. No. 2001.8, § 1, 4-10-01)

Secs. 14-157--14-200. Reserved.

DIVISION 2. PROPERTY MAINTENANCE STANDARDS

Sec. 14-201. Property maintenance required.

All buildings, regulated by this article, whether occupied or unoccupied and all property on which the buildings are located shall meet or exceed the standards of this article.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-202. Structural integrity.

Basic structural elements, foundations, foundation walls and supporting columns shall be in good repair.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-203. Exterior surfaces.

All exterior finish surfaces shall be weatherproof and in good repair and shall not have any holes, cracks or deterioration which allow water or vermin to reach any basic structural element or to enter the interior of any building.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-204. Protection of exterior surfaces.

All exterior surfaces of a building or structure made of iron, wood, steel, masonry or other materials which may deteriorate from exposure to weather shall be protected from the weather by a properly applied weather-resistant paint, stain or other waterproof finish. Primers shall be properly covered with a water-resistant finish coating.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-205. Exterior windows and doors.

All exterior windows and doors shall be weatherproof and in good repair, or shall be secured against weather by boarding. If required, the boarding shall be one-half (1/2) inch CDX plywood cut to fit the window or door casing, painted to match the exterior, and secured with a minimum of one and one-quarter (1.25) inch galvanized screws located at the corners and spaced every seven (7) inches around the perimeter of the boarding.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-206. Exterior attachments.

Exterior attachments to basic structural elements, including but not limited to gutters, downspouts, screening, vents, antennae, tanks, awnings, canopies, marquees, signs, lighting fixtures, handrails, guardrails and utility connections shall be in good repair, and shall comply with all other provisions of the Jackson City Code.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-207. Accessory improvements.

All accessory improvements located on a property, including but not limited to walkways, driveways, parking areas, storm drains, parking bumpers, steps, handrails, guardrails, signs, lighting fixtures, poles, fences, walls, tanks and antennae shall be in good repair and shall comply with all other provisions of the Jackson City Code.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-208. Outdoor storage.

Outdoor storage of materials of value shall not be permitted to be located between the street and the building and not closer than three (3) feet to any side or rear lot line. Materials of value shall be stored in a safe and sanitary manner, shall not be scattered about and shall not have openings nor be stacked in a manner which may provide harborage for vermin.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-209. Trees and shrubs.

No tree or shrub shall be allowed to damage a building or block safe vision or access to a sidewalk, drive or street. No dead tree shall be permitted on any property regulated by this article.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-210. Health and sanitation.

All exterior areas shall be sanitary and free of trash and garbage.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-211. Tenant responsibility for maintenance.

A tenant shall be responsible for maintaining the health, sanitation and storage standards of this division on that portion of the premises controlled exclusively by the tenant.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-212. Owner responsibility for maintenance.

The owner of a building shall be responsible for complying with the maintenance standards set forth in this article.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-213. Good workmanship.

Additions, replacements, repairs or changes made to buildings, accessory buildings, appurtenances or facilities regulated by this article shall be made with good workmanship.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-214. Exterior security lighting.

An exterior light fixture in good repair shall be provided adjacent to each entryway and exit located at the side or rear of a building having electrical service. Such light fixture shall illuminate between dusk to dawn daily.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-215. Street address visible.

Street addresses shall be provided for any building regulated by this article so as to identify the building from an adjacent public street or alleyway and in accordance with the Jackson City Code.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-216. Vacant building identification.

An identification sign in good repair and visible from the street, **measuring at least 8.5 inches by 11 inches**, shall be affixed to a vacant unoccupied building regulated by this article. Such sign shall provide the name and phone number of the property owner or other responsible person to be contacted regarding maintenance or an emergency.

(Ord. No. 2001.8, § 1, 4-10-01)

Secs. 14-217--14-300. Reserved.

DIVISION 3. ENFORCEMENT PROCEDURES

Sec. 14-301. Inspections authorized.

The standards of this article shall be applied to all non-residential buildings including, but not limited to, primary structures, accessory structures, yards, unsafe buildings, and buildings with advanced deterioration.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-302. Applicability.

The provisions of this article shall apply to all non-residential buildings and properties located within the City of Jackson.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-303. Enforcement process.

In enforcement of the standards of this article, the ~~city~~City shall utilize the methods and procedures established in sections 14-41, et seq. of the Jackson City Code, and all rules, regulations, policies and procedures adopted pursuant thereto.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-304. Fees.

Inspection fees shall be adopted by resolution of the City Council and collected pursuant to Section 14-43 of this chapter. All revenues raised shall be placed in a Housing Code Enforcement Fund. No part of the funds held in the Housing Code Enforcement Fund may be transferred to the general operating fund for any purpose.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-305. Inspection entry authorized.

When an emergency is believed to exist within a building or accessory building, the ~~city~~City shall have the right to enter immediately and at any time without a warrant or without requesting permission. Entry must be for the sole purpose of determining that an emergency exists or to abate an emergency condition known to exist.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-306. Change in ownership.

The prohibitions of section 14-45.1 of this Code shall be applicable to owners or responsible persons of properties regulated by this article.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-307. Removal of posted sign or notices.

It shall be a violation of this article to remove, damage, deface, interfere with, move or conceal any notice or sign posted in accordance with the provision of this article without first obtaining written permission of the Chief Building Official.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-308. Penalties.

~~Conviction for~~ A violation of any provision of this article is a blight violation ~~punishable as subject to the penalties~~ provided in Chapter 2.5 of this Code. Each day of violation of a provision of this article relating to the physical condition of any nonresidential building is a separate violation.

(Ord. No. 2001.8, § 1, 4-10-01; Ord. No. 2004.23, § 1, 11-9-04)

Editor's note: Section 2 of Ord. No. 2004.23 states: This amendment does not effect any existing litigation and does not abate any action or proceeding pending under or by virtue of this ordinance as it existed before this amendment if such litigation or proceeding was filed before December 31, 2004.

Sec. 14-309. Procedure for filing an appeal.

Any person wishing to make an appeal must fill out an appeal form setting forth the order of ruling being appealed. The appellant must file the form with the Department of Community Development. The ~~city~~City will send a notice to the appellant regarding the date the appeal will be heard by the Building Code Board of Examiners and Appeals. Notice of the hearing date will be by regular mail sent to the address stated on the appeal. The standards, procedures and criteria promulgated in section 14-51 of this Code shall be applicable to appeals heard pursuant to this article.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-310. Appeal fee.

An appeal fee established by City Council resolution shall be submitted with any appeal filed pursuant to this article.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-311. Conflict with existing ordinances.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-312. Savings provision.

The invalidity of any section, clause, or provision in this article shall not affect the validity of any other part of this article which may be given effect without reliance upon any such invalid part or parts.

(Ord. No. 2001.8, § 1, 4-10-01)

Section 2. Effective Date.

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

Chapter 14 HOUSING*

*Cross references: Buildings and building regulations, Ch. 5; community development, Ch. 8; fire prevention and protection, Ch. 10; garbage and rubbish, Ch. 12; human relations, Ch. 15.

Art. I. Non-Owner Occupied Residential Property Registry, §§ 14-1--14-25

Art. II. Minimum Housing Standards, §§ 14-26--14-120

Div. 1. Generally, §§ 14-26--14-40

Div. 2. Enforcement, §§ 14-41--14-60

Div. 3. Fire Safety, §§ 14-61--14-70

Div. 4. Exterior Standards, §§ 14-71--14-80

Div. 5. Interior Standards, §§ 14-81--14-90

Div. 6. Minimum Standards for Light and Ventilation, §§ 14-101--14-110

Div. 7. Minimum Space Requirements, §§ 14-111--14-120

Art. III. Housing Commission, §§ 14-121--14-130

Art. IV. Fair Housing, §§ 14-131--14-150

Art. V. Non-Residential Buildings, §§ 14-151--14-312

Div. 1. In General, §§ 14-151--14-200

Div. 2. Property Maintenance Standards, §§ 14-201--14-300

Div. 3. Enforcement Procedures, §§ 14-301--14-312

ORDINANCE NO. 2012-_____

An ordinance adding Article I – Non-Owner Occupied Residential Property Registry to Chapter 14 of the Code of Ordinances, City of Jackson, Michigan to provide a registry of residential dwellings and units that are non-owner occupied, to require that the non-owner occupied residential dwellings or units meet the requirements of the Housing Code, and to require the property owner to designate a local responsible agent to accept notices for and grant access to non-owner occupied residential dwellings and units; to eliminate obsolete sections of Chapter 14, to update sections of Chapter 14 so that the sections are in harmony with the current plumbing, building, mechanical, and electrical codes, to revise fee schedules contained in Chapter 14 to more closely approximate the current costs of the conduct of inspections, and to eliminate redundancy with other City of Jackson Ordinances.

THE PEOPLE OF THE CITY OF JACKSON ORDAIN:

Section 1. That Chapter 14 of the Code of the City of Jackson be, and the same hereby is , amended to read as follows:

ARTICLE I – NON-OWNER OCCUPIED RESIDENTIAL PROPERTY REGISTRY

Section 14-1. Title.

This article shall be known as the “Non-owner Occupied Residential Property Registry.”

Section 14-2. Findings and purpose.

The City Council finds that there are non-owner occupied residential dwellings or units in the City that have become unsafe, unsanitary and unsecure due to deterioration. The City Council finds that it is in the best interests of the health, safety and welfare of the City and its residents to require that all non-owner occupied residential dwellings or units be registered and inspected to ensure safe, secure and sanitary living conditions for those residing in non-owner occupied residential dwellings or units. The City Council also finds that by requiring property registration of all non-owner occupied residential dwellings or units in the City, the continuing maintenance of safe and quality non-owner occupied residential dwellings and units will be maintained and property values will be enhanced. The City Council also finds that requiring designation of a responsible local agent will ensure timely notice under the law to the property owner and assist code enforcement inspectors in their duties to inspect non-owner occupied dwellings or units.

Section 14-3 Definitions.

Unless the context indicates otherwise, the following words used in this article shall have these meanings:

Owner is used as the term is defined in Section 14-26 of this Code.

Non-owner occupied residential dwelling or unit means any residential dwelling or unit intended to be used as habitable space in which the owner of the dwelling or unit does not reside, or where individuals other than or in addition to the owner reside, whether pursuant to an oral or written lease or for other valuable consideration including, but not limited to, cash, barter of goods and services, and imputed rent. This does not include relatives that reside with the owner in the same unit. This term also refers to any residential dwelling or unit that has been vacated by the owner or by a person with the consent of the owner for a period of more than one hundred eighty (180) days.

Responsible Local Agent means a representative of a person, corporation, partnership, firm, joint venture, trust, association, organization, or other entity having a legal or equitable interest in property who has authority to do the following:

- (1) Receive all official notices concerning housing, zoning, dangerous buildings and other ordinance violations on behalf of the owner of a non-owner occupied residential dwelling or unit, and any notice received by the responsible local agent shall be deemed to have been received by the property owner; and
- (2) Be responsible for providing access to the non-owner occupied residential dwelling or unit for any inspection necessary to ensure compliance with the terms of the City of Jackson Code of Ordinances.

Section 14-4 Property registration required.

- (1) No person shall rent, lease, offer for rent or lease, or allow another person to occupy any non-owner occupied residential dwelling or unit without a property registration issued by the City. In the absence of a current property registration, the Chief Building Official shall order the owner to take immediate legal action as may be required to vacate the premises, including eviction proceedings.
- (2) Upon the adoption of this ordinance, any owner of a non-owner occupied residential dwelling or unit must register the non-owner occupied residential dwelling or unit within one hundred twenty (120) days of the effective date of this ordinance. Upon expiration of the initial one hundred twenty (120) day period, an owner of a non-owner occupied residential dwelling or unit must register the non-owner occupied residential dwelling or unit within forty-five (45) days of the non-owner occupied residential dwelling or unit becoming non-owner occupied.

Section 14-5 Exceptions.

A property registration is not required under the following circumstances:

- (1) A single family residential dwelling that is entirely owner-occupied; or

- (2) Upon the sale of any single family residential dwelling that is intended for occupancy by the buyer where possession is delayed for up to ninety (90) days; or
- (3) The premises are a jail, school, or government-owned care facility; provided however that this does not create an exception for state or federally subsidized housing facilities; or
- (4) The premises are occupied by a person with a documented or recorded life estate in the premises.

Section 14-6 Application and fees.

An owner of a non-owner occupied residential dwelling or unit shall apply for a property registration on forms provided by the Department of Community Development. The owner must pay the required application fees and all outstanding inspection fees and applicable late charges. No application for property registration is valid unless filled out accurately and completely, signed by the owner and the Responsible Local Agent, if applicable, and the proper fees have been paid. It is a violation of this article for an owner to provide inaccurate information on an application for a property registration. A property registration fee once tendered may not be refunded or transferred.

Section 14-7 Issuance of property registration.

A property registration shall be issued if the applicant meets all of the following requirements:

- (1) An application form is properly submitted;
- (2) An Acknowledgment of Local Responsible Agent form is submitted and signed by the Local Responsible Agent, if required;
- (3) All application fees are paid;
- (4) All outstanding inspection fees and late fees are paid;
- (5) Payment in full of all of the following fines, fees and debts relating to the property being registered owed to the City that are currently due or past due, including but not limited to:
 - a. Outstanding water or sewer bills;
 - b. All charges for mowing, cleanup, weed or debris removal; and
 - c. Any fees, penalties, or debts of any sort arising from provisions of the housing code, including any blight violations.

Section 14-8 Amendment of property registration information.

If any information submitted upon the application for issuance of a property registration changes, the owner must notify the Department of Community Development within ten (10) days and submit an amended application. Failure to update information within ten (10) days is a violation of this article and subject to late fees.

Section 14-9 Property registration valid for two (2) years.

A property registration is valid for a period of two (2) years from the date of issuance. A renewal property registration must be applied for at least sixty (60) days prior to the expiration date. Failure to timely renew a property registration is a violation of this article and shall subject the applicant to late fees.

Section 14-10 Responsible Local Agent.

For a non-owner occupied residential dwelling or unit owned by a person or entity that resides more than seventy-five (75) miles outside of Jackson County, the property owner must designate a Responsible Local Agent who resides within seventy-five (75) miles of Jackson County. If the Responsible Local Agent is a corporation, limited liability company, partnership or other for-profit or non-profit entity, the address of the registered office or headquarters of the entity must be within seventy-five (75) miles of Jackson County.

Section 14-11 Notice to owner or Responsible Local Agent.

All notices required by Chapters 2.5, 4, 5, 12, 13, 14, 17, 26 or 28 concerning a non-owner occupied residential dwelling may be served by either first class mail, certified mail or personal service upon the owner or upon the Responsible Local Agent, if one has been designated.

Section 14-12 Transfer of ownership.

If the ownership of a non-owner occupied residential dwelling or unit is transferred, any property registration under this article shall become void. An application for registration must be made at the time of closing by the purchaser, transferee, or grantee, and the seller of the non-owner occupied residential dwelling or unit must notify the City within forty-five (45) days of the sale or transfer and provide the name and address of the purchaser or transferee. A purchaser or transferee who intends to live in a single-family dwelling that was a non-owner occupied single-family dwelling prior to the sale or transfer, but will be an owner-occupied single-family dwelling after the sale or transfer, need not comply with registering the property once a transfer affidavit and proof that a 100% Principal Residence Exemption (PRE) has been filed with the City Assessor. No refunds or credits of fees will be given when there is a transfer of ownership.

Section 14-13 Presumption of non-owner occupied residential dwelling or unit.

Whenever a residential dwelling or unit used for or intended for residential purposes is vacant or occupied by anyone other than the owner of record as shown in the records of the City Assessor, there shall exist a presumption that the dwelling or a portion of the dwelling is a non-owner occupied residential dwelling or unit regardless of whether

monetary compensation is exchanged between the owner and the person(s) occupying the residential dwelling or unit.

Section 14-14 Fees and charges.

Application fees, inspection fees, applicable late fees as well as any other charges in connection with property registration shall be established by resolution of the City Council.

Section 14-15 Revenues.

All revenues raised shall be placed in a Housing Code Enforcement Fund. No part of the funds held in the Housing Code Enforcement Fund may be transferred to the general operating fund for any purpose.

Section 14-16 Disclaimer of liability.

The City shall not be liable to any person or entity by reason of the inspections required by this article or the issuance of a property registration. A property registration is not a warranty or guarantee that there are no defects in the non-owner occupied residential dwelling or unit. The inspection of the land use, exterior and interior of the dwelling or unit is limited to visual inspection only. The City does not guarantee or approve, and shall not be held responsible for, defects not noted in any inspection report or for any latent, structural or mechanical defects thereto.

Section 14-17 Penalties.

A violation of any provision of this article is a blight violation subject to the penalties provided in Chapter 2.5 of this Code. Each day that a provision of this article continues to exist is a separate offense. In the case of a multi-unit non-owner occupied residential dwelling, each unit that is in violation of any provision of this article constitutes a separate offense.

Section 14-18 Abatement of Rent.

In addition to all other remedies provided for in this chapter, if a summary proceeding action is pending for a non-owner occupied residential dwelling or unit, and when there is no current, valid registration for a non-owner occupied residential dwelling or unit, no rent payments shall be accepted, retained, or recoverable by the owner or lessor of the non-owner occupied residential dwelling or unit for the period of time in which the non-owner occupied residential dwelling or unit was not registered under this article.

Section 14-19 Severability.

If any provision of this article is determined to be unenforceable by a court, the remainder of this article shall be deemed severable and is to remain in full force and effect.

Secs. 14-20--14-25. Reserved.

ARTICLE II. MINIMUM HOUSING STANDARDS

DIVISION 1. GENERALLY

All words and terms used in this article shall be given their common and normal meaning unless defined hereinafter. The words and terms defined hereinafter shall be given the meaning indicated in the interpretation and enforcement of this article. All other words and provisions of this article shall be interpreted so as to eliminate or prevent the conditions set out in findings and determinations of necessity.

Unless the context clearly indicates otherwise, when words are used in this article, the following rules of construction shall apply:

- (1) The singular includes and shall apply to the plural, and the plural applies to and includes the singular.
- (2) The masculine gender shall include the feminine and neuter, and feminine and neuter shall include the masculine.
- (3) Where the text uses the negative of a defined word, the negative of the definition shall be applied.
- (4) The definition of a verb or a noun shall be used in an appropriate fashion where the adverbial or adjectival form of the word is used.

Sec. 14-26. Definitions.

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

Abandoned dwelling means a dwelling which is unoccupied in any manner for a period of more than six (6) months. A dwelling will be presumed abandoned when mortgage or tax foreclosure proceedings have been initiated for that property, no mortgage or tax payments have been made by the property owner for at least 90 days, and the property has been vacant for at least 90 days. A dwelling may not be considered abandoned if all appropriate permits are issued, in force, and construction is ongoing.

Accessory structure means a detached structure customarily incidental to the principal structure and located on the same lot with such principal structure including, but not limited to, detached garages, carports, sheds, fences, playhouses, and swimming pools. Accessory structure does not include tents, fabric covered assemblies, and shelters or storage containers.

Approved, as applied to a material, device or method of construction, means approved by the Chief Building Official under the provisions of this article, or approved by other authority designated by law to give approval in the matter in question.

Basement means that portion of a building partly underground, but having less than half its clear height below the average grade of the adjoining ground (See Cellar).

Building Code Board of Examiners and Appeals means the Board appointed by the Mayor and City Council to provide for reasonable interpretations of the provisions of the building code and the housing code.

Building code means the building codes officially adopted by the City Council; or such other codes as may be officially adopted by the City Council for the purpose of regulating the administration, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures. Building codes officially adopted by the City Council include, but are not limited to:

- (1) Michigan Building Code as set forth in MCL 125.1501, et seq., R408.30401, as amended.
- (2) Michigan Electrical Code as set forth in MCL 125.1501, et seq., R408.30801, as amended.
- (3) Michigan Mechanical Code as set forth in MCL 125.1501, et seq., R408.30901, as amended.
- (4) Michigan Plumbing Code as set forth in MCL 125.1501, et seq., R408.30701, as amended.
- (5) Michigan Rehabilitation Code for Existing Buildings, as set forth in MCL 125.1501, et seq., R408.30551, as amended.
- (6) Michigan Residential Code as set forth in MCL 125.1501, et seq., R408.30501, as amended.

Cellar means that portion of a building partly underground, having half or more than half of its clear height below the average grade of the adjoining ground.

Chief Building Official means the official designated by the City to enforce building, zoning, or similar laws and this article, or his or her duly authorized representatives.

Dwelling means any building which is wholly or partly used, designed, or constructed for the purpose of, or intended to be used for human habitation.

- (1) *One-family dwelling* means a building containing one (1) dwelling unit.
- (2) *Two-family dwelling* means a building containing two (2) dwelling units.
- (3) *Multiple-family dwelling* means a building containing more than two (2) dwelling units.
- (4) *Boardinghouse, lodging house, or tourist house* means a building arranged or used for lodging with or without meals, for compensation.
- (5) *Dormitory* means a building arranged or used for lodging six (6) but not more than twenty (20) individuals and having common toilet and bathroom facilities.
- (6) *Hotel* means a building arranged or used for sheltering, sleeping or feeding, for compensation and open for permanent or transient guests.

Dwelling unit means one (1) or more rooms arranged for the use of one (1) or more individuals living together as a single housekeeping unit, with cooking, living, sanitary and sleeping facilities.

Egress means a place or means of going out.

Enforcement Officer means the official designated herein or otherwise charged with the responsibilities of administering this article, or his or her authorized representatives.

Exit door means that portion of a means of egress between the termination of the means of egress at the exterior of the dwelling or dwelling unit and the outside of the dwelling or dwelling unit.

Exterior property area means the open space on the premises and on adjoining property under the control of owners or operators of such premises.

Extermination means the control and elimination of insects, rodents, vermin or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poison, spraying, fumigating, trapping or by any other approved pest elimination methods.

Fire Official means the Chief of the Fire Department or his or her duly authorized representatives.

Floor area means the area of the floor contained within the partitions or walls enclosing any room over which floor the ceiling height is not less than the minimum height required by this article and excluding the floor area of any closets.

Flush water closet means a toilet bowl flushed with water under pressure or under static head with a water-sealed trap above the floor level.

Garbage means spoiled or discarded animal or vegetable material resulting from the handling, preparation, cooking or consumption of food for humans or animals, as well as other organic waste material subject to rapid decomposition, including trash to which such material has adhered. This definition is not meant to preclude the composting of yard waste in an appropriate container as approved by the Chief Building Official.

Gross floor area means the total floor area in a building or structure.

Habitable room means a room or enclosed floor space arranged for living, sleeping, eating or cooking purposes (not including bathrooms, water closet compartments, laundry rooms, pantries, foyers, hallways, storage rooms and other accessory floor spaces).

Hazard means that condition which presents a danger to the health and safety of persons and surrounding property.

Heated water means water heated to a temperature of not less than one hundred twenty (120) degrees Fahrenheit at the outlet.

Hotel (See Dwelling).

Human habitation means the use of any room, rooming unit, dwelling unit, building or premises for the purpose of living, sleeping, cooking or eating purposes by one (1) or more persons.

Infestation means the presence of insects, rodents, vermin or other pests.

Integral means incorporated in the design of the structure and performing a specific function or serving a specific purpose.

Kitchen means a room or portion of a room containing a minimum of seventy (70) square feet of floor area used for the preparation or consumption of food, and containing the facilities and equipped as provided in this article.

Kitchenette means a room or a portion of a room containing less than seventy (70) square feet of floor area used for the preparation of food, and containing the facilities and equipped as provided in this article.

Motel means the same as a hotel.

Multiple-family dwelling (See Dwelling).

Occupant means any person, over one (1) year of age (including owner or operator) living and sleeping in a dwelling or dwelling unit or having actual possession of such dwelling or dwelling unit.

Openable area means that part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Operator means any person who has charge, care, control or management of a building or part thereof in which dwelling units are let.

Owner means any person who, alone or with any other persons, shall:

- (1) Have a freehold or lesser estate in, or a land contract vendee's interest in, any premises, dwelling or dwelling unit, with or without accompanying actual possession thereof; or
- (2) Have charge, care or control of any premises, dwelling or dwelling unit, as owner or agent of the owner, or as executor, administrator, trustee or guardian of the estate of the owner.

Person means an individual, firm, corporation, association or partnership.

Plumbing means, but is not limited to, water heating facilities, water pipes, garbage disposal units, waste lavatories, bathtubs, shower baths, installed clothes washing machines, or other similar equipment, catch basins, drains, vents or other similarly supplied fixtures, together with all connections to potable water, sanitary sewer or vent lines.

Premises means a lot, plot or parcel of land including the buildings or structures thereon.

Public hall means a hall, corridor or passageway not within the exclusive control of one (1) occupant.

Refuse means, but is not limited to, garbage, rubbish, trash, debris, and junk; household appliances or furniture intended for interior use; inoperable, disassembled, or broken toys; mechanical or electrical devices or any kind; ferrous and non-ferrous metals; industrial sludge; solid commercial or industrial waste; or animal waste, but does not include human body waste, liquid, or other waste regulated by statute.

Responsible Local Agent means a representative of a person, corporation, partnership, firm, joint venture, trust, association, organization, or other entity having a legal or equitable interest in property who has authority to do the following:

- (1) Receive all official notices concerning housing, zoning, dangerous buildings and other ordinance violations on behalf of the owner of a non-owner occupied residential dwelling or unit, and any notice received by the responsible local agent shall be deemed to have been received by the property owner; and
- (2) Be responsible for providing access to the non-owner occupied residential dwelling or unit for any inspection necessary to ensure compliance with the terms of the City of Jackson Code of Ordinances.

Residence building means a building in which sleeping accommodations, with or without cooking facilities as a unit, are provided, except when classified as an institution under the building code.

Rooming house means any dwelling or that part of any dwelling containing one (1) or more rooming units.

Rooming units means any room or group of rooms forming a single habitable unit used or intended to be used for living or sleeping but not for cooking purposes.

Rubbish means combustible and noncombustible waste materials, except garbage; and the term shall include, but is not limited to, the residue from the burning of wood, coal, coke and other combustible materials; paper; rags; cartons; boxes; wood; excelsior; rubber; leather; tree branches; yard trimmings; tin cans; metals; mineral matter; glass, crockery; dust and other similar material.

Single-family, owner-occupied dwelling means any dwelling occupied by a single family of which one (1) or more members of the family are owners of the freehold of the premises or a lesser estate, or a land contract vendee's interest therein other than a tenancy for a period of time or at will.

Storage area means a room or space in an unoccupied basement, cellar, attic, garage, or any accessory structure designated for the holding or keeping of materials which are intended for future use and drawn upon when needed.

Supplied means installed, furnished or provided by the owner or his or her authorized representative.

Temporary Structure means, but is not limited to, tents, fabric covered assemblies and shelters, or storage containers that are not fastened to a permanent foundation.

Unfit for human habitation means that dwelling or dwelling unit which is a hazard to the health and welfare of the occupants because it lacks maintenance or is in disrepair, lacks essential services (gas, water, electric and sewer), is unsanitary, or insect-, vermin-, or rodent-infested.

Ventilation means the process of supplying and removing air by natural or mechanical means to or from any space.

- (1) Natural - Ventilation by opening to outer air through windows, skylights, doors, louvers, or stacks without wind-driven devices.
- (2) Mechanical - Ventilation by power-driven devices.

Window means and includes a window, skylight, glazed door, glass block panel, or other light-transmitting medium.

Workmanlike means executed in a skillful manner such as generally plumb, level, square, in line, undamaged, without marring adjacent work, utilizing as close to identical material as possible, and finished to a completed state. Alternative methods and materials must be approved by the Chief Building Official or his or her designee.

Workshop area means a room or space in an unoccupied basement, cellar, or garage utilized for repairing articles.

(Code 1977, § 8.615; Ord. No. 91-13, § 2, 4-9-91)

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 14-27. Maintenance of facilities.

All dwellings shall be maintained and repaired in a workmanlike manner. All required and integral equipment in every dwelling shall be installed in accordance with the Michigan Building Code or Michigan Residential Code, and maintained in accordance with the provisions of the housing code so as to properly and safely perform intended functions.

(Code 1977, § 8.614; Ord. No. 93-6, § 1, 5-25-93)

Sec. 14-28. Purpose.

The purpose of this article is to protect the public health, safety and welfare of occupants in buildings used or intended to be used for human habitation as hereafter provided by:

- (1) Establishing minimum standards for exterior property areas, exterior structure, interior structure, basic facilities, light and ventilation, occupancy requirements, and fire safety. These standards are designed to be reasonably high but at the same time practical and attainable.
- (2) Fixing the responsibilities of owners, operators, occupants, and Responsible Local Agents of dwellings and dwelling units.
- (3) Providing for administration, enforcement and penalties.

(Code 1977, § 8.602; Ord. No. 91-13, § 1, 4-9-91)

Sec. 14-29. Applicability.

The provisions of this article shall apply to all existing structures used, designed and constructed for the purpose of or intended to be used for human habitation. The minimum standards required under this code are designed to prevent fire hazards, structural deterioration, inadequate light, air and heat, and unsanitary and overcrowded conditions which constitute a menace to the safety, health and welfare of the occupants.

This chapter also applies as a point of sale inspection for all sales of new or rehabilitated dwellings for which a Neighborhood Enterprise Zone Act certificate as defined by PA 147 of 1992, as amended, is in effect. Before any sale of such a dwelling, the Building Inspection Division must inspect the dwelling for compliance with all housing, construction, and safety codes. No sale may be finalized until the Department of Community Development issues a certificate of compliance.

(Ord. No. 2003.12, § 2, 9-2-03)

Secs. 14-30--14-40. Reserved.

DIVISION 2. ENFORCEMENT

Sec. 14-41. Enforcement agency.

The provisions of this article shall be enforced by the Chief Building Official, Fire Official, and the Chief of Police or their designated representatives.

(Code 1977, § 8.603)

Sec. 14-42. Inspections.

- (1) In order that they may perform their duties to safeguard the health, safety and welfare of the occupants of dwellings and of the general public, the Chief Building Official, Chief of Police and Fire Official are hereby

authorized to make or cause to be made such inspections of dwellings or dwelling units as are necessary to enforce the provisions of this article. The inspections that are authorized for the purpose of enforcement of the provisions of this article shall be made at a reasonable time. The word "dwelling" as used in this paragraph shall include, but not be limited to, those categories of structures defined in section 14-26.

- (2) The Chief Building Official, Chief of Police and Fire Official shall inspect buildings and structures regulated by this article. Inspections may be conducted even though a current certificate of compliance is on record with the Department of Community Development.
- (3) An inspection shall be conducted in the manner best calculated to secure compliance with this article and appropriate to the needs of the community.
- (4) In an emergency situation, the Chief Building Official, Chief of Police and Fire Official have the right to enter at any time. For purposes of this article, an emergency shall exist when the Chief Building Official, Chief of Police or Fire Official has reasonable grounds to believe that a condition hazardous to health or safety exists on the premises and requires immediate attention.
- (5) In a nonemergency situation or where the owner or occupant of any dwelling demands a warrant for inspection of the premises, the Chief Building Official, Chief of Police or Fire Official shall obtain a warrant from a court of competent jurisdiction.

(Code 1977, § 8.604; Ord. No. 93-22, § 1, 10-12-93)

Sec. 14-42.1. Issuance of certificate of compliance.

The certificate of compliance shall be issued only upon an inspection of the premises by the Chief Building Official or his or her appointed designee.

- (1) The Chief Building Official shall not issue a certificate of compliance when any existing condition constitutes a violation of this article.
- (2) Upon a finding that there is not a condition that would constitute a violation of this article, the certificate of compliance shall be issued. Upon a finding that there is a condition that would constitute a violation of this article, the certificate of compliance shall not be issued, and an order to comply with this article shall be issued immediately and served upon the owner in accordance with section 14-45. Upon reinspection and proof of compliance, the order shall be rescinded and a certificate of compliance shall be issued. Subject to the provisions of subsection (3), a certificate shall not be valid for a period of more than two (2) years.
- (3) A certificate of compliance shall be issued on condition that the building or structure remains free from violations of this article. If upon reinspection pursuant to section 14-42 the Chief Building Official determines that conditions exist which constitute a violation of this article, the certificate shall be immediately suspended as to affected areas, and an order to comply with this article shall be issued immediately and served

upon the owner in accordance with section 14-45. On reinspection and proof of compliance, the order shall be rescinded and the suspended certificate reinstated or a new certificate issued.

(Ord. No. 93-22, § 2, 10-12-93)

Section 14-42.2 Reasons for revocation or denial of certificate of compliance.

A certificate of compliance may be denied or revoked by the Chief Building Official for any of the following reasons:

- (1) Whenever the City finds that the owner of any non-owner occupied residential dwelling or unit has failed to comply with a notice of violation issued pursuant to Chapter 14 of this Code;
- (2) If an owner or responsible local agent has refused or failed to allow an inspection of the non-owner occupied residential dwelling or unit by a code enforcement official;
- (3) An act, omission or condition exists at a non-owner occupied residential dwelling or unit that is unauthorized or beyond the scope of the property registration granted;
- (4) The owner has committed an act or omission, or allowed a condition to exist at the non-owner occupied residential dwelling or unit that is prohibited by the provisions of this article or any other City ordinance, regulation or provision, or by any state or federal law;
- (5) The owner has committed an act or omission, or allowed a condition to exist at the non-owner occupied residential dwelling or unit that is contrary to the public health, safety, and welfare of the citizens of Jackson;
or
- (6) The owner has committed an act or omission, or allowed a condition to exist at the non-owner occupied residential dwelling or unit that is a nuisance as identified in Chapter 17 of the Code of Ordinances.

Sec. 14-43. Inspection fees.

- (1) The owner of a dwelling unit shall be charged by the Chief Building Official for inspections conducted pursuant to this article in accordance with the resolutions adopted by the City Council. The owner or occupant of property whose dwelling is inspected pursuant to a housing rehabilitation program or other housing assistance program of the City shall not be charged for such inspection.
- (2) The first ten dollars (\$10.00) of any initial inspection fee imposed under this section shall be applied toward the issuance of a certificate of compliance required pursuant to PA 167 of 1968, as last amended.
- (3) If the owner fails to pay an invoice for inspection fees directed to him or her under section 14-43(a) within thirty (30) days, the City may cause the costs reflected in said invoice to be assessed against the premises as a special assessment, pursuant to Serial Section 273 of the City Charter, and 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 the lien upon the premises.

- (4) All revenues raised shall be placed in a Housing Code Enforcement Fund. No part of the funds held in the Housing Code Enforcement Fund may be transferred to the general operating fund for any purpose.

(Code 1977, § 8.605; Ord. No. 91-14, § 1, 4-23-91; Ord. No. 92-8, § 1, 5-19-92; Ord. No. 92-17, § 1, 10-20-92; Ord. No. 93-22, § 3, 10-12-93; Ord. No. 98-23, § 1, 8-18-98)

Sec. 14-44. Violations observed.

When violations of this article are observed, the Chief Building Official or his or her authorized representative shall file a written report of such violations with the Department of Community Development.

(Code 1977, § 8.606)

Sec. 14-45. Notices and orders.

Notice of violations of this article and orders for the correction of such violations shall be given to the owner or his or her agent within five (5) working days from the date of inspection. Notice shall:

- (1) Be in writing.
- (2) Identify the property involved, the day of the inspection and the name of the inspector.
- (3) Cite the conditions that constitute violations of this article.
- (4) State the time allotted for correction of the violations. Emergency hazards shall be corrected immediately. For purposes of this section, the time allotted for correction of nonemergency violations shall be no less than thirty (30) and no more than ninety (90) calendar days.
- (5) Inform the owner of his or her right to appeal to the Building Code Board of Examiners and Appeals.

(Code 1977, § 8.607)

Sec. 14-45.1. Transfer of ownership.

It shall be unlawful for the owner of any dwelling or dwelling unit who has received a notice of violation and order for correction, or upon whom a notice of violation and order for correction has been served, pursuant to section 14-45, to sell, transfer, or otherwise dispose of to another until the provisions of the notice of violation and order for correction have been complied with, or until such owner furnishes the grantee or transferee a true copy of said notice of violation and order for correction issued by the Chief Building Official, and shall furnish to the Chief Building Official a signed and notarized statement from the grantee or transferee acknowledging the receipt of such notice of violation and order for correction, and fully accepting the responsibility without condition for making the corrections or repairs required by such notice of violation and order for correction.

(Ord. No. 91-12, § 1, 4-9-91)

Sec. 14-46. Notice to vacate.

When the Chief Building Official, Chief of Police or Fire Official finds any dwelling unfit for human habitation, he or she shall serve notice to vacate on the owner or his or her responsible local agent as follows:

- (1) By personal service on the owner or the responsible local agent; or
- (2) By personal service to the owner, the responsible local agent, or to a person of suitable age and discretion at the owner's or responsible local agent's last known address; or
- (3) By first class mail addressed to the owner or his or her responsible local agent at his or her last known address; or
- (4) By posting the notice for a twenty-four (24) hour period in placard form in a conspicuous place on the premises to be vacated. No person shall deface or remove such placard from any dwelling except by authority in writing from the Chief Building Official.

(Code 1977, § 8.608)

Sec. 14-47. Vacating of unfit building.

Any dwelling or dwelling unit which has been declared unfit for human habitation shall be vacated within a reasonable time as required by the Chief Building Official, Chief of Police or Fire Official. No person shall occupy such dwelling or dwelling unit until written approval is secured from the Chief Building Official.

(Code 1977, § 8.609)

Sec. 14-48. Correction of violation.

The time limit set for the correction of a violation may be extended by the Chief Building Official or the Building Code Board of Examiners and Appeals if the owner can show a good faith effort to comply with the repair order. Time limits may also be extended by the Chief Building Official for repairs which cannot be carried out within the allotted period because of the seasonal nature of the work to be done.

(Code 1977, § 8.610)

Sec. 14-49. Noncompliance cases.

If the owner or occupant fails to comply with the correction order contained in the notice of violation, the Chief Building Official may bring an action to enforce the provisions of this article.

If the violation constitutes an emergency, or the owner ignores the correction order, the Chief Building Official may cause the necessary repairs to be made or take other corrective action up to and including condemnation and demolition of the structure, and

the charges collected as a special assessment against the premises as provided in the Charter of the City.
(Code 1977, § 8.611)

Sec. 14-50. Penalties.

A violation of any provision of this article is a blight violation subject to the penalties provided in Chapter 2.5 of this Code. Each day of violation of a provision of this article relating to the physical condition of any dwelling shall constitute a separate violation.
(Code 1977, § 8.612; Ord. No. 2004.22, § 1, 11-9-04)

Editor's note: Section 2 of Ord. No. 2004.22 states: This amendment does not effect any existing litigation and does not abate any action or proceeding pending under or by virtue of this ordinance as it existed before this amendment if such litigation or proceeding was filed before December 31, 2004.

Sec. 14-51. Appeal.

The Building Code Board of Examiners and Appeals may grant a specific variance to any requirement of this article if the literal application of a requirement would result in practical difficulty for compliance with the particular section(s) at issue. An owner, or agent thereof, whose building has been inspected, may apply to the Building Code Board of Examiners and Appeals for a hearing for reconsideration of the notice of violation(s) and any correction order(s) contained therein. No variance shall be granted if same would result in either the purpose or the intent of the particular section(s) at issue being abrogated. The Building Code Board of Examiners and Appeals may attach in writing any conditions in connection with the granting of a variance that, in its judgment, are necessary to protect the health, safety and welfare of the people of the City. In authorizing a variance, the Board shall require such evidence as it may deem necessary to insure that the purpose and intent of the particular section(s) at issue will be satisfied. In reviewing a request for a variance, the Board shall consider the following to determine whether practical difficulty exists:

- (1) Whether there are exceptional or extraordinary conditions applying to the property that do not apply to other similar properties;
- (2) Whether the exceptional or extraordinary conditions resulted from the action of the property owner;
- (3) Whether there exists alternative or equivalent methods or materials that would allow the purpose and intent of the particular section(s) at issue to be satisfied;
- (4) Whether strict compliance with the ordinance requirements would be unreasonably burdensome on the property owner;
- (5) Whether strict compliance with the ordinance requirements would cause a financial hardship for the property owner;
- (6) Whether the granting of a variance would result in a substantial detriment to the property; and

- (7) Whether the variance requested is the minimum variance possible that would still allow the purpose and intent of the particular section(s) at issue to be met.

(Code 1977, § 8.613; Ord. No. 90-18, § 1, 9-11-90)

Sec. 14-52. Appeal application fee.

Any person who files an appeal with the Building Code Board of Examiners and Appeals pursuant to section 14-51 shall be obligated to accompany his or her appeal with an application fee established by City Council resolution. The Board may waive an application fee if it finds same would cause a financial hardship for the applicant.

(Ord. No. 92-17, § 2, 10-20-92)

Secs. 14-53--14-60. Reserved.

DIVISION 3. FIRE SAFETY

Sec. 14-61. Fire safety regulations.

No person shall occupy as owner-occupant, or let to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (1) Cooking and heating equipment. All cooking and heating equipment, components and accessories in every heating, cooking and water heating device shall be maintained free from leaks and obstructions, and kept functioning properly so as to be free from fire, health and accident hazards. All installations and repairs shall be made in accordance with the manufacturer's installation and maintenance instructions or other laws or ordinances of the City. Portable cooking equipment employing flame and portable heating equipment employing flame are prohibited, except that unvented fuel-burning room heaters equipped with oxygen depletion sensors and listed in accordance with ANSI Standard Z21.11.2 shall be permitted in single-family, owner-occupied dwelling units only.
- (2) Storage of flammable liquids prohibited.
 - a. No dwelling or dwelling unit shall be located within a building containing any establishment handling, dispensing or storing flammable liquids with a flashpoint of one hundred ten (110) degrees Fahrenheit or lower.
 - b. No dwelling or dwelling unit shall handle, dispense, or store flammable liquids with a flashpoint of one hundred ten (110) degrees Fahrenheit or lower.
- (3) Egress. The owner of every existing dwelling shall be responsible for the safety of all persons in or occupying such premises with respect to the adequacy of means of egress therefrom.
 - a. Any existing dwelling not now provided with exitway facilities as herein prescribed for new dwellings and in which the exitways are

deemed inadequate for safety by the Chief Building Official or Fire Official shall be provided with such additional safe means of egress as shall be ordered by the Chief Building Official or Fire Official.

- b. If new or altered exitway facilities are installed or constructed, they shall comply with all requirements of the Michigan Building Code or Michigan Residential Code.
- c. It shall be unlawful to obstruct or reduce in any manner the clear width of any doorway, hallway, passageway or any other exitway required by this article. All egress doors shall be readily openable from the side from which egress is to be made without the use of a key or special knowledge or effort. Double keyed deadbolt locks are strictly prohibited.
- d. Every sleeping room shall have at least one (1) window or one (1) door opening directly to the outside to serve as an emergency exit if the normal avenues of escape are blocked, which can be opened from the inside without the use of tools and of such size as required by the Michigan Building Code or Michigan Residential Code.
- e. Fire escapes shall be permitted only by special order of the Chief Building Official in existing buildings when more adequate exitway facilities cannot be provided. Fire escapes shall be constructed in accordance with Michigan Building Code.

(4) Fire suppression systems. Automatic fire suppression systems shall be provided in non-fire-rated storage and workshop areas larger than one hundred (100) square feet in area in multiple-family or mixed use residential structures.

(5) Smoke detectors. Smoke detectors shall be installed in accordance with the Michigan Building Code or the Michigan Residential Code.

(Code 1977, § 8.616; Ord. No. 98-13, § 1, 6-16-98)

Secs. 14-62--14-70. Reserved.

DIVISION 4. EXTERIOR STANDARDS

Sec. 14-71. Exterior property areas.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling, or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (1) Sanitation. All exterior property areas shall be maintained in a clean and sanitary condition free from any accumulation of rubbish, refuse or garbage and junk.

- (2) Prohibited uses. No horse, cow, calf, swine, sheep, goat, chickens, geese or ducks or any other livestock shall be kept in any dwelling, or accessory structure, or part thereof, or on any property.
- (3) Grading and drainage. All premises shall be graded and maintained so as to prevent the accumulation of stagnant water thereon, or within any building or structure located thereon. All cisterns and septic tanks must be disconnected and filled with sand if not used for stormwater retention.
- (4) Sidewalks and driveways. All sidewalks and driveways shall be maintained in sound condition in accordance with ASTM standards. Private sidewalks shall be concrete, brick or asphalt. Expansions of existing driveways, parking areas, or sidewalks shall be paved concrete, brick or asphalt surfaces.
- (5) Accessory structures. All accessory structures shall be maintained in a structurally sound condition and in good repair. No accessory structure shall be occupied as a dwelling.
- (6) Temporary structures. No temporary structure shall be occupied as a dwelling or maintained longer than 30 days.

(Code 1977, § 8.617; Ord. No. 94-3, § 1, 2-1-94)

Sec. 14-72. Exterior Building Envelope.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (1) Structure. Every foundation, wall and roof shall be reasonably weatherproof, waterproof and rodent-proof, shall be capable of privacy and kept in good repair.
 - a. The foundation elements shall adequately support the building at all points of the building footprint.
 - b. Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other condition which might admit rain, dampness or rodents to the interior portions of the walls, or which might provide harborage for insects or other vectors of disease. Exterior walls and wood trim shall be well and sufficiently painted so as to prevent same from deteriorating and becoming havens for rodents, insects and other vectors of disease. Defective paint that is suspected of containing lead levels in excess of allowable limits shall be treated or removed in accordance with established H.U.D. and E.P.A. guidelines.
 - c. The roof system shall be free of defects of any kind including, but not limited to, deflection that is not a consequence of, or results in, an unsafe condition, the admission of moisture, damage to structural members, sheathing, flashings, roof covering, ventilation, and drainage systems.
 - d. Gutters and downspouts shall be provided so as to prevent rainwater from causing dampness in the walls or interior portion of

the building and to prevent ground water from migrating to or entering into the basement walls or foundation.

- (2) Stairs and porches. Every inside and outside stair, every porch and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the loads to which they are subjected and shall be kept in sound condition and in good repair. In the case of stairs with four (4) or more risers, the stairway shall be equipped with a full length handrail and/or guardrail. Such handrails and guardrails shall be installed in accordance with the Michigan Building Code or the Michigan Residential Code.
- (3) Openings. Every window, exterior door, and basement hatchway and their frames shall be maintained in good repair, operate as designed and intended, and shall be weatherproof, rodent-proof, and waterproof.
- (4) Chimneys. All chimneys shall be maintained in sound condition, free of holes and breaks and operate as intended. All chimneys shall be properly capped and supplied with an appropriate cleanout. The top of the chimney shall be at least two (2) feet above any point on the roof within a ten (10) foot radius of the chimney, but shall not be less than three (3) feet above the highest point where the chimney passes through the roof.
- (5) Street numbers. All buildings shall bear distinctive street numbers at least four (4) inches in height at or near the front entrance of such building. The owners of all buildings shall cause the correct numbers to be placed thereon. All numbers shall be facing the street, shall be of a contrasting color and in such a position as to be plainly visible from the street. The use of Arabic numerals is required.

(Code 1977, § 8.621)

Secs. 14-73--14-80. Reserved.

DIVISION 5. INTERIOR STANDARDS

Sec. 14-81. Interior structure.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (1) Free from dampness. All the interior areas of the dwelling, including the cellar, basement and crawl space, shall be maintained reasonably free from dampness to prevent conditions conducive to decay or deterioration of the structure.
- (2) Structural members. The supporting structural members of every dwelling or dwelling unit used for human occupancy shall be maintained in a structurally sound manner with no evidence of deterioration that would render them incapable of supporting the imposed load.

- (3) Stairs and railings. Every stair, porch, and appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the loads to which they are subjected and shall be kept in sound condition and in good repair. In the case of stairs with four (4) or more risers, the stairway shall be equipped with a full length handrail and/or guardrail. Such handrails and guardrails shall be installed in accordance with the Michigan Building Code or the Michigan Residential Code.
- (4) Bathroom and kitchen floors. The floor surface of all bathrooms, kitchens and water closets shall be constructed of impervious material and maintained so as to permit such floor to be easily kept in a clean and sanitary condition. This subsection shall not be construed to prohibit carpeting placed over a floor impervious to water.
- (5) Sanitation.
 - a. Cleanliness before occupancy. No owner shall permit any vacant dwelling unit or premises to be inhabited by new occupants unless such dwelling unit or premises are clean, sanitary and fit for human occupancy.
 - b. Responsibility. The interior of every dwelling and multiple dwelling used for human habitation shall be maintained in a clean and sanitary condition by the occupant. The owner shall be responsible for maintaining the structure and premises thereof which he occupies and controls.
 - c. No room or area of a dwelling or dwelling unit shall be so cluttered as to prevent access to egress, utilities, or mechanical components of the structure.
 - d. Rubbish, refuse, and garbage. Rubbish, refuse, and garbage shall be kept inside temporary storage facilities according to the requirements of chapter 12 of this Code. The owner of every dwelling shall supply approved containers with tightly fitting covers for the temporary storage of rubbish, refuse, and garbage prior to removal.
 - e. Insect and rodent harborage. Buildings used for human habitation shall be kept free from insect and rodent infestation. The owner of every dwelling shall be responsible for the extermination of all insects, rodents and other pests within a dwelling.
 - f. Interior cabinetry. Bathroom, kitchen, and kitchenette cabinetry and countertops shall be maintained in sound condition and proper working order.
 - g. Interior walls, ceilings and floors. Every interior wall, ceiling and floor shall be maintained in sound condition and in good repair. Walls shall be capable of affording privacy for the occupants. Interior walls, ceilings and trim shall be kept free from defects in painted surfaces. Defective paint is paint on surfaces which is cracking, scaling, chipping, peeling or loose. Defective paint that is suspected of containing lead levels in excess of allowable limits

shall be treated or removed in accordance with established H.U.D. and E.P.A. guidelines.

(Code 1977, § 8.622)

Sec. 14-82. Basic facilities requirements.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (1) Cooking and kitchen facilities. Except for efficiency apartments, no food shall be prepared in any room used for sleeping purposes. No kitchen or cooking accommodations shall be permitted or maintained in any room or space in any building for the common or joint use of the occupants of more than one (1) dwelling or unit.
- (2) Sanitary facilities.
 - a. Bathroom. Every dwelling or dwelling unit shall contain a room which affords privacy, employing the use of a door and a panic-proof lock set, to a person within such room, and which is equipped with a flush water closet, a lavatory basin, and a bathtub or shower in good working condition and properly connected to a potable water and sanitary sewage system. The lavatory basin may be located outside such room provided it is adjacent thereto. The lavatory basin and bathtub or shower shall be properly connected with both hot and cold potable water lines.
 - b. In rooming houses, boarding houses, lodging houses or tourist houses, there shall be at least one (1) bathroom for every four (4) occupant rooms. Each bathroom shall be located on the same level as the rooms they serve.
 - c. Kitchen sink. Every dwelling unit shall contain a kitchen sink in good working condition, and properly connected to hot and cold potable water lines and to an approved sanitary sewage system.
 - d. Plumbing fixtures. Plumbing fixtures shall be arranged so as to prevent the wetting of supporting framework. The space beneath such fixtures shall be accessible and shall not be so enclosed as to prevent ventilation sufficient to maintain dry and sanitary conditions.
- (3) Water connection and water heating facilities. Every kitchen sink, lavatory basin, bathtub or shower, water closet, and laundry facility shall be properly trapped and vented, shall have faucets and fixture fittings, and shall be properly connected to an adequate potable water system and public sanitary sewer system if available in accordance with the Michigan Plumbing Code.
 - a. All water distribution piping shall be properly supported and capable of supplying water at forty (40) pounds minimum pressure, eighty (80) pounds maximum pressure, and flow rates (gpm) in

- accordance with the Michigan Plumbing Code at every required kitchen sink, lavatory basin, bathtub shower and laundry facility.
- b. Every dwelling shall be supplied with water heating facilities which are installed in an approved manner, properly maintained and properly connected with hot water lines to those fixtures which are required in the above subsection to be supplied with hot water. Water heating facilities shall be capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub shower and laundry facility or other similar units at a temperature of not less than one hundred twenty (120) degrees Fahrenheit at any time needed.
- (4) Heating facilities. Every dwelling shall have heating facilities which are properly installed, are maintained in safe and good working condition and are capable of safely and adequately heating all habitable rooms and bathrooms in every dwelling unit located therein to a temperature of at least seventy (70) degrees Fahrenheit with an outside temperature of ten (10) degrees below zero, and with the measurement being taken three (3) feet above the floor level in accordance with the Michigan Mechanical Code. All gas piping shall be properly supported.
- (5) Electrical system.
- a. Each habitable room shall be provided with a minimum of two (2) duplex receptacles conveniently located to adequately supply the electrical fixtures and appliances therein.
- b. Kitchen receptacles shall be individually grounded. Countertop receptacles shall be protected by a ground fault circuit interrupter.
- c. Each bathroom shall be provided with at least one (1) duplex receptacle located within three (3) feet of the sink and shall be protected by a ground fault circuit interrupter.
- d. A dedicated circuit shall be provided for the laundry appliances. The laundry area shall be provided with at least one (1) duplex receptacle located adjacent to the laundry appliances and shall be protected by a ground fault circuit interrupter.
- e. A dedicated circuit shall be provided for the furnace, with a disconnect located within sight of the furnace.
- f. All outside receptacles shall be protected by a ground fault circuit interrupter.
- g. Three-way switching shall be provided for all stairways with six (6) or more risers. Three-way switching is not required if the stairway is continuously illuminated or the lights are automatically controlled.
- h. Every room or space including, but not limited to, habitable rooms, hallways, stairways, bathrooms, kitchens, laundry rooms, garages, utility rooms, basements, cellars, crawlspaces, work rooms, or storage rooms shall be provided with a lighting fixture controlled by a switch at the entryway except that:

1. A habitable room may be provided with a switched receptacle or a duplex receptacle located within six (6) feet of the entrance doorway.
 2. The light provided for the laundry equipment area may be connected to the dedicated laundry circuit.
 3. An attic that is accessible by stairs shall be provided with at least one (1) light outlet switched near the entryway.
 4. Each main entrance shall be provided with a suitable lighting fixture outside of the door and a switch convenient to the door. Each enclosed porch shall be provided with a suitable lighting fixture outside the door.
 5. All garages shall be provided with at least one (1) inside lighting fixture, a ground fault circuit interrupter protected outlet, and a switched lighting fixture outside the service door. If the exterior of the service door is adequately illuminated by other lighting, a lighting fixture outside of the service door is not required.
- i. The electrical service must have an ampacity of not less than the load served.
 - j. Existing electrical services that do not comply with subsection (5)(i) above shall be upgraded in accordance with the Michigan Building Code or Michigan Residential Code.
 - k. The following requirements are in addition to the requirements of subsections (5)(a) through and including subsection (5)(j) for two-family and multiple-family dwellings:
 1. Each occupant shall be provided access to his or her respective service disconnecting means and over-current protection devices.
 2. Common area shall not be fed from a dwelling unit panelboard.
 - l. Evidence of inadequate or unsafe wiring in an existing dwelling shall include, but is not limited to, any of the following:
 1. The use of extension cords in lieu of permanent wiring.
 2. Oversized fuses or circuit breakers.
 3. Improper extensions to the wiring system.
 4. Overloading of service or branch circuits.
 5. Misuse of electrical materials and equipment.
 6. Insufficient receptacles in a rooms or area.
 7. Lack of operable lighting as required in subsection (5)(h).
 - m. Every non-conforming structure or use is permitted to remain or continue, provided, that:
 1. The structure or use complies with all applicable provisions of the zoning ordinance;
 2. The structure has not been vacant for more than 180 days;
 3. Repairs to a structure do not increase the non-conformity of the structure or use; or

4. Repairs of any part of a structure or system do not alter the existing design or installation of the structure or system being repaired.

(Code 1977, § 8.618; Ord. No. 94-16, § 1, 11-30-94)

Secs. 14-83--14-100. Reserved.

DIVISION 6. MINIMUM STANDARDS FOR LIGHT AND VENTILATION

Sec. 14-101. Minimum requirements.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (1) Windows. Every habitable room and bathroom shall have at least one (1) window or skylight facing directly to the outdoors or to a court. The minimum total window area measured between stops for every habitable room shall be at least eight percent (8%) of the total floor area of such room. All windows shall be fully operational and the sashes shall be capable of remaining open with approved sash control devices. This requirement is waived if the room is provided with adequate artificial lighting.
- (2) Ventilation. Every habitable room and bathroom shall have at least one (1) window that can be easily opened and will adequately ventilate the room. The total openable window area in every habitable room shall be at least four percent (4%) of the total floor area of such room. This requirement is waived if the room is provided with adequate mechanical ventilation.
- (3) Egress window. Any room that may be used for sleeping purposes shall be supplied with an egress window in compliance with the Michigan Building Code or Michigan Residential Code.
- (4) Light and ventilation in public halls and stairways. Every public hall and stairway serving dwellings, excluding one- and two-family dwellings and townhouses, shall be adequately lighted at all times, and shall be provided with as much ventilation to the outer air as required by the Michigan Building Code. This language shall not be construed to exempt one- and two-family dwelling units and townhouses from the requirements of the Michigan Residential Code.
- (5) Storm-screen units. The owner of a dwelling shall be responsible for all storm-screen units.
 - a. Doors. Every uninsulated door opening directly from any dwelling or dwelling unit to the outdoors that may be used for ventilation purposes shall be supplied with a storm-screen unit. Every insulated door shall be provided with a screen only. Every hinged screen or storm-screen door in a dwelling or dwelling unit shall have a self-closing device in good working condition.

- b. Windows. Every uninsulated window opening directly from any dwelling or dwelling unit to the outdoors that may be used for ventilation purposes shall be supplied with a storm-screen unit. Every insulated window shall be provided with a screen only. Each basement or cellar window, when open for ventilation, shall be screened and every other opening to a basement which might provide an entry for rats or other vermin shall be supplied with a screen or other device as to effectively prevent their entrance.

(Code 1977, § 8.619)

Secs. 14-102--14-110. Reserved.

DIVISION 7. MINIMUM SPACE REQUIREMENTS

Sec. 14-111. Occupancy requirements.

Unless otherwise provided, no person shall occupy or let to another for occupancy, any dwelling or dwelling unit, for the purpose of living therein which does not comply with the following requirements:

- (1) Minimum room widths. A habitable room, other than a kitchen, shall not be less than seven (7) feet in any plan dimension. Kitchens shall have a clear passageway of not less than three (3) feet between counterfronts and appliances, or counterfronts and walls.
- (2) Minimum ceiling heights. In all existing habitable spaces, hallways, laundry areas, bathrooms, toilet rooms, and habitable basement areas shall have a clear ceiling height of not less than six (6) feet six (6) inches.
Exceptions:
 - a. In one- and two-family dwellings, beams or girders spaced not less than four (4) feet on center and projecting not more than six (6) inches below the required ceiling height.
 - b. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study, or recreation purposes, having a ceiling height of not less than six (6) feet six (6) inches with not less than six (6) feet four (4) inches of clear height under beams, girders, ducts, and similar obstructions.
 - c. Rooms occupied exclusively for sleeping, study, or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least six (6) feet six (6) inches over not less than one-third (1/3) of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of five (5) feet or more shall be included.
- (3) Bedroom and living room requirements. Every bedroom and living room shall comply with the requirements of (a) through (c) below.
 - a. Room area. Every dwelling unit shall have at least one (1) habitable room that shall have not less than one hundred twenty

- (120) square feet of gross floor area, and every bedroom shall have a floor area of not less than seventy (70) square feet.
- b. Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces. Exception: units that contain fewer than two (2) bedrooms.
 - c. Water closet accessibility. Every bedroom shall have access to at least one (1) water closet and one (1) lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom, or an adjacent story.
- (4) Prohibited occupancy. Kitchens, kitchenettes, and non-habitable spaces shall not be used for sleeping purposes.
 - (5) Minimum sleeping space. In every dwelling unit, every room occupied for sleeping purposes by one (1) occupant shall contain at least seventy (70) square feet of floor space. Every room occupied for sleeping purposes by more than one (1) occupant shall contain at least fifty (50) square feet of floor space for each occupant.
 - (6) Fire separation walls. In two-family and multiple-family residential structures, and mixed-use structures, each dwelling unit shall be completely separated from the adjacent dwelling unit by fire separation walls and floor/ceiling assemblies in accordance with the Michigan Building Code or Michigan Residential Code. In mixed-use occupancies, the fire separation rating between residential and non-residential uses shall be in accordance with the Michigan Building Code. Attached garages in all dwellings shall be completely separated from the adjacent dwelling by fire separation walls and floor/ceiling assemblies in accordance with the Michigan Building Code or Michigan Residential Code.
 - (7) Lodgers prohibited. The Chief Building Official may prescribe conditions under which lodgers or boarders may be permitted in dwellings. It shall be the duty of the owner to see that the requirements of the Chief Building Official are complied with at all times. A failure to so comply on the part of any occupant, after due and proper notice from the owner shall be deemed sufficient cause for the summary eviction of such occupant and the cancellation of his or her lease. A failure to so comply on the part of any occupant after due and proper notice from the Chief Building Official shall be deemed sufficient cause to order the property vacated. The provisions of this section may be extended to owner-occupied dwellings, as may be found necessary by the Chief Building Official.
 - (8) Thermal environment. Every nonhabitable attic space shall be insulated with an NFPA rated insulation material to a minimum value of R-13 or above so as to provide minimum thermal protection.

(Code 1977, § 8.620)

Secs. 14-112--14-120. Reserved.

ARTICLE III. HOUSING COMMISSION

Sec. 14-121. Continuation.

The Jackson Housing Commission heretofore created pursuant to Act No. 18 of the Public Acts of Michigan of 1933, Extra Session (MCL 125.651 et seq., MSA 5.3011 et seq.), as amended, is hereby continued.
(Code 1977, § 1.203(1))

Sec. 14-122. Membership.

The members of the Housing Commission shall be appointed in conformity with a resolution adopted by the City Council in accordance with Section 4 of Michigan Public Act 18 of 1933 (Ex. Session) as last amended.
(Code 1977, § 1.203(2); Ord. No. 2000.1, § 1, 1-11-00)

Sec. 14-123. Powers and duties.

The Housing Commission shall have all the powers and duties vested or permitted to be vested in housing commissions by Act No. 18 of the Public Acts of Michigan of 1933, Extra Session (MCL 125.651 et seq., MSA 5.3011 et seq.), as amended, and any laws which are supplemental thereof, it being the legislative intention to vest in the Housing Commission all powers and duties permitted by law.
(Code 1977, § 1.203(3))

Sec. 14-124. Employees.

The Housing Commission shall select and appoint such employees as it shall deem necessary for the proper exercise of its powers, functions and duties and shall pay them such compensation as it shall, with the approval of the Mayor, fix and determine.
(Code 1977, § 1.203(4))

Secs. 14-125--14-130. Reserved.

ARTICLE IV. FAIR HOUSING

Sec. 14-131. Definitions.

- (a) The terms used to classify groups protected by the provisions of this article shall have the same meaning as used in Act No. 453 of the Public Acts of Michigan of 1976 (MCL 37.2101 et seq., MSA 3.548(101) et seq.), as amended (Elliot-Larsen Civil Rights Act).
- (b) The term "source of income" means only lawful sources from which income is derived. When used in this article this term shall not be deemed to preclude a good faith business decision by an owner, lessee or sublessee of real property that an individual be denied access to housing due to his

inability to meet the financial burdens attendant to the purchase, lease or sublease of such housing accommodation.

- (c) The term "respondent" means the person alleged to have violated this article. It shall refer also to the person authorized to answer the complaint if that person is not the alleged violator.

(Code 1977, § 9.155)

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 14-132. Discrimination in sale, lease or rental prohibited.

It shall be unlawful for any owner, lessee or sublessee of real property, or any agent or representative thereof, to refuse to sell, exchange, rent or lease any housing accommodation of any sort within the City because of an individual's religion, race, color, national origin, age, sex, familial status, handicap (disability) or source of income.
(Code 1977, § 9.150)

Sec. 14-133. Discrimination in lending prohibited.

It shall be unlawful for any person to discriminate in the lending of money, guaranteeing of loans, accepting of mortgages or otherwise making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation of any sort within the City because of an individual's religion, race, color, national origin, age, sex, familial status, handicap (disability) or source of income.
(Code 1977, § 9.151)

Sec. 14-134. Discrimination by real estate broker or employee prohibited.

It shall be unlawful for any real estate broker, or employee of a real estate broker, to refuse to accept offers to purchase, offers to lease or any other proposed agreements with reference to the sale, exchange or lease of real property because of an individual's religion, race, color, national origin, age, sex, familial status, handicap (disability) or source of income.
(Code 1977, § 9.152)

Sec. 14-135. Discrimination in terms and privileges prohibited.

It shall be unlawful for any owner, lessee or sublessee of real property or any other person concerned with a real estate transaction to discriminate against an individual involved in such transaction because of that individual's religion, race, color, national origin, age, sex, familial status, handicap (disability) or source of income.
(Code 1977, § 9.153)

Sec. 14-136. Publication indicating certain preferences prohibited.

It shall be unlawful for any person to publish, circulate, issue, display, or cause to be published, circulated, issued or displayed, any communication, notice, advertisement or

sign relating to the sale, rental or lease of real property within the City indicating exclusion of or preference for any person or group of persons based upon religion, race, color, national origin, age, sex, familial status, handicap (disability) or source of income. (Code 1977, § 9.154)

Sec. 14-137. False or substantially misleading statements prohibited.

It shall be unlawful for any person to knowingly or intentionally present a false or substantially misleading statement to authorities charged with enforcement of this article, or to sign a complaint for violation of this article, knowing that it is based upon false or substantially misleading information.

(Code 1977, § 9.156)

Sec. 14-138. Exclusions.

This article shall not apply to the:

- (1) Rental of a housing accommodation in a building which contains housing accommodations for not more than two (2) families living independently of each other, if the owner or lessor or a member of his family resides in one (1) of the housing accommodations.
- (2) Rental of a room in a single-family dwelling by the owner or lessor if he or a member of his family resides therein.
- (3) Rental of a housing accommodation for a period of time not to exceed twelve (12) months by the owner or lessor where it was occupied and maintained as his home for at least three (3) months immediately prior to occupancy by the tenant and is temporarily vacated while being maintained as a legal residence.
- (4) Restriction by a religious organization or institution of facilities for housing or accommodation, to persons of the denomination involved.
- (5) Limitation of occupancy in a federally funded housing project or to the provision of federally funded public accommodations, assistance, or services to persons of low income, over fifty (50) years of age, or who are handicapped.
- (6) Limitation by an educational institution of the use of its facilities to those affiliated with such institution.
- (7) Practice by the owner of an owner-occupied one- or two-family dwelling, housing accommodations, or public accommodation devoted entirely to the housing and accommodation of individuals of one (1) sex, to restrict occupancy and use of the facility on the basis of an individual's sex.

(Code 1977, § 9.157)

Sec. 14-139. Rules.

The City Attorney is hereby authorized to promulgate any rules and forms deemed necessary to implement the provisions of this article.

(Code 1977, § 9.158)

Sec. 14-140. Penalties.

Any person violating any of the provisions of this article may, upon conviction thereof, be sentenced to pay a fine of not more than five hundred dollars (\$500.00) or be imprisoned for not more than ninety (90) days or both.
(Code 1977, § 9.159)

Secs. 14-141--14-150. Reserved.

ARTICLE V. NON-RESIDENTIAL BUILDINGS

DIVISION 1. IN GENERAL

Sec. 14-151. Findings and determination of necessity.

The City Council finds that there are many non-residential buildings in the City which are poorly maintained or neglected by their owners. These buildings adversely affect citizens who own or occupy nearby buildings and dwellings by lowering property values and rental values. Many of these poorly maintained and neglected buildings have become so dilapidated that occupancy is no longer economically feasible. This increases the incidence of vandalism and fire. The City Council finds that the elimination and prevention of these conditions is necessary and is in the best interest of the City and its citizens.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-152. Purpose.

The purpose of this article is to maintain, preserve and improve the stock of non-residential buildings in the City. To accomplish this, this article sets out minimum standards for the exterior maintenance of all non-residential buildings. In carrying out this purpose, it is the intention of the City Council to exercise its full powers to protect the public health, safety and welfare, whether the powers so exercised are derived from the Constitution, state law or the City Charter.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-153. Interpretations.

All words and terms used in this article shall be given their common and normal meaning unless defined hereinafter. The words and terms defined hereinafter shall be given the meaning indicated in the interpretation and enforcement of this article. All other words and provisions of this article shall be interpreted so as to eliminate or prevent the conditions set out in findings and determinations of necessity.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-154. General term usage.

Unless the context clearly indicates otherwise, when words are used in this article, the following rules of construction shall apply:

- (1) The singular includes and shall apply to the plural, and the plural applies to and includes the singular.
- (2) The masculine gender shall include the feminine and neuter, and feminine and neuter shall include the masculine.
- (3) Where the text uses the negative of a defined word, the negative of the definition shall be applied.
- (4) The definition of a verb or a noun shall be used in an appropriate fashion where the adverbial or adjectival form of the word is used.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-155. Definitions.

[The following words, terms and phrases, when used in this article, will have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Basic structural elements means the parts of a building which provide the principal strength, stability, integrity, shape and safety of the building, including, but not limited to plates, studs, joists, rafters, stringers, stairs, sub-flooring, flooring, sheathing, lathing, roofing, siding, window frames, door frames, porches, railings, eaves, chimneys, flashing, masonry and all other essential components.

Building means any structure upon a property, presently or formerly used or intended to be used in whole or in part for the purpose of commerce, trade, manufacture, business, government, worship, education, office, medical, storage or other non-residential purpose.

City means the municipal corporation that is the City of Jackson and includes all authorized agents of the City of Jackson, when acting within the scope of their authority.

Court means a court of competent jurisdiction.

Deteriorate means to decay, decompose or degenerate.

Deterioration or deteriorated means the fact or process of decay or degeneration which has progressed to the point where it has resulted in or will soon result in making an object or mechanism unsafe, unsanitary, inoperable, unusable or unsuitable for its intended use, including, but not limited to the advanced stage of rot, rust, mold, vermin ingestion, infestation or destruction.

Emergency means a condition of imminent danger calling for immediate action in order to avoid death, injury or illness to a human or the destruction or severe damaging of real or personal property.

Garbage means any spoiled or discarded animal or vegetable material resulting from the handling, preparation, cooking or consumption of food for humans or animals, as well as other organic waste material subject to rapid decomposition, including trash to which such material has adhered. This definition is not meant to preclude the composting of yard waste in an appropriate container as approved by the Chief Building Official.

Good repair means to be properly installed, stable and maintained sufficiently free of defects or deterioration so as to be functional for its present use and to be safe and sanitary.

Good workmanship means executed in a skillful manner such as generally plumb, level, square, in line, undamaged, without marring adjacent work, utilizing as close to identical material as possible, and finished to a completed state. Alternative methods and materials must be approved by the Chief Building Official or his or her designee.

Non-residential means any structure or portion of a structure occupied or intended to be occupied, in whole or in part, for a use other than a dwelling, home, residing place, living space or sleeping space for one (1) or more human beings, either permanently or transiently.

Owner or ownership means any person holding legal or equitable title to a property or to real improvements upon a property, solely, jointly, by the entirety, in common, or as land contract vendee. Owner shall also mean any person who in fact has been empowered to act on behalf of, or as the agent of the owner. Owner shall also mean a person who has or exercises care, custody, dominion or control over any property. Owner shall not include any person who is a tenant.

Person means a human individual, as an association of individuals, a public, private or not-for-profit corporation, a firm or partnership.

Premises means property.

Property means any lot or parcel of land inclusive of any building or improvements located thereon.

Regular mail means that class of mail designed by the U.S. Postal Service as "first class" mail. Regular mail shall also include post cards and postal cards.

Responsible person means an owner or a person or persons designated in this article as being responsible for meeting the standards of this article.

Sanitary means free of grease, excrement, dirt, food residue, garbage, rust or similar matter which can harbor bacteria unsafe to humans or animals, or which produces strong odors or which provides for, or is an available source of food for, animals or insects.

Structure means anything constructed or placed upon a property which is supported by the ground or which is supported by any other structure, except a currently licensed vehicle.

Trash means waste materials and items which are not in good repair or are discarded and which are of little or no value, including, but not limited to plaster, paper, wrappings, plant cuttings, household furnishings, building materials, packing and clothing, appliances, equipment, machinery or parts thereof.

Unsafe means a condition which is reasonably likely to do harm to humans or property if not corrected or stopped.

Vermin means rodents, birds and insects which are destructive of real or personal property or injurious to health.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-156. Applicability.

The provisions of this article shall apply to any person owning, occupying, managing or controlling any non-residential building in the City as identified by this article.
(Ord. No. 2001.8, § 1, 4-10-01)

Secs. 14-157--14-200. Reserved.

DIVISION 2. PROPERTY MAINTENANCE STANDARDS

Sec. 14-201. Property maintenance required.

All buildings, regulated by this article, whether occupied or unoccupied and all property on which the buildings are located shall meet or exceed the standards of this article.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-202. Structural integrity.

Basic structural elements, foundations, foundation walls and supporting columns shall be in good repair.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-203. Exterior surfaces.

All exterior finish surfaces shall be weatherproof and in good repair and shall not have any holes, cracks or deterioration which allow water or vermin to reach any basic structural element or to enter the interior of any building.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-204. Protection of exterior surfaces.

All exterior surfaces of a building or structure made of iron, wood, steel, masonry or other materials which may deteriorate from exposure to weather shall be protected from the weather by a properly applied weather-resistant paint, stain or other waterproof finish. Primers shall be properly covered with a water-resistant finish coating.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-205. Exterior windows and doors.

All exterior windows and doors shall be weatherproof and in good repair, or shall be secured against weather by boarding. If required, the boarding shall be one-half (1/2) inch CDX plywood cut to fit the window or door casing, painted to match the exterior, and secured with a minimum of one and one-quarter (1.25) inch galvanized screws located at the corners and spaced every seven (7) inches around the perimeter of the boarding.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-206. Exterior attachments.

Exterior attachments to basic structural elements, including but not limited to gutters, downspouts, screening, vents, antennae, tanks, awnings, canopies, marquees, signs, lighting fixtures, handrails, guardrails and utility connections shall be in good repair, and shall comply with all other provisions of the Jackson City Code.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-207. Accessory improvements.

All accessory improvements located on a property, including but not limited to walkways, driveways, parking areas, storm drains, parking bumpers, steps, handrails, guardrails, signs, lighting fixtures, poles, fences, walls, tanks and antennae shall be in good repair and shall comply with all other provisions of the Jackson City Code.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-208. Outdoor storage.

Outdoor storage of materials of value shall not be permitted to be located between the street and the building and not closer than three (3) feet to any side or rear lot line. Materials of value shall be stored in a safe and sanitary manner, shall not be scattered about and shall not have openings nor be stacked in a manner which may provide harborage for vermin.
(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-209. Trees and shrubs.

No tree or shrub shall be allowed to damage a building or block safe vision or access to a sidewalk, drive or street. No dead tree shall be permitted on any property regulated by this article.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-210. Health and sanitation.

All exterior areas shall be sanitary and free of trash and garbage.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-211. Tenant responsibility for maintenance.

A tenant shall be responsible for maintaining the health, sanitation and storage standards of this division on that portion of the premises controlled exclusively by the tenant.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-212. Owner responsibility for maintenance.

The owner of a building shall be responsible for complying with the maintenance standards set forth in this article.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-213. Good workmanship.

Additions, replacements, repairs or changes made to buildings, accessory buildings, appurtenances or facilities regulated by this article shall be made with good workmanship.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-214. Exterior security lighting.

An exterior light fixture in good repair shall be provided adjacent to each entryway and exit located at the side or rear of a building having electrical service. Such light fixture shall illuminate between dusk to dawn daily.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-215. Street address visible.

Street addresses shall be provided for any building regulated by this article so as to identify the building from an adjacent public street or alleyway and in accordance with the Jackson City Code.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-216. Vacant building identification.

An identification sign in good repair and visible from the street, measuring at least 8.5 inches by 11 inches, shall be affixed to a vacant unoccupied building regulated by this article. Such sign shall provide the name and phone number of the property owner or other responsible person to be contacted regarding maintenance or an emergency.

(Ord. No. 2001.8, § 1, 4-10-01)

Secs. 14-217--14-300. Reserved.

DIVISION 3. ENFORCEMENT PROCEDURES

Sec. 14-301. Inspections authorized.

The standards of this article shall be applied to all non-residential buildings including, but not limited to, primary structures, accessory structures, yards, unsafe buildings, and buildings with advanced deterioration.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-302. Applicability.

The provisions of this article shall apply to all non-residential buildings and properties located within the City of Jackson.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-303. Enforcement process.

In enforcement of the standards of this article, the City shall utilize the methods and procedures established in sections 14-41, et seq. of the Jackson City Code, and all rules, regulations, policies and procedures adopted pursuant thereto.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-304. Fees.

Inspection fees shall be adopted by resolution of the City Council and collected pursuant to Section 14-43 of this chapter. All revenues raised shall be placed in a Housing Code Enforcement Fund. No part of the funds held in the Housing Code Enforcement Fund may be transferred to the general operating fund for any purpose.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-305. Inspection entry authorized.

When an emergency is believed to exist within a building or accessory building, the City shall have the right to enter immediately and at any time without a warrant or without requesting permission. Entry must be for the sole purpose of determining that an emergency exists or to abate an emergency condition known to exist.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-306. Change in ownership.

The prohibitions of section 14-45.1 of this Code shall be applicable to owners or responsible persons of properties regulated by this article.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-307. Removal of posted sign or notices.

It shall be a violation of this article to remove, damage, deface, interfere with, move or conceal any notice or sign posted in accordance with the provision of this article without first obtaining written permission of the Chief Building Official.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-308. Penalties.

A violation of any provision of this article is a blight violation subject to the penalties provided in Chapter 2.5 of this Code. Each day of violation of a provision of this article relating to the physical condition of any nonresidential building is a separate violation.

(Ord. No. 2001.8, § 1, 4-10-01; Ord. No. 2004.23, § 1, 11-9-04)

Editor's note: Section 2 of Ord. No. 2004.23 states: This amendment does not effect any existing litigation and does not abate any action or proceeding pending under or by virtue of this ordinance as it existed before this amendment if such litigation or proceeding was filed before December 31, 2004.

Sec. 14-309. Procedure for filing an appeal.

Any person wishing to make an appeal must fill out an appeal form setting forth the order of ruling being appealed. The appellant must file the form with the Department of Community Development. The City will send a notice to the appellant regarding the date the appeal will be heard by the Building Code Board of Examiners and Appeals. Notice of the hearing date will be by regular mail sent to the address stated on the appeal. The standards, procedures and criteria promulgated in section 14-51 of this Code shall be applicable to appeals heard pursuant to this article.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-310. Appeal fee.

An appeal fee established by City Council resolution shall be submitted with any appeal filed pursuant to this article.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-311. Conflict with existing ordinances.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

(Ord. No. 2001.8, § 1, 4-10-01)

Sec. 14-312. Savings provision.

The invalidity of any section, clause, or provision in this article shall not affect the validity of any other part of this article which may be given effect without reliance upon any such invalid part or parts.

(Ord. No. 2001.8, § 1, 4-10-01)

Section 2. Effective Date.

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



Department of Community Development Building a Stronger Community

161 W. Michigan Avenue • Jackson, MI 49201-1303
Telephone (517) 788-4060 • Facsimile (517) 780-4781

CITY COUNCIL MEETING February 21, 2012 Resolutions

TO: Honorable Mayor and City Councilmembers
FROM: Patrick H. Burch, Deputy City Manager/Community Development Director
SUBJECT: Establish Fees Associated with Chapter 14 of the City of Jackson Code of Ordinances

MOTION

Adopt the Resolution establishing fees associated with the Housing Code in Chapter 14 of the City of Jackson Code of Ordinances.

Attached is a Resolution setting forth proposed user fees representing the amounts necessary to recover costs associated with the conduct of inspections and administrative services to support the inspection process under the Housing Code. The Resolution also establishes a fee schedule for the new Non-Owner Occupied Residential Property Registry.

Please place this Resolution on the February 21, 2012 City Council agenda for adoption.

RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the City of Jackson has established a Non-Owner Occupied Residential Property Registry and must establish the amount of fees pertaining to the Registry; and

WHEREAS, the City of Jackson has seen an increase in its costs to conduct housing inspections and to conduct the administrative functions associated with the housing ordinance; and

WHEREAS, the City of Jackson has seen an increase in its cost to conduct appeals to the Building Code Board of Examiners and Appeals; and

WHEREAS, the City of Jackson wishes to establish a fee for inspections conducted under the authorization of an administrative search warrant; and

WHEREAS, the City of Jackson wishes to establish fees for preparation by the Department of Community Development of actions before the Administrative Hearings Bureau; and

WHEREAS, the City of Jackson wishes to give guidance in the establishment of fees necessary to implement the Non-Owner Occupied Residential Property Registry, to provide for the costs associated with conducting housing inspections, for the costs of the operation of the Building Code Board of Examiners and Appeals and for the costs of preparation of actions before the Administrative Hearings Bureau; and

WHEREAS, the City of Jackson wishes to have the aforementioned fees retained by the Department of Community Development to further the Overall Economic Stabilization Program that was adopted by the City of Jackson;

NOW, THEREFORE, BE IT RESOLVED that the City of Jackson establishes the following fees:

- A. Fees required by the Non-Owner Occupied Residential Property Registry.
 1. Registration Fee. The fee to register a non-owner occupied residential dwelling or unit shall be \$30.00 per structure plus \$10.00 for each non-owner occupied unit within that dwelling.
 2. Late Registration Fee. There shall be a late fee of \$5.00 per unit per day for failure to register a non-owner occupied residential dwelling or unit in accordance with Sections 14-4 and 14-9 of the Housing Ordinance.
 3. Updated Registration Information Fee. There shall be a late fee of \$5.00 per unit per day for failing to update the property registration information in accordance with Section 14-8 of the Housing Code.

B. Fees for housing inspections.

1. The fee for an initial housing inspection shall be \$175.00 per unit.
2. Any inspection or attempted inspection in addition to the initial housing inspection and the 90-day reinspection shall be charged a fee of \$50.00 per unit.

C. Fees for appeals to the Building Code Board of Examiners and Appeals.

There shall be a fee of \$100.00 per structure including the first unit plus \$10.00 per additional unit to file an appeal with the Building Code Board of Examiners and Appeals.

D. Fees for inspections conducted under the authorization of an Administrative Search Warrant.

There shall be a fee of \$150.00 per structure including the first unit plus \$25.00 per additional unit for a housing inspection conducted under the authorization of an Administrative Search Warrant. This fee is in addition to the inspection fee provided in paragraph B above.

E. Fees for preparation of Administrative Hearings Bureau actions.

There shall be a fee of \$150.00 for a single-family dwelling and \$200.00 for the first unit of a multi-unit dwelling and \$10.00 per additional unit for the preparation of an Administrative Hearings Bureau action.

F. All of the above fees that are collected shall be retained by the Department of Community Development to be used for the furtherance of the Economic Stabilization Program as adopted by the City of Jackson and no part of the funds derived from the above fees may be transferred to the general operating fund for any purpose.

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

I, Lynn Fessel, 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 February, 2012.

IN WITNESS WHEREOF, I have hereto affixed
my signature and the seal of the City of Jackson,
Michigan, on this ____ day of February, 2012.

City Clerk



Department of Community Development

Building a Stronger Community

161 W. Michigan Avenue • Jackson, MI 49201-1303
Telephone (517) 788-4060 • Facsimile (517) 780-4781

CITY COUNCIL MEETING

February 21, 2012
New Business

TO: Honorable Mayor and City Councilmembers

FROM: Patrick H. Burch, Deputy City Manager/Community Development Director

SUBJECT: Preliminary Allocation of Community Development Block Grant (CDBG) and HOME Investment Partnerships Program Funds for Fiscal Year 2012-2013

MOTION

- 1) Receive report and preliminary funding recommendation from Councilmember Frounfelker;
- 2) Approve preliminary funding recommendation.

On November 29, 2011, City Council adopted a Timetable for the 2012-2013 Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME). The Timetable included the February 21, 2012 City Council meeting as an alternative date for Council to make its preliminary allocation decisions for CDBG and HOME Program funds for fiscal year 2012-2013.

In mid-December 2011, HUD released preliminary formula allocations to allow entitlement communities such as the City of Jackson time to plan for budget reductions. On February 1, 2012, HUD published actual formula allocations which City Council should use to establish its preliminary allocations at the local level:

CDBG

December 2011: \$1,150,997 formula allocation (estimated) + \$75,000 program income = \$1,225,997
February 2012: \$1,147,952 formula allocation (actual) + \$75,000 program income = \$1,222,952

HOME

December 2011: \$259,988 formula allocation (estimated)
February 2012: \$262,391 formula allocation (actual)

As part of the City's application process to receive CDBG and HOME funds, City Council makes preliminary funding allocations in February for much the same reason HUD releases preliminary information. It not only allows entities who applied for funding to plan accordingly, it also provides the Community Development Department with direction to complete the Annual Action Plan. At the February 7, 2012 City Council meeting, the Community Development Department had requested preliminary allocations be made; however, two motions by Councilmember Frounfelker failed. Failure to approve preliminary allocations at the February 21, 2012 meeting will jeopardize the City's ability to comply with application rules and regulations in a timely fashion.

In March 2012, City Council will receive a draft Action Plan which will then be made available in various locations and formats for public review and comment for a period of 30 days. At the end of the 30 day comment period, City Council will make its final funding allocations, The Action Plan will be finalized and prepared for submission to HUD by mid-May 2012. Council should keep in mind the City's Citizen Participation Plan places a limit on changes between the preliminary and final allocation process to no more than 10% of the grant amount between funded activities; activities may not be added or deleted at this stage, either. Doing so will trigger the requirement of writing a substantial amendment and allowing for another 30 day public comment period, which would create a significant delay (six weeks or more) in submitting the Annual Action Plan to HUD and for the City to receive its funding by July 1.

Larry Shaffer

From: Carl L Breeding [clbreeding@justice.com]
Sent: Wednesday, February 15, 2012 4:28 PM
To: Larry Shaffer
Cc: Martin Griffin
Subject: Proposed 2/21/12 Council meeting

Carl L. Breeding,

1st Ward

City Councilmember

1124 South Milwaukee Street • P. O. Box 361 •

Jackson, Michigan 49204

Phone 517-784-3036 517-262-6225

Fax 517-784-0582 e-mail clbreeding@justice.com

February 15, 2012

To: City Manager Larry Shaffer

Re: Item for the 02/21/2012 Council meeting agenda

**Please add the following to the proposed agenda
under "Other Business" or any appropriate space:**

**"Consideration of a request from Councilmember Breeding
to name a City street after Dr. Martin Luther King Jr. and of
a motion to refer the request to the City Affairs Committee,
the Human Relations Commission, the City Attorney's
Office and others with directions to conduct hearings,
to study, and to make recommendations to the Council
during a June 2012 City Council meeting."**

Carl L. Breeding
1124 South Milwaukee Street
P.o. Box 361
Jackson, Michigan 49204

517-784-3036
517-262-6225
517-784-0582 (Fax)

Find a local lawyer and free legal information at FindLaw.com.



161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4060 — Facsimile: (517) 780-4781

CITY COUNCIL MEETING
February 21, 2012
NEW BUSINESS

TO: Honorable Mayor and City Councilmembers
FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director
RE: Request to Accept Purchase Agreement to Sell the Property at 1707 E. Ganson Street

Action requested of City Council is to:

- 1) **Accept the offer to sell the property located at 1707 E. Ganson Street for \$28,000;**
- 2) **Authorize the Mayor and City Clerk to execute the deed;**
- 3) **Authorize the Deputy City Manager or his designee to sign any required documents at closing; and**
- 4) **Authorize the City Attorney to make minor modifications to the closing documents and to take all other action necessary to effectuate the closing.**

The City has received an offer of \$28,000 for the purchase of the home at 1707 E. Ganson Street (attached). This foreclosed property was acquired in June 2010 for \$24,475 from Independent Bank for the purpose of rehabilitation and resale under the Neighborhood Stabilization Program (NSP).

The rehabilitation of this property was complete in May 2011 for \$23,425 and was originally listed for sale at \$35,000. The post-rehab appraised value of the home was \$43,000; however, recent comparable sales of 28 properties in the neighborhood averaged approximately \$19,525. NSP regulations stipulate the property may not be sold for more than the appraised value or the amount of NSP funds invested in the property, whichever is less. NSP regulations also stipulate properties must be occupied by February 28, 2013. If properties are not sold as owner-occupied units, they must be converted to rental or lease-purchase use in order to gain occupancy by the deadline.

In addition, The Michigan State Housing Development Authority (MSHDA) is requiring a minimum \$1,000 forgivable, mortgage to ensure the period of affordability is met. Funding for the forgivable, second mortgage is to be made from the proceeds of the sale. As part of the attached purchase agreement, the City agrees to contribute the maximum of \$5,600 in the form of a forgivable mortgage with a 5-year period of affordability.

Estimated net proceeds:

Selling price	\$ 28,000
Commission	(3,000)
Estimated closing costs	(440)
MSHDA second mortgage	<u>(5,600)</u>
Estimated net proceeds	\$ 18,960

Net proceeds generated from the sale will be returned to the NSP Fund to be utilized for change orders on NSP projects and future eligible projects. Annual maintenance expenditures and property taxes for 1707 E. Ganson are approximately \$3,700. Staff has indicated the buyer meets the requirements of the NSP and recommends accepting this offer.

Cc: Julius Giglio, City Attorney
Heather Soat, Accounting Manager

Disclosure Regarding Real Estate Agency Relationships

Before you disclose confidential information to a real estate licensee regarding a real estate transaction, you should understand what type of agency relationship you have with that licensee. A real estate transaction is a transaction involving the sale or lease of any legal or equitable interest in real estate consisting of not less than 1 or not more than 4 residential dwelling units or consisting of a building site for a residential unit on either a lot as defined in section 102 of the land division act, 1967 PA 288, MCL 560.102, or a condominium unit as defined in section 4 of the condominium act, 1978 PA 59, MCL 559.104.

- (1) An agent providing services under any service provision agreement owes, at a minimum, the following *duties* to the client:
 - (a) The exercise of reasonable care and skill in representing the client and carrying out the responsibilities of the agency relationship.
 - (b) The performance of the terms of the service provision agreement.
 - (c) Loyalty to the interest of the client.
 - (d) Compliance with the laws, rules, and regulations of this state and any applicable federal statutes or regulations.
 - (e) Referral of the client to other licensed professionals for expert advice related to material matters that are not within the expertise of the licensed agent.
 - (f) An accounting in a timely manner of all money and property received by the agent in which the client has or may have an interest.
 - (g) Confidentiality of all information obtained within the course of the agency relationship, unless disclosed with the client's permission or as provided by law, including the duty not to disclose confidential information to any licensee who is not an agent of the client.

(2) A real estate broker or real estate salesperson acting pursuant to a service provision agreement shall provide the following *services* to his or her client:

- (a) When the real estate broker or real estate salesperson is representing a seller or lessor, the marketing of the client's property in the manner agreed upon in the service provision agreement.
- (b) Acceptance of delivery and presentation of offers and counteroffers to buy, sell, or lease the client's property or the property the client seeks to purchase or lease.
- (c) Assistance in developing, communicating, negotiating, and presenting offers, counteroffers, and related documents or notices until a purchase or lease agreement is executed by all parties and all contingencies are satisfied or waived.
- (d) After execution of a purchase agreement by all parties, assistance as necessary to complete the transaction under the terms specified in the purchase agreement.
- (e) For a broker or associate broker who is involved at the closing of a real estate or business opportunity transaction, furnishing, or causing to be furnished, to the buyer and seller, a complete and detailed closing statement signed by the broker or associate broker showing each party all receipts and disbursements affecting that party.

Michigan law requires real estate licensees who are acting as agents of sellers or buyers of real property to advise the potential sellers or buyers with whom they work of the nature of their agency relationship.

SELLER'S AGENTS

A seller's agent, under a listing agreement with the seller, acts solely on behalf of the seller. A seller can authorize a seller's agent to work with subagents, buyer's agents and/or transaction coordinators. A subagent of the seller is one who has agreed to work with the listing agent, and who, like the listing agent, acts solely on behalf of the seller. Seller's agents and their subagents will disclose to the seller known information about the buyer which may be used to the benefit of the seller.

Individual services may be waived by the seller through execution of a limited service agreement. Only those services set forth in paragraph (2)(b), (c), and (d) above may be waived by the execution of a limited service agreement.

Phone:

Fax:

1 MO

BUYER'S AGENTS

A buyer's agent, under a buyer's agency agreement with the buyer, acts solely on behalf of the buyer. A subagent of the buyer is one who has agreed to work with the buyer's agent with who, like the buyer's agent, acts solely on behalf of the buyer. Buyer's agents and their subagents will disclose to the buyer known information about the seller which may be used to benefit the buyer.

Individual services may be waived by the buyer through execution of a limited service agreement. Only those services set forth in paragraph (2)(b), (c), and (d) above may be waived by the execution of a limited service agreement.

DUAL AGENTS

A real estate licensee can be the agent of both the seller and the buyer in a transaction, but only with the knowledge and informed consent, in writing, of both the seller and the buyer.

In such a dual agency situation, the licensee will not be able to disclose all known information to either the seller or the buyer. As a dual agent, the licensee will not be able to provide the full range of fiduciary duties to the seller or the buyer.

The obligations of a dual agent are subject to any specific provisions set forth in any agreement between the dual agent, the seller and the buyer.

TRANSACTION COORDINATOR

A transaction coordinator is a licensee who is not acting as an agent of either the seller or the buyer, yet is providing services to complete a real estate transaction. The transaction coordinator is not an agent for either party and therefore owes no fiduciary duty to either party.

DESIGNATED AGENCY

A buyer or seller with a designated agency agreement is represented only by agents specifically named in the agreement. Any agents of the firm not named in the agreement do not represent the buyer or seller. The named "designated" agent acts solely on behalf of his or her client and may only share confidential information about the client with the agent's supervisory broker who is also named in the agreement. Other agents in the firm have no duties to the buyer or seller and may act solely on behalf of another party in the transaction.

LICENSEE DISCLOSURE (Check one)

I hereby disclose that the agency status of the licensee named below is:

- Seller's agent
- Seller's agent - limited service agreement
- Buyer's agent
- Buyer's agent - limited service agreement
- Dual agent
- Transaction coordinator (A licensee who is not acting as an agent of either the seller or the buyer.)
- None of the above

AFFILIATED LICENSEE DISCLOSURE (Check one)

- Check here if acting as a designated agent. Only the licensee's broker and a named supervisor broker have the same agency relationship as the licensee named below. If the other party in a transaction is represented by an affiliated licensee, then the licensee's broker and all named supervisory brokers shall be considered disclosed consensual dual agents.
- Check here if not acting as a designated agent. All affiliated licensees have the same agency relationship as the licensee named below.

Further, this form was provided to the buyer or seller before disclosure of any confidential information.

J. C. Scanlon
Licensee

1.23.12
Date

Licensee

Date

ACKNOWLEDGMENT

By signing below, the parties acknowledge that they have received and read the information in this agency disclosure statement and acknowledge that this form was provided to them before the disclosure of any confidential information. **THIS IS NOT A**

CONTRACT.

Mackenzie D. O'Dell
Potential Buyer Seller (check one)

1.23.12
Date

Potential Buyer Seller (check one)

Date

Disclaimer This form is provided as a service of the Michigan Association of REALTORS®. Please review both the form and details of the particular transaction to ensure that each section is appropriate for the transaction. The Michigan Association of REALTORS® is not responsible for use or misuse of the form, for misrepresentation, or for warranties made in connection with the form.

**RESPONSIBILITIES OF SELLERS UNDER
RESIDENTIAL LEAD-BASED PAINT HAZARD REDUCTION ACT
Information for Sellers and Purchasers**

Property Address 1707 E. Hanson

The disclosure requirements listed below are imposed on sellers of residential housing built prior to 1978.

1. Sellers must disclose the presence of any lead-based paint hazards actually known to the seller. A *Lead-Based Paint Seller's Disclosure Form* for providing such information is available from your REALTOR. This disclosure must be made prior to the sellers' acceptance of the purchasers' offer. An offer may not be accepted until after the disclosure requirements are satisfied and the purchasers have had an opportunity to review the disclosure language, and to amend their offer, if they wish.

a. If the sellers are aware of the presence of lead-based paint and/or lead-based paint hazards in the property being sold, the disclosure must include any information available concerning the known lead-based paint and/or lead-based paint hazard, including the following:

- i. The sellers' basis for determining that lead-based paint and/or lead-based paint hazards exist;
- ii. The location of the lead-based paint and/or lead-based paint hazards; and
- iii. The condition of the painted surfaces.

b. If a lead-based paint hazard is not known to the seller, the disclosure must include a statement disclaiming such knowledge.

c. The sellers must provide a list of any records and reports available to the sellers pertaining to lead-based paint and/or lead-based paint hazards, copies of which must be provided to the purchasers. (If no such records or reports exist, the disclosure statement should affirmatively so state.)

d. The disclosure must include the following government-mandated *Lead Warning Statement*:

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

2. Sellers must provide purchasers with a copy of the federal pamphlet entitled *Protect Your Family From Lead In Your Home*. Again, a copy of this pamphlet is available from your REALTOR.

3. Sellers must permit a purchaser a ten (10) day period (unless the parties mutually agree, in writing, upon a different period of time) to have the property tested for lead-based paint before purchasers become obligated under the purchase agreement.

The undersigned hereby acknowledge that the REALTOR named below has reviewed the contents of the *Responsibilities of Sellers Under Residential Lead-Based Paint Hazard Reduction Act* with me and provided me with a copy.

Seller(s) Purchaser(s) (circle one)

Mackenzie O'Dell

REALTOR

J. C. Anderson

Date: 1-21-12

Date: 1-21-12

DISCLAIMER: This form is provided as a service of the Jackson Area Association of REALTORS. Users of this form are expected to review the form and the details of the transaction to ensure that each section of the form is appropriate for the transaction. The Jackson Area Association of REALTORS is not responsible for the use or misuse of this form, or for misrepresentations or warranties made in connection with this form.



JACKSON AREA ASSOCIATION OF REALTORS



12/98



0



PURCHASE AGREEMENT

Listing Office THINKING Real Estate
 Phone _____ Fax: _____
 Listing Agent Mari Meyer
 Phone _____ Fax: _____
 Email _____

Property Address 1707E Ganson
 Selling Office THE BROKERAGE HOUSE
 Phone 517-788-8733 Fax: _____
 Selling Agent Jenifer Scanlon
 Phone 517-592-8780 Fax: _____
 Email jenifer@thebrokeragehouse.com

Seller's Agent Dual Agent Transaction Coord. Seller's Agent Buyer's Agent Dual Agent Transaction Coord.

1. THIS offer made at 2 AM/PM / 12/31/12 between (Buyer) Mackenzie O'Dell
 Specify marital/legal status: single Address _____
 and Seller City of Jackson

2. FOR the purchase of the property commonly known as 1707E GANSON
 City JACKSON Zip 49202 or described as _____
 located in the _____ of _____ County of JACKSON, State of Michigan;
 subject to all existing restrictions, easements, rights-of-way, zoning laws, the lien of taxes not yet due and payable at the time of
 closing, and land use regulations affecting the use of the property. ALL buildings, attached fixtures, improvements, built-in
 appliances, landscaping, and gas, oil and mineral rights owned by Seller are included in the purchase price. Exceptions or
 Additions: _____

3. FOR the sum of \$ 280000 In the form of U.S. dollars, by cash, title company check, bank check, cashier's check
 or money order. (No personal checks)

4. PERSONAL PROPERTY - The sale price includes items of personal property as follows: See Addendum A

5. TERMS of purchase to be indicated by "X" below (Other unmarked terms of purchase do not apply):

_____ CASH: The full purchase price upon the execution and delivery of a Warranty Deed.

NEW MORTGAGE: The full purchase price upon the execution and delivery of a ~~Warranty Deed~~ *See Addendum A, contingent upon Buyer's
 ability to obtain a FHA type mortgage for no less than 30 years, with a minimum down payment of
*20 % of the purchase price at no more than 4.25 % interest per annum. Buyer will supply to the seller a loan
 commitment letter within 10 calendar days from acceptance contingent only on obtaining an acceptable appraisal, title
 work, or any mortgage required inspections.

_____ LAND CONTRACT: \$ _____ upon execution and delivery of a land contract with the balance payable in monthly
 principal and interest installments of \$ _____ or more. Interest at _____ % per annum. Interest to start on date of
 closing and first payment due 30 days after closing date. Land contract due in full no later than _____ after date of
 closing. At time of payoff, seller shall provide a warranty deed and pay all county/state transfer taxes. Additional terms
 _____. If taxes and insurance are not included in the monthly payment,
 Buyer agrees to pay them when billed and furnish evidence to Seller of same.
 Said Contract will _____ will not _____ have a due on sale clause. BUYER does/does not request a land contract
 memo at the Buyer's expense (circle choice).
 Said Contract will _____ will not _____ have a late fee of _____.

_____ EQUITY: Upon execution and delivery of: () Warranty Deed subject to existing mortgage, or () Assignment of Vendee
 interest in land contract. Buyer to pay the difference between the purchase price and the unpaid debt balance of
 approximately \$ _____ after the _____ payment of \$ _____ on said
 indebtedness, which Buyer assumes and agrees to pay according to the terms of the mortgage or land contract. Buyer shall
 reimburse Seller for accumulated funds held in escrow, if any.

6. EARNEST MONEY Buyer herewith deposits \$ 500.00 in the form of personal check as earnest money to be held by
THE BROKERAGE HOUSE as part of the purchase price or the down payment portion where applicable. If this agreement is
 not accepted, or the conditions, contingencies, and/or any inspections specified are not satisfied, the earnest money shall be
 refunded to the Buyer. If the Seller defaults in the performance of this agreement, Buyer may receive an immediate refund of all
 earnest money in full termination of this agreement or may pursue specific performance of this agreement. If Buyer defaults in the
 performance of this agreement, all deposits shall be forfeited to Seller in full termination of this agreement. If the sale is not
 closed, the REALTOR may notify Buyer and Seller in writing, of REALTOR's intended disposition of the earnest money deposit.
 All parties shall be deemed to have agreed to the disposition of the earnest money deposit unless REALTOR receives written
 objection from either party within ten (10) calendar days of receipt of notification. If a dispute occurs involving the deposit, in whole
 or in part, the non - prevailing party, as determined by the court, will reimburse the other party and Broker(s) for reasonable
 attorney's fees and expenses incurred in connection with the dispute, including interpleader actions. If a dispute exists between the
 Seller and Buyer, Seller and Buyer agree that the Selling Broker/Escrow Agent shall not release the Earnest Money Deposit
 without the written consent of both parties.

PURCHASE AGREEMENT

Property Address 1707 E GARSON
~~Warranty Deed~~ *See Addendum A*

7. FORM of Conveyance:

- A. Seller shall convey and transfer, by ~~Warranty Deed~~ or Land Contract, a marketable record title to the property and improvements as evidenced by Owner's Title Insurance Policy with standard exceptions dated in the amount of the purchase price, subsequent to this agreement, and pay all county/state transfer tax.
- B. When applicable, insert the number of divisions and include in deed/land contract: "The grantor grants to the grantee the right to make _____ (insert number) division(s) under Section 108 of the land division act, Act. No. 288 of the Public Acts of 1967."

8. CLOSE of sale shall be on or before MARCH 2, 2012

9. POSSESSION to be given no later than DAY OF after close of sale, subject to Tenant's Rights, if any, without payment of rent or with payment of rent of \$ N/A per day, including the day of closing through the day keys are delivered. Rent in the sum of \$ N/A will be withheld from Seller at closing and held by _____ Within 7 days after delivery of keys by Seller, the funds will be distributed according to the terms of this Purchase Agreement. Seller will remove trash and debris from the property and leave it in broom - clean condition. Other provisions: _____

10. ADDITIONAL ADJUSTMENTS: Rent, association fees, fuel oil and/or propane gas in tank, and fixed water and/or sewer bills, if any, are to be prorated to date of closing. \$ _____ will be retained from Seller's proceeds by _____ to be applied to final billing for METERED water and sewer charges.

11. TAXES are to be treated as if they cover the CALENDAR YEAR in which they are first billed. Taxes first billed in years prior to year of closing shall be paid by the SELLER. Taxes which are first billed in the year of closing shall be prorated so that SELLER shall pay taxes from the first of the year to closing date and BUYER shall pay taxes for the balance of the year, including the day of closing. If any bill for taxes is not issued as of the closing date, the current taxable value, homestead status and millage rate shall be used for proration purposes, plus collection fee, if any. EXCEPT, if taxes are unallocated as to the parcel being sold, Buyer and Seller agree that this split represents N/A % of the total and this allocation will be used for proration purposes as well as for any reimbursements owed by either party for future bills that do not reflect the split.

12. ASSESSMENTS: Seller shall pay all installments of special assessments due as of the closing date. Installments of existing special assessments due after the closing date shall be paid by the seller *See Addendum A*. (If the buyer elects to assume existing special assessments and is obtaining a mortgage, buyer should confirm with lender that the assessment can be assumed). Assessments levied after the closing date to be paid by Buyer. Seller has no knowledge of any pending assessments and/or benefit charges that have not been disclosed in writing to the Buyer in this Agreement. Any exceptions shall be disclosed to Buyer in writing.

13. ~~SELLER~~ / BUYER (circle choice) shall furnish at his expense an inspection by a licensed pest control company for termites, powder post beetles carpenter ants and carpenter bees. If active infestation is found, or evidence of previous untreated termite infestation, it shall be the option of the Seller, within 7 days from inspection, to contract to treat and to contract to repair any ruined material resulting from termites, powder post beetles or carpenter ants. If the Seller does not contract to treat and repair, this agreement may be declared null and void by the Buyer. me Buyer waives pest inspection.

14. LEAD BASED PAINT

A. Buyer acknowledges that prior to signing this Purchase Agreement, Buyer has received and reviewed a copy of the Lead-Based Paint Seller's Disclosure Form which the Seller completed on 1/1, the terms of which are incorporated herein by reference.

TO BE PROVIDED

B. Initial One: _____ Buyer shall have a _____ day opportunity after the date of this Agreement to conduct an inspection of the property for initial presence of lead-based paint and/or lead-based paint hazards. (Federal regulations require a 10-day period or other mutually agreed upon period of time.)

no Buyer hereby waives his/her opportunity to conduct a risk assessment or inspection for the presence of lead-based paint initial and/or lead-based paint hazards.

_____ No lead-based paint disclosure form is required because the property was built in 1978 or later:
 Initial _____

15. DISCLOSURE STATEMENT ACKNOWLEDGEMENT N/A - See Addendum A
 Buyer acknowledges receipt of Seller's Disclosure Statement, which was signed by the Buyer on 1/1 in compliance with the Michigan Seller Disclosure Act.

Seller initials _____ Buyer initials me
 Seller initials _____ Buyer initials _____



PURCHASE AGREEMENT

Property Address 1707 E GANSON

16. MECHANICAL, ELECTRICAL AND STRUCTURAL INSPECTION

 This Purchase Agreement is contingent upon an inspection by inspector of Buyer's choice, at Buyer's expense, to ascertain current condition of the property within ten (10) calendar days of acceptance of this offer. This contingency shall be deemed waived unless the Buyer, based on the results of the inspection, objects in writing within the time period permitted for the inspection. NOTE: The intention of the inspection(s) is not to create a list of repairs for the Seller to correct. It is the Seller's position that the negotiated price fairly reflects the present "AS-IS" condition of the property.
 Buyer waives inspection.

MO

17. WELL AND SEPTIC INSPECTIONS

Connected to community water Connected to community sewer

 Seller / Buyer (circle choice) to furnish a written report stating that the water is potable.
 by a certified inspector.
 Seller / Buyer (circle choice) to furnish a written report that the well system is in good working order.
 by a certified inspector.
 Seller / Buyer (circle choice) to furnish a written report stating that the septic system is in good working order.
 by a certified inspector.
 Buyer waives water/septic inspection

NOTE: If any of the above reports regarding well and septic are found deficient, the Seller and the Buyer agree to negotiate in good faith the cost of the correction.

18. SURVEY/MORTGAGE REPORT/PROPERTY IMPROVEMENT REPORT

 Mortgage Report - Buyer shall provide, at buyer's expense, a current mortgage report certified to Buyer's lender only if required by lender. This report shall identify any buildings and improvements on the property as described with no boundary lines established.
 Property Improvement Report - Buyer shall furnish at buyer's expense a current property improvement report certified to the buyer. This report shall identify any buildings and improvements on the property as described with no boundary lines established. (This document can be utilized in situations where the lender does not require a mortgage certificate.)
 Boundary (Stake) Survey - Seller Buyer (check choice) shall furnish at their expense a current report identifying any buildings, encroachments and improvements within the boundaries of the described property. This survey shall show all boundaries and property shall be staked at all corners.
 Buyer waives stake survey, mortgage report and property improvement report.

19. HOME WARRANTY

 Buyer has been advised of the availability of a Home Warranty program. Said Home Warranty plan to be provided by at expense.

Buyer waives Home Warranty.

20. CONDITION OF PROPERTY: BUYER HAS PERSONALLY EXAMINED THIS PROPERTY AND AGREES TO ACCEPT SAME IN ITS "AS IS" CONDITION AND SELLER AGREES NOT TO ADVERESLY ALTER THE PRESENT CONDITION. If said premises are damaged by fire or other casualty prior to closing, Buyer may elect to revoke this Agreement and be reimbursed for all earnest money hereunder, or conclude the sale on the payment to Buyer of such insurance proceeds necessary to repair the property to its condition at the time of this Agreement's acceptance. Buyer shall assume all risk of loss or damage not caused by acts of negligence of the Seller from date of closing. **WALK THROUGH INSPECTION:** Although the Buyer has the right to a walk-through inspection prior to closing, the sole purpose is to determine if it is in the same condition as when the Purchase Agreement was executed, and the included personal property remains on the premises.

21. SELLER/BUYER HAS BEEN ADVISED TO SEEK LEGAL COUNSEL TO INSURE THAT: 1) the details of the Purchase Agreement are being adhered to, 2) title is marketable, 3) Property complies with or is not affected by the Land Division Act, as amended, and 4) to determine how buyer(s) will take title.

22. VOLUNTARY ARBITRATION AGREEMENT: Any claim of Seller or buyer arising out of this agreement relating to the disposition of the earnest money deposit or the physical condition of the property covered by this agreement shall be arbitrated in accordance with the rules, then in effect, adopted by the Michigan Association of REALTORS® arbitration provider. This is a separate voluntary agreement between the Seller and Buyer and the failure to agree to arbitrate does not affect the validity of this purchase agreement. This agreement is made subject to and incorporates the provisions of Michigan law governing arbitrations, including MCL 600.5001 and MCR 3.602, as neither is amended. The arbitration award is enforceable by judgment rendered in any circuit court. This agreement shall survive closing.

A. ARBITRATION ACCEPTED (initials)

Seller _____ Buyer MO
Seller _____ Buyer _____

B. ARBITRATION DECLINED (initials)

Seller _____ Buyer _____
Seller _____ Buyer _____

Seller initials _____ Buyer Initials MO
Seller initials _____ Buyer initials _____



PURCHASE AGREEMENT

Property Address 1707 E. GANSON

23. OTHER PROVISIONS: * BUYER TO PARTICIPATE IN A [unclear] PROGRAM
PROVIDING 20% DOWN PAYMENT - NEIGHBORHOOD STABILIZATION
MISHDA

* BUYER REQUESTS ASSISTANCE W/ CLOSING COSTS UP TO 3% OF
selling price - see Addendum A

24. MISCELLANEOUS: The parties agree that a) there are no additional written, any oral agreements or understandings, b) the Agreement shall not be amended or modified unless both parties do so in writing, c) this Agreement shall be governed and construed in accordance with the laws of the State of Michigan, d) invalidation of one or more terms shall not affect the validity of the remaining terms, e) this Agreement shall survive the closing, the delivery of deeds, instruments or contracts and shall not merge into any such documents of conveyance provided for herein and f) information concerning the sale of property shall be reported for statistical and comparison purposes to the Jackson Area Association of REALTORS®. Parties waive any right to claim damage from the dissemination of such information.

25. Buyer gives the Seller until 10 AM/PM 2/18/12 for written acceptance of this agreement and agrees that this agreement, when accepted by Seller via original or facsimile signature, will constitute a binding agreement between Buyer and Seller.

[Signature] Mackenzie O'Dell
WITNESS BUYER BUYER
Janifer Scanlon MACKENZIE D'DELL
SELLING AGENT NAME & PHONE Print Buyers Legal Name Print Buyers Legal Name

26. Seller's Acceptance: _____ AM/PM

The above is hereby accepted _____
and Seller gives the Buyer until _____ AM/PM _____ to accept any changes. Receipt is acknowledged by Seller of a copy of this agreement.

WITNESS SELLER SELLER

LISTING AGENT NAME & PHONE SELLER MARITAL STATUS _____

27. Buyer's Receipt and Acceptance of changes: _____ AM/PM

Receipt is acknowledged by Buyer of the Seller's acceptance of offer. If acceptance was subject to changes, Buyer agrees to accept changes; all other terms and conditions remain unchanged.

WITNESS BUYER BUYER

28. SELLER'S RECEIPT OF BUYER'S ACCEPTANCE: Seller has received Buyer's acceptance of changes in this contract.

SELLER _____ DATE: _____
SELLER _____ DATE: _____



Addendum A

(This addendum is made part of the
 Purchase Agreement / Listing Contract.)

Date: 1/31/2012 Property Address: 1707 E. Ganson, Jackson, MI 49202

It is agreed and understood that any additions or changes shown below supersede the original agreement/contract. All other terms and conditions remain the same.

1. Appliances to be included in personal property per item 4 is a refrigerator.
2. The form of conveyance per items 5 and 7 will be a Quit Claim Deed.
3. The buyer will be responsible for any special assessments on the property (item 12 indicates the seller will be responsible).
4. The Disclosure Statement Acknowledgement referenced in item 15 will not be applicable as the seller has not resided in the home.
5. Buyer will complete eight hours of HUD-certified homebuyer counseling as a requirement of the Neighborhood Stabilization Program.
6. Buyer will occupy and maintain this property as their principal place of residence for five years and execute a 5-year forgivable mortgage with the Michigan State Housing Development Authority to enforce the period of affordability.
7. Buyer plans to request closing cost assistance up to 3% of the selling price from Jackson Affordable Housing Corporation.

Respond by: _____

Witness

Buyer

Buyer

Date

Witness

Seller

Seller

Date

LEAD-BASED PAINT SELLER'S DISCLOSURE FORM

Lead Warning Statement

Property Address: _____

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

I. Seller's Disclosure (initial)

_____ (a) Presence of lead-based paint and/or lead-based paint hazards (check one below):

_____ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain):

_____ Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the seller (check one below):

Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below)

See attached Exhibit A

_____ Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing

Seller certifies that to the best of his/her knowledge, the Seller's statements above are true and accurate

Seller(s)

Date: _____

Date: _____

II. Agent's Acknowledgment (initial)

_____ Agent has informed the seller of the seller's obligation under 42 U.S.C. 4852 d and is aware of his/her responsibility to ensure compliance

Agent certifies that to the best of his/her knowledge, the Agent's statement above is true and accurate

Agent

Date: _____

III. Purchaser's Acknowledgment (initial)

_____ (a) Purchaser has received copies of all information listed above

_____ (b) Purchaser has received the federally approved pamphlet *Protect Your Family From Lead In Your Home*

_____ (c) Purchaser has (check one below)

_____ Received a 10-day opportunity (or other mutually agreed upon period) to conduct a risk assessment or inspection of the presence of lead-based paint or lead-based paint hazards, or

_____ Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Purchaser certifies to the best of his/her knowledge, the Purchaser's statements above are true and accurate.

Purchaser(s)

Date: _____

Date: _____

DISCLAIMER: This form is provided as a service of the Jackson Area Association of REALTORS. Users of this form are expected to review the form and the details of the transaction to ensure that each section of the form is appropriate for the transaction. The Jackson Area Association of REALTORS is not responsible for the use or misuse of this form, or for misrepresentations or warranties made in connection with this form.



JACKSON AREA ASSOCIATION OF REALTORS



2/97



161 W. Michigan Avenue - Jackson, MI 49201
Telephone: (517) 788-4060 — Facsimile: (517) 780-4781

CITY COUNCIL MEETING
February 21, 2012
NEW BUSINESS

TO: Honorable Mayor and City Councilmembers
FROM: Patrick H. Burtch, Deputy City Manager/Community Development Director
RE: Request to Accept Purchase Agreement to Sell the Property at 509 W. Franklin Street

Action requested of City Council is to:

- 1) **Accept the offer to sell the property located at 509 W. Franklin Street for \$25,000;**
- 2) **Authorize the Mayor and City Clerk to execute the deed;**
- 3) **Authorize the Deputy City Manager or his designee to sign any required documents at closing; and**
- 4) **Authorize the City Attorney to make minor modifications to the closing documents and to take all other action necessary to effectuate the closing.**

The City has received an offer of \$25,000 for the purchase of the home at 509 W. Franklin Street (attached). This foreclosed property was acquired in June 2010 for \$13,574 from Independent Bank for the purpose of rehabilitation and resale under the Neighborhood Stabilization Program (NSP).

The rehabilitation of this property was complete in September 2011 for \$56,360 and was originally listed for sale at \$35,000. The post-rehab appraised value of the home was \$38,000; however, a recent market analysis values the property at \$25,000 based on 22 comparable sales in the area. NSP regulations stipulate the property may not be sold for more than the appraised value or the amount of NSP funds invested in the property, whichever is less. NSP regulations also stipulate properties must be occupied by February 28, 2013. If properties are not sold as owner-occupied units, they must be converted to rental or lease-purchase use in order to gain occupancy by the deadline.

In addition, The Michigan State Housing Development Authority (MSHDA) is requiring a minimum \$1,000 forgivable, mortgage to ensure the period of affordability is met. Funding for the forgivable, second mortgage is to be made from the proceeds of the sale. As part of the attached purchase agreement, the City agrees to contribute the maximum of \$5,000 in the form of a forgivable mortgage with a 5-year period of affordability.

Estimated net proceeds:

Selling price	\$ 25,000
Commission	(3,000)
Estimated closing costs	(465)
MSHDA second mortgage	<u>(5,000)</u>
Estimated net proceeds	\$ 16,535

Net proceeds generated from the sale will be returned to the NSP Fund to be utilized for change orders on NSP projects and future eligible projects. Annual maintenance expenditures and property taxes for 509 W. Franklin Street are approximately \$4,500. Staff has indicated the buyer meets the requirements of the NSP and recommends accepting this offer.

Cc: Julius Giglio, City Attorney
Heather Soat, Accounting Manager



Purchase Agreement

List Office: Thinking Real Estate
 List Agent: Marc Meyer
 Phone: 517 740 2028 Fax: _____
 Email: mjmeyer@7803800.com
 Seller's Agent Dual Agent Transaction Coord.

Sell Office: Thinking Real Estate
 Sell Agent: Marc Meyer
 Phone: 517 740 2028 Fax: 517-780-3808
 Email: mjmeyer@7803800.com
 Buyer's Agent Dual Agent Transaction Coord.

1. THIS OFFER MADE ON 2/13/12
2. BETWEEN (Buyer) Nathan and Ashley Benkert
 Buyer Address: 810 W. Washington St.
 Marital/legal status: Married
 AND (Seller) City of Jackson
3. FOR THE PURCHASE OF the property commonly known as 509 W. Franklin St. or described as _____ located in the City/Township of Jackson County of Jackson, State of Michigan; subject to all existing restrictions, easements, rights-of-way, zoning laws, the lien of taxes not yet due and payable at the time of closing, and land use regulations affecting the use of the property.
4. FOR THE SUM OF \$ 25,000 in the form of US dollars, by cash or certified funds. (No personal checks.)
5. ALL BUILDINGS, all buildings, fixtures, improvements and landscaping; and, where applicable: built-in appliances; carpeting (except area rugs); TV antenna; satellite dish and any accessories and complete rotor equipment; lighting fixtures and their shades; screen and storm windows and doors; stationary laundry tubs; water softener (unless rented), water heater, incinerator, heating and air conditioning equipment; water pump and pressure tank; fireplace doors, screens, grates, and gas logs; mechanical door openers and controls; security systems; awnings; mail box; pool equipment; landscaping; storage shed(s); and, gas, oil and mineral rights owned by Seller are included in the purchase price. Seller agrees to maintain the Property in its current condition and to keep all appliances and fixtures in working order until transfer of possession.
 Additions: _____
6. PERSONAL PROPERTY: To be included in the purchase price as indicated on Multiple Listing Service data sheet. In addition to include items listed as follows: _____ See attached Addendum A
7. TERMS of purchase to be indicated below (Other unmarked terms of purchase do not apply):
 CASH: The full purchase price upon the transfer of title for the property. See attached Addendum _____
 NEW MORTGAGE with Fifth Third: The full purchase price upon the execution and delivery of a Warranty Deed See Addendum A contingent upon Buyer's ability to obtain a FHA or Conv. type mortgage for no less than 30 years, with a minimum down payment of 20 % of the purchase price at no more than 4.5 % interest per annum. Buyer will supply to the Seller a loan commitment letter within 5 calendar days from acceptance contingent only on obtaining an acceptable appraisal, title work, or any mortgage required inspections.
 Pre-approval letter attached as Addendum _____
 LAND CONTRACT: See Land Contract Addendum _____ Attached Tax Escrow Calculation Addendum _____

Property Address: 509 W. Franklin St.
 Page 1 of 7

Seller initials _____ Buyer initials NS
 Seller initials _____ Buyer initials AB



Purchase Agreement

8. **BANK APPRAISAL:** This purchase agreement is subject to bank appraisal equal to or greater than purchase price. Appraisal to be completed by a licensed appraisal from Jackson County.
9. **SELLER CONCESSIONS:** Seller to contribute see A % of the gross purchase price towards buyer's closing costs, pre-paids, escrows, home owners insurance, home inspection, or any other out-of-pocket expenses related to the purchase of this property and additional ____% of the gross purchase price to be used as down payment assistance. These seller concessions do not exclude Buyer from asking for additional concessions as a result of any of the inspections in this agreement.
10. ~~**COMMISSION REIMBURSEMENT:** Seller shall reimburse Buyer at closing an amount calculated as follows: 3.5% of the purchase price less the amount of commission paid by Listing Broker to Buyer's Broker, Thinking Real Estate. This amount represents reimbursement to Buyer of the additional amount which Buyer is required to pay to Buyer's Broker pursuant to the Buyer's Agency Agreement.~~
11. **FOR VALUABLE CONSIDERATION:** Buyer gives the Seller to and including 2/28/12 for written acceptance of this agreement and agrees that this agreement, when accepted by Seller via original, facsimile or scanned signature, will constitute a binding agreement between Buyer and Seller. Buyer shall deposit \$ 500 *See Addendum A as earnest money to be held by the Escrow Agent as part of the purchase price. **Earnest money must be deposited within 2 banking days after removal of inspection contingency per paragraph 21 of this agreement.** If Buyer defaults in the performance of this agreement, all deposits shall be forfeited and this agreement terminated. If the Seller defaults in the performance of this agreement, Buyer may receive an immediate refund of all earnest money in full termination of this agreement or may pursue specific performance of this agreement. **(No verbal statement shall be recognized as binding.)** If a dispute then exists between the Seller and Buyer, Seller and Buyer agree that the Escrow Agent shall not release the Earnest Money Deposit without the written consent of both parties. Information concerning the sale of property shall be reported for statistical and comparison purposes to the Jackson Multiple Listing Service. Parties waive any right to claim damage from the dissemination of such information.
12. **CLOSE** of sale shall be on or before 3/31/12.
13. **POSSESSION** to be given no later than At close after close of sale. This agreement is subject to Tenant's Rights, if any, with / without payment of rent of \$ n/a per day, including the day of closing through the day keys are delivered. Rent in the sum of \$ n/a will be withheld from Seller at closing and held by Escrow Agent. Within 7 days after delivery of keys by Seller, the funds will be distributed according to the terms of this purchase agreement. If possession is not given immediately after close of sale, Possession Agreement is attached as Addendum Rent Claim Deed *See Addendum A.
14. **FORM OF CONVEYANCE:** Seller shall convey and transfer, by Warranty Deed, Covenant Deed or Land Contract, a marketable record title to the property and improvements as evidenced by Owner's Title Insurance Policy without standard exceptions (at no additional cost to either party) in the amount of the purchase price, and pay all county/state transfer tax. Buyer does / does not request a transfer valuation affidavit / land contract memo at the Buyer's expense. Buyer does / does not intend to use and occupy the Property as Buyer's primary residence. Buyer and Buyer's Agent to receive closing package and title insurance commitment 48 hours prior to closing. Buyer and Buyer's Lender require that the mortgage title policy be issued and mortgage closing be conducted by _____.

Property Address: 509 W. Franklin St.
Page 2 of 7

Seller initials _____ Buyer initials AS
Seller initials _____ Buyer initials AS



Purchase Agreement

15. **ADDITIONAL ADJUSTMENTS:** Rent, association fees, fuel oil and/or propane gas in tank, and fixed water and/or sewer bills, if any, are to be prorated to date of closing. \$ _____ will be retained from Seller's proceeds by Escrow Agent to be applied to final billing for **METERED** water and sewer charges.

16. **HOME WARRANTY:**

___ Home Warranty to be provided by American Home Shield at Seller's / Buyer's expense.

Buyer waives Home Warranty.

See attached Addendum _____.

17. **CONDOMINIUM ASSOCIATION:** Seller / **Not Applicable** to provide a copy of the current active condominium association documents, including but not limited to Rules & Regulations, Articles, Master Deed, Bylaws, etc. for Buyer's review and acceptance. This contingency to be removed within _____ days after receipt of documents.

18. **TAXES** are to be treated as if they cover the CALENDAR YEAR in which they are first billed. Taxes first billed in years prior to year of closing shall be paid by the SELLER. Taxes which are first billed in the year of closing shall be prorated so that SELLER shall pay taxes from the first of the year to closing date and BUYER shall pay taxes for the balance of the year, including the day of closing. If any bill for taxes is not issued as of the closing date, the current taxable value, homestead status and millage rate shall be used for proration purposes, plus collection fee, if any.

Proposal A Information: The 1994 constitutional amendment, known as Proposal A, states the following: (1) Assessments cannot exceed 50 percent of true cash value, defined as the usual selling price of property. (2) The system of county and state equalization has not been changed or eliminated. (3) The taxable value of each parcel shall not increase more than the lesser of the Consumers Price Index or 5 percent, except that adjustments are made for additions and losses. (The Consumer Price Index for the period of October 1 to September 30 will be published annually by the State Tax Commission.) And (4) when the ownership of the property transfers, the taxes will be spread against 50 percent of the true cash value, as determined by the assessor in the year following the transfer. The County Board of commissioners will meet in April to adopt county equalized values for each class of real and personal property in each assessing unit in the county. In May, the State Tax Commission will adopt state equalized values for each class of real and personal property in each county of in the state. "Taxable value" is the value against which taxes will be spread starting in 1995. "Capped value" is the maximum amount to which the taxable value of each parcel could be increase in any given year. Taxable Value multiplied by Millage Rate equals Property Tax Bill. Questions and Answers at: www.michigan.gov/documents/2856_11014_7.pdf

19. **ASSESSMENTS:** Seller shall pay all installments of special assessments due as of the closing date. Installments of existing special assessments due after the closing date shall be paid by the Seller / Buyer. ** See Addendum A* (If the buyer elects to assume existing special assessments and is obtaining a mortgage, buyer should confirm with lender that the assessment can be assumed). Assessments levied after the closing date to be paid by Buyer. **Seller has no knowledge of any pending assessments and/or benefit charges that have not been disclosed in writing to the Buyer in this Agreement. Any exceptions shall be disclosed to Buyer in writing.**

20. **INSPECTIONS/REPORTS:** Seller to make property in a condition where as all reports/inspections noted in this purchase agreement can be completed, including but not limited to: turning on power; de-winterizing property; gas/LP to buildings; water pump/tank operational; HVAC (appropriate for season) systems turned on; hot water tank on and operational; gas fireplaces

Property Address: 509 W. Franklin St.
Page 3 of 7

Seller initials _____ Buyer initials *AB*
Seller initials _____ Buyer initials *AB*



Purchase Agreement

turned on; proper access to attic; basement/crawl spaces; access to electrical service box with all breakers/fuses in "ON" position; etc. If any of the reports/inspections required by this purchase agreement are found deficient, the Seller and the Buyer agree to negotiate in good faith the cost of the correction. If negotiations fail, either party may declare this Agreement to be null and void and Buyer shall receive a full refund of the earnest money in full termination of this Agreement.

Neither Brokers, **Thinking Real Estate** / _____ **Thinking Real Estate** _____ nor any of the respective real estate sales agents possess the expertise necessary to assess structural and mechanical matters, determine environmental risk or the presence of environmental contamination, nor many of the other matters herein set fourth which may be material to the decision to purchase or to the amount of the purchase price.

Inspections are readily available for reasonable fees by trained professionals. The Buyer(s) and/or inspector(s) hired by the Buyer(s) are permitted to fully inspect subject property. Inspections of the physical condition of subject property by a professional with Buyer's approval of the condition of the property, as disclosed by the inspection, are an important safeguard. Buyer is advised to hire professional inspectors to inspect the property. If Broker supplies Buyer and/or Seller with the names of any professional inspectors, lenders, title companies, or insurance companies, such suggestions do not constitute a recommendation or endorsement of any such individual, entity or company by the Broker. Buyer and/or Seller may investigate several persons or companies and use the information obtained to make selections for the required services.

21. **MECHANICAL, ELECTRICAL AND STRUCTURAL INSPECTION:**

This Purchase Agreement is contingent upon an inspection by inspector of Buyer's choice, at Buyer's expense, to ascertain current condition of the property within ten (10) calendar days of written notification that the property is in proper condition for inspection as described in Paragraph 20 of this agreement after acceptance of this offer. This contingency shall be deemed waived unless the Buyer, based on the results of the inspection, objects in writing within the time period permitted for the inspection. NOTE: the intention of the inspection(s) is not to create a list of repairs for the Seller to correct. It is the Seller's position that the negotiated price fairly reflects the present "AS-IS" condition of the property.

Buyer waives inspection.

22. **WELL AND SEPTIC INSPECTIONS:**

Connected to community water Connected to community sewer

Seller / Buyer to furnish a written report stating that the water is potable.

Seller / Buyer to furnish a written report that the well system is in good working order.

Seller / Buyer to furnish a written report stating that the septic system is in good working order.

23. **PEST INSPECTION:** Seller / Buyer / Waived shall furnish at his expense an inspection by Aardvark Pest Control for termites, powder post beetles, carpenter ants and carpenter bees. If active infestation is found, or evidence of previous untreated termite infestation, it shall be the option of the Seller, within 7 days from inspection, to contract to treat and to contract to repair any ruined material resulting from termites, powder post beetles or carpenter ants. If the Seller does not contract to treat and repair, this agreement may be declared null and void by the Buyer.

24. **RADON TESTING:** Seller / Buyer / Waived shall furnish at his expense an inspection by a qualified radon testing company for the presence of radon. Seller to pay for mitigation if required to achieve satisfactory results of radon levels.

Property Address: _____ 509 W. Franklin St. _____
Page 4 of 7

Seller initials _____ Buyer initials AS
Seller initials _____ Buyer initials AS



Purchase Agreement

25. **DISCLOSURE STATEMENT ACKNOWLEDGMENT:** Buyer does does not acknowledge receipt of Seller's Disclosure Statement in compliance with the Michigan Seller Disclosure Act. Seller Disclosure attached as Addendum n/a ^{# See Addendum A}
26. **LEAD BASED PAINT:** Buyer does / does not acknowledge that prior to signing this Purchase Agreement, Buyer has received and reviewed a copy of the *Lead-Based Paint Seller's Disclosure Form* completed by **Seller**.

Lead-Based Disclosure attached as Addendum _____

___ Buyer shall have a ___ day opportunity after the date of this Agreement to conduct an inspection of the property for presence of lead-based paint and/or lead-based paint hazards. (Federal regulations require a 10-day period or other mutually agreed upon period of time.) If Buyer is not satisfied with the results of this inspection, upon notice from Buyer to Seller within this period, this Agreement shall terminate and any deposit shall be refunded to Buyer.

Buyer hereby waives his/her opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

___ No lead-based paint disclosure form is required because the property was built in 1978 or later.

27. SURVEY/MORTGAGE REPORT/PROPERTY IMPROVEMENT REPORT:

Property Surveys Information: If exact boundary lines of the property are material to either the decision to purchase or the amount of the purchase price, the parties should arrange to have a boundary/staked survey completed by a licensed surveyor. A boundary/staked survey discloses the property's corners and verifies the location of existing corner markers or monuments, the location and distant of measurements for all buildings and other physical improvements as they relate to the property lines as well as the property boundary lines, and the physical location of any known exceptions. A mortgage report shows only the approximate location of the improvements or buildings and visible encroachments on the property, but does not show dimensions from buildings or improvements to property lines.

Mortgage Report - Buyer shall provide, at Buyer's expense, a current mortgage report certified to Buyer's **lender only if required by lender**. This report shall identify any buildings and improvements on the property as described with **no** boundary lines established.

___ **Property Improvement Report** - Buyer shall furnish at Buyer's expense a current property improvement report certified to the **Buyer**. This report shall identify any buildings and improvements on the property as described with **no** boundary lines established. (This document can be utilized in situations where the lender does **not** require a mortgage certificate.)

___ **Boundary (Stake) Survey** - Seller / Buyer shall furnish at their expense a current report identifying any buildings, encroachments and improvements within the boundaries of the described property. This survey shall show all boundaries and property shall be staked at all corners.

___ Buyer waives stake survey, mortgage report and property improvement report.

28. **INVESTIGATING SCHOOLS:** If the quality or suitability of school facilities is material to the Buyer, the Buyer should obtain information directly from the appropriate school district.

29. **ZONING, BUILDING, OTHER USE RESTRICTIONS:** It is the Buyer's responsibility to verify from the appropriate city, county and state authorities that zoning, building and other use restrictions are compatible with Buyers intended use of the property.

Property Address: 509 W. Franklin St.
Page 5 of 7

Seller initials _____ Buyer initials AB
Seller initials _____ Buyer initials AB



Purchase Agreement

30. **FLOODING, BUILDINGS AND OTHER USE RESTRICTIONS:** Buyer(s) should review Seller's Disclosure Statement where Seller has revealed their knowledge or lack thereof, as it pertains to flood insurance; flooding or inadequate drainage on subject property. Special Flood Hazard areas or government designated flood plains do exist. Buyer is advised that lenders may annually require flood plain insurance as a condition of procuring a mortgage.
31. **POTENTIAL HAZARDOUS SUBSTANCES:** There are numerous federal, state and local laws and regulations in existence which are intended to control and/or correct environmental contamination. These laws and regulations may expose owners, tenants and other users of property to liability for substantial damages and/or clean-up costs occasioned by environmental contamination, regardless of fault and regardless of when in time the contamination may have occurred. Accordingly, it is prudent for each party to a real estate transaction to seek legal and technical counsel from professionals experienced in such matters so that each may be better apprized of the respective rights and responsibilities in regard to environmental contamination, hazardous wastes disposed of on the property, or property that now has or had underground storage tanks. The term "hazardous wastes or substances" as used in this agreement may include, but is not limited to, petroleum based products, paints and solvents, lead cyanide, DDT, printing inks, acids, pesticides, ammonium compounds, asbestos, PCB, mold or mold contaminated materials and other chemical products.
32. **CONDITION OF PROPERTY:** BUYER HAS PERSONALLY EXAMINED THIS PROPERTY AND AGREES TO ACCEPT SAME IN ITS "AS IS" CONDITION AND SELLER AGREES NOT TO ADVERSELY ALTER THE PRESENT CONDITION. If said premises are damaged by fire or other casualty prior to closing, Buyer may elect to revoke this Agreement and be reimbursed for all earnest money hereunder, or conclude the sale on the payment to Buyer of such insurance proceeds necessary to repair the property to its condition at the time of this Agreement's acceptance. Buyer shall assume all risk of loss or damage not caused by acts of negligence of the Seller from date of closing. **WALK THROUGH INSPECTION:** Although the Buyer has the right to a walk-through inspection prior to closing, the sole purpose is to determine if it is in the same condition as when the Purchase Agreement was executed, and the included personal property remains on the premises.
33. **SELLER/BUYER HAS BEEN ADVISED TO SEEK LEGAL COUNSEL TO INSURE THAT:** 1) the details of the Purchase Agreement are being adhered to, 2) title is marketable, and 3) Property complies with or is not affected by the Land Division Act, as amended.
34. **FACILITATIVE MEDIATION:** In the event of any controversy between the parties, including the parties' real estate agents and brokers, they agree that, prior to or promptly following initiation of, litigation or other dispute resolution proceeding, they will participate in good faith in facilitative mediation using a mediator qualified under MCR 2.411. The cost of the mediator shall be borne equally by the parties involved in the controversy.
35. **ADDITIONAL PROVISIONS:**
See Addendum A

Property Address: 509 W. Franklin St.
Page 6 of 7

Seller initials _____ Buyer initials AB
Seller initials _____ Buyer initials AB



Purchase Agreement

36. **SEE ALSO ADDENDUMS MARKED:** A. The parties agree that a) there are not additional written or oral agreements or understandings, b) the Agreement shall not be amended or modified unless both parties do so in writing, c) this Agreement shall be governed and construed in accordance with the laws of the State of Michigan, d) invalidation of one or more terms shall not affect the validity of the remaining terms, and e) this Agreement shall survive the closing, the delivery of deeds, instruments or contracts and shall not merge into any such documents of conveyance provide for herein.

37. **EXECUTION OF CONTRACT:** Execution of a facsimile or scanned/mailed counterpart of this contract shall be deemed execution of the original contract. Facsimile or scanned/mailed transmission of an executed copy of this contract shall be treated the same as hand delivery.

38. Marc Meyer
WITNESS

Nathan Benkert
BUYER

Ashley Benkert
BUYER

Marc Meyer
Print Witness Name

Nathan Benkert
Print Buyer's Legal Name

Ashley Benkert
Print Buyer's Legal Name

39. **SELLER'S ACCEPTANCE:** _____ Date: _____ Time: _____
The above is hereby accepted _____ and Seller gives the Buyer until _____ to accept any changes. Receipt of a copy of this agreement is acknowledged by Seller.

WITNESS

Print Witness Name

SELLER

Print Seller's Legal Name

SELLER

Print Seller's Legal Name

40. **BUYER'S RECEIPT AND ACCEPTANCE OF CHANGES:** _____ Date: _____ Time: _____
Receipt is acknowledged by Buyer of the Seller's acceptance of offer. If acceptance was subject to changes, Buyer agrees to accept changes; all other terms and condition remain unchanged.

WITNESS

BUYER

BUYER

Property Address: 509 W. Franklin St.
Page 7 of 7

Seller initials _____ Buyer initials _____
Seller initials _____ Buyer initials _____



Addendum A

(This addendum is made part of the Purchase Agreement / Listing Contract.)

Date: 2/13/12 Property Address: 509 W. Franklin St.

It is agreed and understood that any additions or changes shown below supersede the original agreement/contract. All other terms and conditions remain the same.

1. Appliances to be included are stove and refrigerator.
2. The form of conveyance per items ~~5 and 7~~ ^{6, 14 and 25} will be a Quit Claim Deed.
3. The buyer will be responsible for any special assessments on the property (item ¹⁹ ~~12~~)
4. Seller has never lived in the home, therefore, there is no seller's disclosure statements (item ²⁵ ~~25~~)
5. Buyer will complete eight hours of HUD-certified homebuyer counseling as a requirement of the Neighborhood Stabilization Program.
6. Buyer will occupy and maintain this property as their principal place of residence for five years and execute a 5-year forgivable mortgage with the Michigan State Housing Development Authority to enforce the period of affordability.
7. Buyer plans to request closing cost assistance up to 6% of the selling price from Jackson Affordable Housing Corporation.
8. Pest inspection per item 23 will be at the buyers expense
9. Buyer to deposit \$500 as earnest money to be held by the Escrow Agent as part of the purchase price (item 11)

Respond by: _____

Witness _____ Nathan Benkert Buyer _____ Ash R... Buyer _____ 2/13/12 Date _____

Witness _____ Seller _____ Seller _____ Date _____

**City of Jackson Police Department
216 East Washington Avenue
Jackson, Michigan 49201
(517) 788-4127**



MEMORANDUM

DATE: February 2, 2012
TO: Laurence Shaffer, City Manager
FROM: Matthew R. Heins, Chief of Police
SUBJECT: January Manager's Report

Chief Matthew Heins

- Attended:
 - Meeting Regarding Fire Department Captain's Test
 - Meeting Regarding Mapping Fire Calls for Service
 - Evidence Audit Progress Meeting
 - Neighborhood Task Force Meeting
 - MSU Staff and Command Interviews and Advisory Board Meeting
 - Police Performance Standards Meeting
 - Meeting to Discuss Health Insurance and Pension Changes
 - Meeting Regarding POLC-NS Step Increases
 - Meeting with Allegiance Administration Regarding Firearms in Hospital
 - JNET Forfeiture Meeting
 - Meeting to Discuss Educational Presentation on Heroin
 - Meeting Regarding Juvenile B&Es
 - Area Chiefs Meeting
 - Meeting with POLC-S Newly Elected President
 - Meeting to Discuss Purchasing Radios for Fire Department
 - Budget Meeting for Fire Department
 - Meeting with City Manager on Fire and Police Departments
 - Crime Mapping Meeting with City IT
 - Meeting Regarding Police Radio Transition
 - Commander Goal Review
 - Allegiance Health Breakfast for Business
 - POLC-S Negotiations
- Time Away from Office:
 - 16 hours of holiday
 - 8 hours of vacation
 - 8 hours of sick time

Deputy Chief John Holda

- Attended:
 - Evidence Audit Meeting
 - MPRI Meeting
 - Performance Standards Meeting
 - POLC-S Negotiations (2)
 - Meeting Regarding POLC-NS Step Increases
 - MAPE Negotiations (3)
 - Act 345 Meetings (2)
 - HRC Meeting
 - Policy Review Committee Meeting
 - Meeting Regarding Electronic Subpoenas
 - Meeting Regarding Employee Evaluations
 - Commander Goal Review Meeting
 - Martin Luther King Breakfast
- IT:
 - DEG – MICR Reporting
 - 2011 Error Correction and Crime Code Verification
 - IT Progress – Lori
 - Final Preparations for Evidence Management Software Installation
 - Create LEIN/Aegis Access for All Officers
 - Final 2011 LEIN Validation
 - Working to Create Case Report Templates
- Time Away from Office:
 - 16 hours holiday

Lt. Christopher Simpson

- Attended:
 - Evidence Audit Progress Meeting
 - Presentation at JCC for New Students
 - Martin Luther King Breakfast
 - Policy Review Committee Meeting
 - Meeting with City Attorney regarding In-Service Training
 - Meeting with MAPE Representatives
 - Expectations Meeting with Detective Bureau
 - Meeting regarding Radio Transition
 - Commander Goal Review
- Time Away From Office:
 - 16 hours holiday
 - 64 hours Fire Academy

Lt. Elmer Hitt

- Attended:
 - Meeting with Allegiance Administration Regarding Firearms in Hospital
 - Hot Air Jubilee Sites Committee Meeting
 - LPT Meeting at OEM
 - John George Home Strategic Planning Meeting
 - SRT Training
 - Domestic Violence Coordinating Council Meeting
- Other Update Information:
 - Several more officers attended SFST and Datamaster refresher training in January. The training was held at the MSP Academy at no cost.
 - Attended LPT meeting on 1/18/12. I will be attending again in February and presenting our radio project to the board. Total amount of project is \$208,000.
 - Patrol handled the fatal traffic crash on Monroe Street on 1/31/12.
- Time Away from Office:
 - 16 hours holiday
 - 16 hours funeral